



1 December 2017

RC:LL\17-236

Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Wayne Williamson, Team Leader – Sydney Region East

Dear Wayne,

re **Planning Proposal for the “Sydney Martin Place Station Precinct” –
PP_2017_SYDNEY_007_00
50 Martin Place, 9-19 Elizabeth Street, 8-12 Castlereagh Street, 5 & 7 Elizabeth
Street and 55 Hunter Street (“the north site”)
39 Martin Place (“the south site”)**

We write on behalf of Dexus Funds Management and GPT Re Limited (“our clients”) who are the joint owners of the MLC Centre at 19 Martin Place, Sydney, in relation to the above Planning Proposal for the Martin Place Station Precinct.

The MLC Centre is located opposite the “south site” on the western side of Castlereagh Street and on the southern side of Martin Place.

The MLC Centre is described as follows in “Sydney Architecture” (1997) by Graham Jahn:

*“Cnr King and Castlereagh Streets and Martin Place, Sydney
1975-78 Harry Seidler & Associates*

The MLC Centre consists for a 65-storey office tower, two-level shopping arcade and a below-ground proscenium theatre replacing the Theatre Royal, which was demolished to make way for the project. Much of the ground space has been utilised for north-facing plazas linked by ramped steps which ascend to the tower lobby. The design uses an engineering and construction-based strategy where the spandrel panel is structural and the tapering outer columns stiffen the tower in a simple action against the core to control wind pressure. The structural consultant was the Italian engineer PL Nervi, who played a major part in the foyer ceiling design. The scheme includes artworks by Calder, Albers and Perry.”

The MLC Centre provides through-site the links from Rowe Street to Castlereagh Street and from King Street to Martin Place, where there is an underground connection through to the existing Martin Place Station. The north-facing, open and publicly accessible plaza contains bars/ restaurants with extensive outdoor seating and a large void (with a glass canopy above for weather protection) which allows light to flood into the MLC Centre food court below.



The stairs leading up to the plaza from Martin Place are also used extensively by workers and visitors as a popular sunny meeting point and as a convenient spot to take a break, enjoy a coffee or snack and observe the (often ceremonial and civic) activities in Martin Place.

The key elements of the exhibited Planning Proposal as described in your notification letter of 1 November 2017 include: -

- increasing the building height for part of the “south site” up to the Hyde Park North sun access plane by amending the existing 55 metre height limit adjoining Martin Place from a 25 metre setback to 8 metres; and
- inserting a new site specific clause that provides for additional floor space of up to 22:1 (on the south site) and 18:5:1 (on the north site).

Our clients are most concerned that a building with a FSR of 22:1, which is 76% greater than the 12:5:1 maximum FSR which is otherwise permissible under Sydney LEP 2012, will have significant adverse impacts on the MLC Centre by reason of, amongst other impacts, increased overshadowing of tenanted and publicly assessable spaces, views of the sky from tenanted and publicly accessible spaces, excessive bulk and scale, and obstruction of views and outlook.

Our clients are also most concerned about adverse impacts on Martin Place generally, particularly from the combination of a reduced tower setback from Martin Place (by 68%, from 25 metres to 8 metres) and the increased bulk and scale associated with what can only be described as a massive and entirely unreasonable and unprecedented increase in the permissible FSR.

Attached hereto is a design critique of the Planning Proposal in so far as it impacts on the MLC Centre and (on Martin Place) which has been prepared by Harry Seidler & Associates for our clients.

In addition to the objectionable aspects of the Planning Proposal identified in the attached design critique, we make the following observations on the Planning Proposal.

1. The 76% exceedance of the “standard” maximum FSR limit of 12:5:1 is unreasonable and unacceptable.

The FSR controls which are imposed by Sydney LEP 2012 (and which were imposed by prior planning instruments over at least the last 20 years) are rigorously enforced by Sydney City Council. Compliance with the FSR controls is an essential pre-requisite to development in the Sydney CBD.

The FSR controls do not only dictate the development yield from any given site (based as they are on “site area”) they also deliver an equitable development environment where the rules of engagement are clear, transparent and universal. Indeed, they are an essential consideration in the determination of fair compensation to be paid to any dispossessed owner of land compulsorily acquired for, or related to, a public purpose (such as Sydney Metro):

In this context, complete disregard for the controls which apply to land in the Sydney CBD, specifically for land associated with (and compulsorily acquired for) a public purpose and the introduction of a replacement control (eg 22:1 FSR) which is excessive, unreasonable and entirely out of context is highly objectionable. The unreasonableness is made all the more so given that the "south site", to which the greatest exceedance of the existing FSR control is to apply, forms part of the Martin Place Special Character Area in which the bulk and scale of new buildings and, in particular the relationship of the tower element of a new building on the "south site" to Martin Place, is of primary importance.

The Planning Proposal points to the Draft Central Sydney Strategy to justify the two FSR's which are proposed. No reliance should or can reasonably be placed on the Draft Central Strategy as a basis to increase the FSR on the "north site" and "south site" to 18:5:1 and 22:1 respectively because: -

- (a) it's a Draft;
- (b) it may not become more than a Draft; and
- (c) if it does become more than a Draft it will be part of a package with which the Planning Proposal would be inconsistent on many counts (particularly the failure to comply with setbacks in a Special Character Area)

The claim in the Planning Proposal that the 22:1 FSR limit is somehow essential because of the inclusion (in the precinct development as a whole) of railway infrastructure is ill-founded. The Over Station Development ("OSD") is separate to the CSSI approval for the station infrastructure therefore should not be the subject of exclusion from or special treatment regarding, the controls which apply to every other site in the Sydney CBD, including the FSR controls and, where relevant, Special Character Area controls.

2. The Planning Proposal fails to adequately quantify and address impacts on the MLC Centre.

The Planning Proposal package details no specific impacts on the MLC Centre, notwithstanding that the MLC Centre is the immediate neighbour to the west of the "south site" and that it is prone to adverse overshadowing, wind conditions and other impacts including on publicly accessible space within the MLC Centre site, by virtue of increased bulk, scale and height on the "south site".

This absence of analysis of the open spaces on the MLC Centre site is particularly ironic given that the existence of the MLC Centre's quasi public space is specifically cited in the Planning Proposal as a reason why the 25 metre setback from Martin Place (above street frontage height) is a reasonable requirement to the west of Castlereagh Street but is not necessary to the east. In this regard, the Planning Proposal asserts that the MLC Centre breaks the street wall on the south side of Martin Place enabling a tower element to encroach within 8 metre of Martin Place to the east of Castlereagh Street. This assertion is rejected.



3. Greater clarification of likely shadow impacts is required.

The Planning Proposal will result in increased overshadowing of the publicly accessible spaces on the MLC Centre site. This appears to have been ignored by the Planning Proposal because the MLC Centre is private land.

The shadow diagrams in the Planning Proposal are complex and actual impacts are difficult to discern: the Proponent should be asked by the Department to produce "views from the sun" for the existing situation, for a compliant scheme and for the proposed scheme, at half hourly intervals from 8.00 am to 12.30 pm on December 21st, April 21st/ September 21st and on June 21st. These should then be provided to us for review.

4. The Planning Proposal fails to recognise the need for any new development to properly respond to Martin Place Special Character Area.

Martin Place is one of the most, if not the most important civic space in the Sydney CBD. It has long been the subject of consistent Special Character Area controls. Recent approvals for sites in Martin Place, including No. 60 Martin Place have not undermined the long-held controls (as is claimed in the Planning Proposal) and are certainly not a precedent for the bulk and scale which is proposed and the lack of an adequate tower setback from Martin Place (above street frontage height) that the Planning Proposal will result in.

5. Tower setback controls above street frontage height in Castlereagh Street and Elizabeth Street have been ignored

The Planning Proposal appears to totally disregard the setback control which would apply above street frontage height in Castlereagh Street and Elizabeth Street. These setbacks are vital in ensuring a satisfactory relationship between tower elements and the public domain and increase sky views and outlook, mitigate against adverse wind conditions and reduce overshadowing.

6. The Proponent's Planning process is flawed

The process by which the Planning Proposal has been advanced is the NSW Government's Unsolicited Proposal process and not as part of a strategic planning review which supports the casting aside of a long-established FSR limit and Special Character Area tower setback control for Martin Place: there is no proper and adequate strategic planning basis to abandon these long established and well-founded key controls on either enter the "north site" or on the "south site".



7. Further Action

The timeframe provided for comments on the Planning Proposal fails to reflect the significance of the shift in FSR, height, and setback controls which is sought to be achieved.

We therefore anticipate that further comments in the Planning Proposal may be submitted in due course by, on behalf of, our clients.

Thanking you for the opportunity to make this submission.

Yours faithfully
BBC Consulting Planners

A handwritten signature in blue ink, appearing to be 'Bob Chambers', with a long, sweeping horizontal line extending to the right.

Bob Chambers
Director
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MLC Centre

Analysis of Design Intent and Potential
Impacts of a Planning Proposal
for the Sydney Metro Martin
Place Station Precinct

Project

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19 Martin Place
SYDNEY NSW 2000

Client

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Document Information

Project No:	0514-17
Document No:	AR-01
Report Version:	05
Date:	01 December 2017

DOCUMENT REGISTER

Project No.	Document No.	Issue	Remarks	Date
0514-17	AR-01	01	Preliminary: for review	22.11.17
0514-17	AR-01	02	Revised Review Issue	24.11.17
0514-17	AR-01	03	Submission Issue	30.11.17
0514-17	AR-01	04	FSR Amended Page 4	30.11.17
0514-17	AR-01	05	Dexus Funds Management	01.12.17

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EXECUTIVE SUMMARY

Macquarie Corporate Holdings Pty Limited has submitted a Planning Proposal to the NSW Government Department of Planning and Environment under Section 55 of the Environmental Planning and Assessment Act 1979 for works associated with the future Martin Place Metro Station, which forms part of the NSW Government's Sydney Metro Project.

Macquarie's Planning Proposal centres on the delivery of two predominantly commercial/office towers for two sites (North Site and South Site) which initially provide access for the construction of the Metro Station, and on completion, provide the northern and southern access portals to Martin Place Station and the Metro System.

The MLC Centre is located at the corner of Martin Place and Castlereagh Street. The Planning Proposal's South Site is located on the opposite side of Castlereagh Street directly to the east of the MLC Centre.

The Planning Proposal for the South Site centres on an application to increase the bulk and scale of the built form allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012) through enabling greater building height and floor space.

The Appendices forming the Planning Proposal do not assess potential impacts on the MLC Centre.

Should the Planning Proposal be approved, the MLC Centre will suffer additional over-shading of the public plaza in the morning, throughout the year, when compared to the existing conditions and the Sydney LEP2012 and DCP2012 compliant envelope.

An architectural review of the test data for wind tunnel testing for four locations near the MLC Centre does not indicate any significant change when compared to the existing wind environment. Wind tunnel testing has not been carried out on the footpaths adjacent to the MLC Centre or within the MLC Centre boundaries.

Existing outlook and views to the north-east from the MLC Centre tower are significantly impacted by the Planning Proposal building envelope for the South Site when compared to the building envelope allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012), and the existing situation.

Sky view from the public plaza of the MLC Centre is significantly impacted, when compared to the existing conditions and the Sydney LEP2012 and DCP2012 compliant envelope.

The considerations advanced in the Appendices of the Planning Proposal to increase the bulk and scale of the built form allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012) through enabling greater building height and floor space on the South Site are sometimes selective and contradictory and apparently arguable.

INTRODUCTION

Macquarie Corporate Holdings Pty Limited has submitted a Planning Proposal to the NSW Government Department of Planning and Environment under Section 55 of the Environmental Planning and Assessment Act 1979 for works associated with the future Martin Place Metro Station, which forms part of the NSW Government's Sydney Metro Project.

Macquarie's Planning Proposal centres on the delivery of two predominantly commercial/office towers for sites which initially provide access for the construction of the Metro Station, and on completion, provide the northern and southern access portals to Martin Place Station and the Metro System.

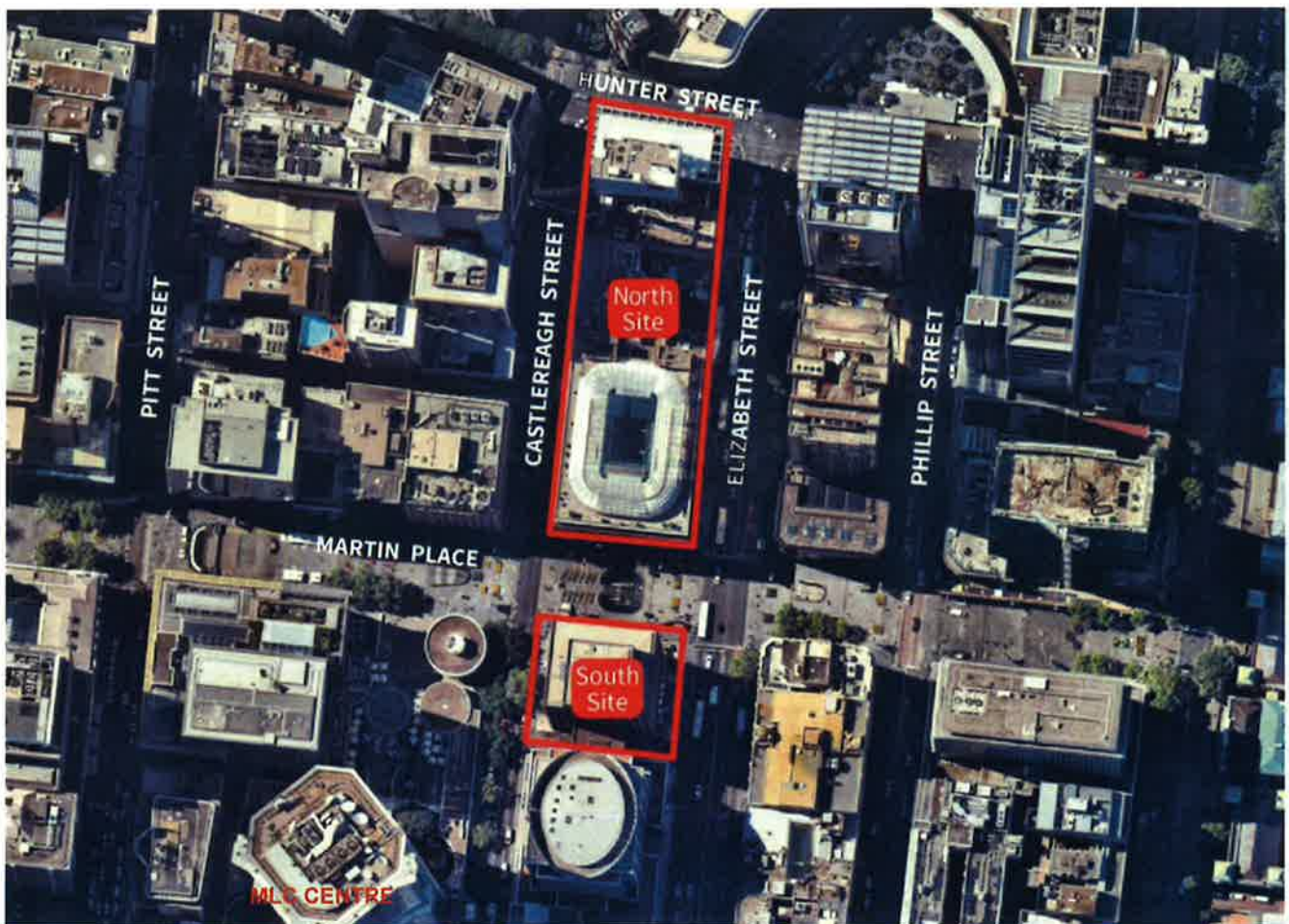
Macquarie's Unsolicited Proposal includes the delivery of the Metro Station, a below-ground concourse and two office towers (OSD) as a single integrated project: the Sydney Metro Martin Place Station Precinct.

The new Sydney Metro rail network, platforms and access is Critical State Significant Infrastructure. The proposed over-station development (OSD) office towers are not.

The Planning Proposal for the Station Precinct encompasses two sites:

The North Site comprises 50 Martin Place, 9-19 Elizabeth Street, 8-12 Castlereagh Street, 5 Elizabeth Street and 55 Hunter Street.

The South Site comprises 39-49 Martin Place.



Source: Planning Proposal Appendix H - Strategic Airspace

The owners of the MLC Centre have engaged Harry Seidler & Associates to review the Planning Proposal's design intent and potential impacts on the MLC Centre at 19 Martin Place. This report reviews Macquarie's Planning Proposal described by fifteen documents on exhibition during November 2017 at the NSW Government Department of Planning and Environment website and at the City of Sydney

THE MLC CENTRE

The MLC Centre is located at the corner of Martin Place and Castlereagh Street. In this location it is a significant gateway site for access from the south and west of Sydney's CBD to the Martin Place Station Precinct.

The MLC Centre is distinguished by its many cross-block pedestrian connections established by its location in the centre of the CBD and its proximity to the Martin Place heavy rail station, which is to continue as part of the new Station Precinct. The MLC Centre is located between the new station precinct and the catchment area for commuters to the south-west of the station. Pedestrian commuters destined for Martin Place pass through the MLC Centre from Pitt Street via Rowe Street, from King Street and the Pitt Street Mall.

The MLC Centre is also distinguished by its north-facing public plaza. Like Australia Square, MLC's plaza has been adopted and enjoyed by the city's workers and visitors as a daytime destination overlooking Martin Place.

Despite the MLC Centre's adjacency to the Planning Proposal's South Site at 39-49 Martin Place, its cross-block pedestrian connections which establish it as a gateway site to the Station Precinct, and its established public spaces, the MLC Centre is infrequently referenced on any of the more than 850 pages constituting an evaluation of impacts by the Proposal.



THE PLANNING PROPOSAL

The Planning Proposal for the South Site centres on an application to increase the bulk and scale of the built form allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012) through enabling greater building height and floor space.

"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."

(Planning Proposal 1.3, p.13).

The increased building envelope proposed for the South Site maintains compliance with the height limit of the Hyde Park North Sun Access Plane required by Figure 5.26 of Sydney's DCP 2012.

The increased bulk and scale for the South Site is enabled by the proposal to increase the Floor Space Ratio (FSR) to 22:1 from 12.5:1 allowed under LEP 2012, which "...optimises development potential" (Appendix C, 5.1, page 31).

A Floor Space Ratio of 22:1, if granted, is far higher than any other site in the Sydney CBD.

"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".

(Planning Proposal 1.4, p.14)

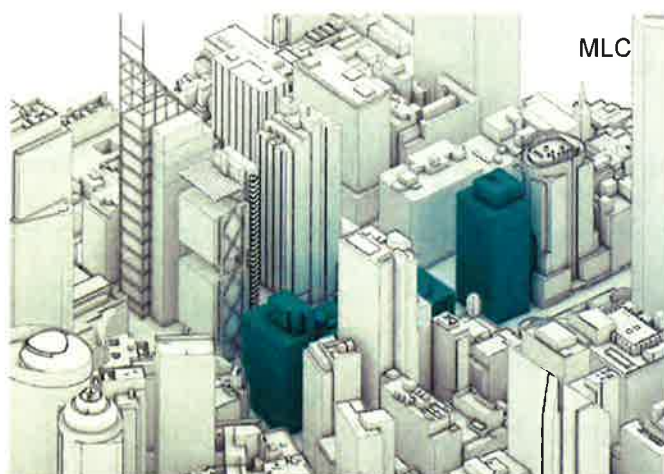
The conditions of the Gateway Determination include:

- *Provide further justification for why the proposal would create a better design outcome than the current planning controls,*
- *How the proposal will protect and enhance Martin Place's civic and ceremonial functions,*
- *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, ...and*
- *Address the recommendations of the Martin Place area of special significance proposal for Urban Design Development Controls (1993)..."*

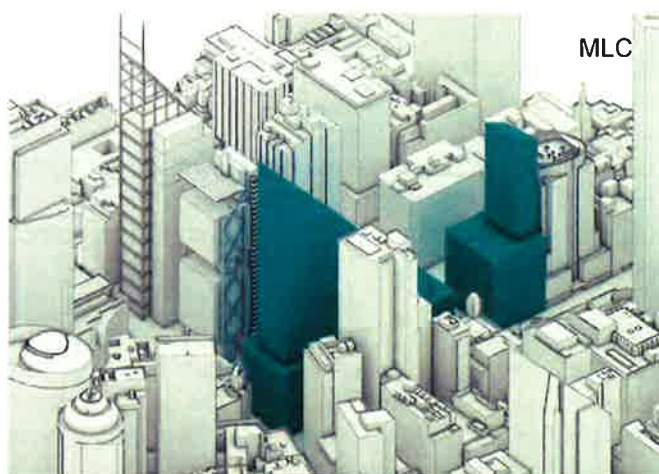
The Appendices supporting the Planning Proposal on exhibition have been reviewed below for architectural matters of design intent and potential impact on the MLC Centre. This review focusses on the South Site given its proximity to the MLC Centre.

This result of this review establishes that significant parts of the required conditions for Gateway Determination are not met for the South Site by the Planning Proposal.

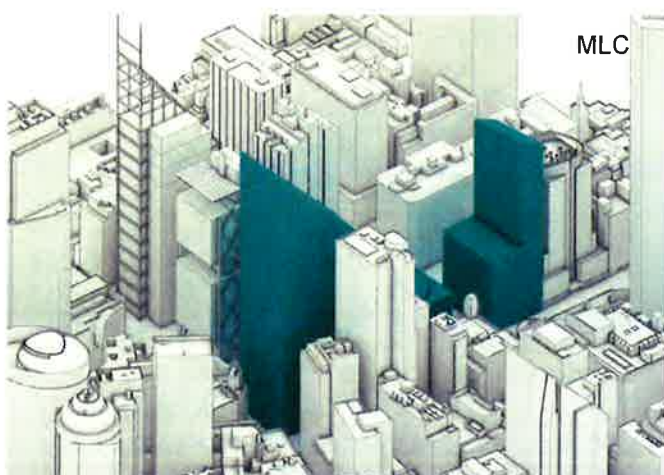
The Planning Proposal: Built Form Envelope



Existing built form

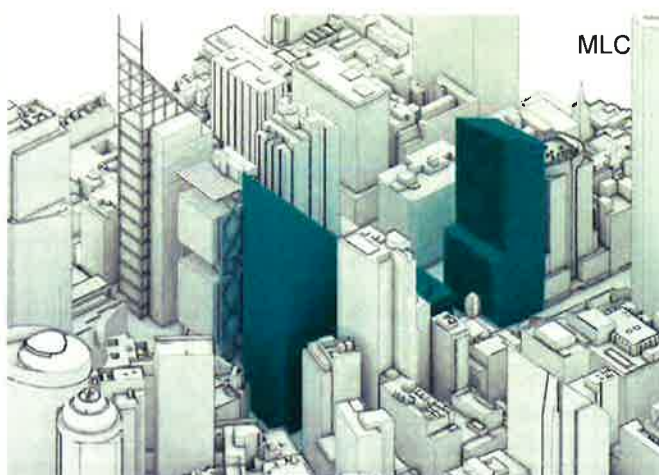


LEP and DCP compliant envelopes



Proposed SSA DA envelope

Source: Planning Proposal Appendix D - Tzannes



Planning Proposal envelope

URBAN DESIGN REPORT

Proposal Appendix A

This report establishes the urban framework, objectives and design principles for the design of the Martin Place Metro Station and associated 'over station' development.

The purpose of this report is stated as "...to guide the new Metro at Martin Place Sydney as a precinct including its buildings, associated public open space and publicly accessible private land."

Section 2 of the report establishes Design Objectives for the Martin Place station precinct.

2.1 Movement Objectives

Movement objectives address transport and pedestrian relationships, integration and way-finding.

2.2 Open Space Objectives

Open space objectives include considerations of solar access, sky views reflected light and daylight at the public domain.

2.3 Built Form Objectives

Built form objectives note that "...the improvement of the South Site in the block bounded by Elizabeth and Castlereagh Streets requires the establishment an appropriate architectural form and expression that reflects the distinctive attributes of the built form in this block including the distinctive attributes of historic buildings to the east up to Macquarie Street. New height and setback controls that vary from current City of Sydney development controls are required to reinforce the distinctive attributes of Martin Place from Castlereagh Street to Macquarie Street." (2.3.1)

The report focusses on considerations of built form to the east of the Planning Proposal site on Martin Place. The MLC Centre neighbouring the South Site to the west is not referenced as part of the considerations for built form for the South Site, even though the comparable neighbouring sites to the east appear to attract consideration.

Built form objectives also aim to maximise development potential and density on the basis of the extent and significance of the transport orientated pedestrian environment, and the importance of maintaining acceptable levels of amenity within the public domain. The report contends "*it is imperative that high levels of density on property above and adjacent to civic spaces and public transport of this standard is achieved in alignment with more sustainable and liveable urban futures.*" (2.3.7). There is no analysis of the insufficiency of a compliant LEP2012 FSR to meet the objectives – or the sufficiency of the additional 18,021.5 m² floor space to satisfy the objectives.

Section 3 of the report outlines Urban Framework considerations for the Planning Proposal precinct.

3.3.1 Movement

The principles for transport interchange include:

- "Station entries are to be located at the corners of streets," and
- "Where part of the project, the public domain (footpaths and squares) is to be scaled and designed to facilitate anticipated pedestrian movements".

Diagrams on page 40 indicate proposed pedestrian traffic to and from the South Site station entry (recommended location). The diagrams do not indicate pedestrian traffic to and from the MLC Centre's established cross-block links. The diagrams do not indicate the existing pedestrian tunnel connection from the Martin Place heavy rail to MLC Centre.

Diagrams on page 42 do not correctly represent, and therefore evaluate, MLC Centre's current service vehicle access requirements

3.3.2 Open Space

The Planning Proposal accords with the Sydney DCP2012 (Part 3.2.3) guidelines to maximise Active Frontages for the South Site – the Castlereagh Street frontage (facing MLC Centre) is proposed as an active edge.

The report anticipates “...opportunities to increase daylight in Martin Place through potential reflection from the north façade of the southern building and the east and west facades of the northern building.” (3.3.2.2, par.3). It should be recognised that this strategy also has the potential to increase the reflection of sunlight (and therefore glare and heat gain) from the north-western sky onto the MLC Centre, and the adjoining 5 Martin Place.

3.3.3 Built Form

This section of the Urban Design Report discusses the basis of the assessment of density for this part of the city:

“The majority of the city has a blanket ‘base’ FSR of 8:1. Within this context there is a great variety of site specific variables that underpin variations to this proposed density, often referred to as ‘bonus density.’”

“The ability to achieve the precinct’s maximum density permissible under the Sydney LEP 2012, or beyond, depends on numerous merit assessment variables. These include proximity and capacity of public transport, the available amenity on the precinct as well as the impact on the amenity of surrounding public space and properties... and finally the functional requirements of the city to promote and encourage the major business activities of the city.”

An increase in density is “consistent with the City of Sydney’s identification of blocks in the precinct including the OSD sites that have the capacity for significant increases in FSR as noted in the Central Sydney Planning Strategy – Appendix B Built Form Capacity Study.”

The impact of the proposed increased density for the South Site on the MLC Centre (“...the amenity of surrounding public space and properties...”) is one of the merit assessment variables.

The report evaluates the proposed increased density (an increase in the bulk and scale of the over-station development of the South Site) on the basis of:

- appropriateness,
- precedence on other sites in the city,
- the context of existing and proposed towers (while not defining the height which constitutes a tower)
- heights and solar access considerations
- podium street wall definition – setbacks and height for Martin Place (north and south alignments), Hunter Street, Elizabeth Street and Castlereagh Street (eastern alignment).

Podium

The report’s evaluation of the existing street walls of the south alignment of Martin Place and the east alignment of Castlereagh Street establishes the recommended form for the podium of the South Site.

Tower

The planning context for the tower setback for the South Site is explained at 3.3.3.4.

The report provides an analysis to amend the Martin Place setback which has significant impact on the MLC Centre:

“Both the City of Sydney LEP and DCP 2012 propose a 25m set back from Martin Place for towers above the Martin Place podium. The diagrams describing this also prescribe a similar setback for the Reserve Bank Site and no tower over the precinct directly to the east at 53-63 Martin Place. (Note: Both the Reserve Bank and 53-63 Martin Place buildings are listed heritage items that must be maintained.) The intent of this is to provide consistent articulation between the podium and street wall definition of Martin Place and also to allow unimpeded access to views of the GPO clock tower. We note that the 25m setback is not a consistent or legible tower setback in the context of Martin Place and that the 25m setback does not achieve the ambition of the original DCM urban design work of the early 1990’s which aimed to make the tower invisible from Martin Place with a 40m setback”

The analysis therefore argues that existing buildings on Martin Place, (constructed before the setback requirement was introduced) do not follow the setback. The buildings referenced are at the far end of Martin Place relative to the GPO clock tower.

An 8 metre setback is proposed as appropriate because:

"It reinforces the current site condition where the street wall of Martin Place is broken by the MLC centre creating two distinct places within Martin Place."

"To the west of the MLC Centre these tower setbacks are in the order of 25m or greater."

The analysis has also described the intent of the setback to allow unimpeded views of the GPO clock tower and an aim to make tower forms invisible in the context of the Martin Place Special Character Area.

The proposition is established that because the MLC Centre public space breaks the Martin Place south alignment street wall, it is reasonable that to the west of Castlereagh Street the LEP setback should be maintained at 25 metres (5 Martin Place) while east of Castlereagh Street it may be reduced to 8 metres consistent with the Reserve Bank and 60 Martin Place (in construction) both being the far end allotments, and therefore arguably not significant in defining the character of Martin Place.

The proponent does not acknowledge that 60 Martin Place is compliant with the Sydney LEP2012 for Floor Space Ratio.

The proponent does not acknowledge that the two precedents referenced as justification of reduced tower setbacks from Martin Place are at the eastern-most end of Martin Place which benefits from the additional sunlight and sky views over the Macquarie Street low rise state government precinct and Sydney Eye Hospital.

The Planning Report does not objectively evaluate the Martin Place precinct if a 25 metre tower setback is maintained for the South Site. When the South Site complies with DCP2012 the scale and legibility of built form in Martin Place is substantially consistent and is able to be appreciated as a designed and planned civic precinct. When the built form of the South Site does not comply, the reading of Martin Place as a consistent civic precinct is lost. The South Site is the tipping-point – it is the critical site in determining the future of Martin Place.

SITE SURVEY

Proposal Appendix B

The site survey of the South Site precinct omits most of the features of the MLC Centre including the CTA Club and details of the frontage to Martin Place.

STATEMENT OF HERITAGE IMPACT

Proposal Appendix C

The Assessment of Heritage Impact at Section 5 of the Statement "... assesses potential heritage impacts associated with the proposed amendments to the 2012 Sydney Local Environment Plan".

The MLC Centre is not identified as a Commonwealth, State or locally listed heritage item. It is therefore not referenced or recognised at all in the Statement of Heritage Impact's evaluation of the proposal for the South Site. Instead, "*The proposed LEP height amendment for the South Site aims to establish a building envelope which has a purposeful visual relationship with the Reserve Bank in the set back of its tower component, in order to enhance the existing urban form of the eastern end of Martin Place.*" (5.2, page 32).

The Commonwealth Heritage Listed Reserve Bank building at 65 Martin Place is adopted as the formal precedent for justifying the proposed amended envelope for the South Site. The Reserve Bank is situated on the second block east from the South Site separated by the Elizabeth Street-Phillip Street block and the APA Building. The Reserve Bank is the eastern-most end building in Martin Place. The Reserve Bank building envelope, established before the creation of the Martin Place Special Character Area, contravenes the Sydney DCP 2012 setback provision (Table 5.1H and Figure 5.16).

There is no consideration of the impact of adopting the form of the Reserve Bank for the South Site on the MLC Centre located on the adjacent block to the proposal.

Apart from reference to the GPO clock tower there appears to be little consideration of impacts on Martin Place or any of the sites to the West of the South Site, and therefore the greater part of Martin Place.

VIEW IMPACT ANALYSIS

Proposal Appendix D

The View Impact Analysis assesses the visual impact of the Planning Proposal Envelope when compared to:

- The existing conditions
- The Sydney LEP2012 and DCP2012 compliant envelope
- A Stage 1 State Significant Development [SSD] Development Application envelope.

Views selected for analysis have been done so in consultation with the Government Architect, the NSW Government Department of Planning, the City of Sydney and the Sydney metro and Martin Place Station Precinct design team.

The MLC Centre appears in the distance of View D (from Chifley Square looking south). Views have not been selected to allow analysis of the impact of the Proposal for the South Site on the MLC Centre.

Commentary on the impact of the proposed envelope for the South Site is reported at 3.2.1 (Martin Place) of the Analysis and repeated at 3.4.1 (Elizabeth Street) and 3.5.1 (Castlereagh Street) and again at Section 4 Conclusions. The assessment appears to ignore potential impacts on the MLC Centre:

"The Planning Proposal Envelope proposes an 8 metre setback along Martin Place for the tower above podium level. This setback is consistent with towers to the east of Martin Place, but is less than the 25 metre setback of both the Compliant Envelope and the SSD DA Envelope. As a result, it occupies more of the view of the sky."

The MLC Centre suffers additional over-shading of the public plaza in the morning, throughout the year, when compared to the existing conditions and the Sydney LEP2012 and DCP2012 compliant envelope.

"The proposed reduced setback to the tower on the South Site on Martin Place is directly related to its context. It is 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."

The report advances a planning opinion that the design of the MLC Centre warrants an increase, beyond the Sydney LEP and DCP, of bulk and scale of the tower portion of the South Site. The consequences of this planning opinion are not justified architecturally.

"The 25 metre 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."

Conversely, it could also be argued that the 25 metre setback establishes the reading of a lower scale for the Martin Place Special Character Area which is consistent with the character of Martin Place at the time of its establishment and the construction of key buildings including 50 Martin Place, numbers 2 and 5 Martin Place and the GPO which define the special character of the place.

"The specific conditions of the site, including the SAP to the south of the site, the location of the MLC centre as well as the significant heritage buildings, the specific geometry of the street network and the pedestrianisation of Martin Place all ensure the precinct has high levels of access to sky views."

On the one hand the assessment relies on the open space that the MLC Centre contributes to the city for high levels of access to sky views for the precinct, yet on the other hand proposes to significantly impact the MLC Centre's access to sky views and sunlight.

MLC Centre: Impacts of Built Form

Public Plaza - Existing



Public Plaza - Compliant building envelope



Public Plaza - Planning Proposal envelope

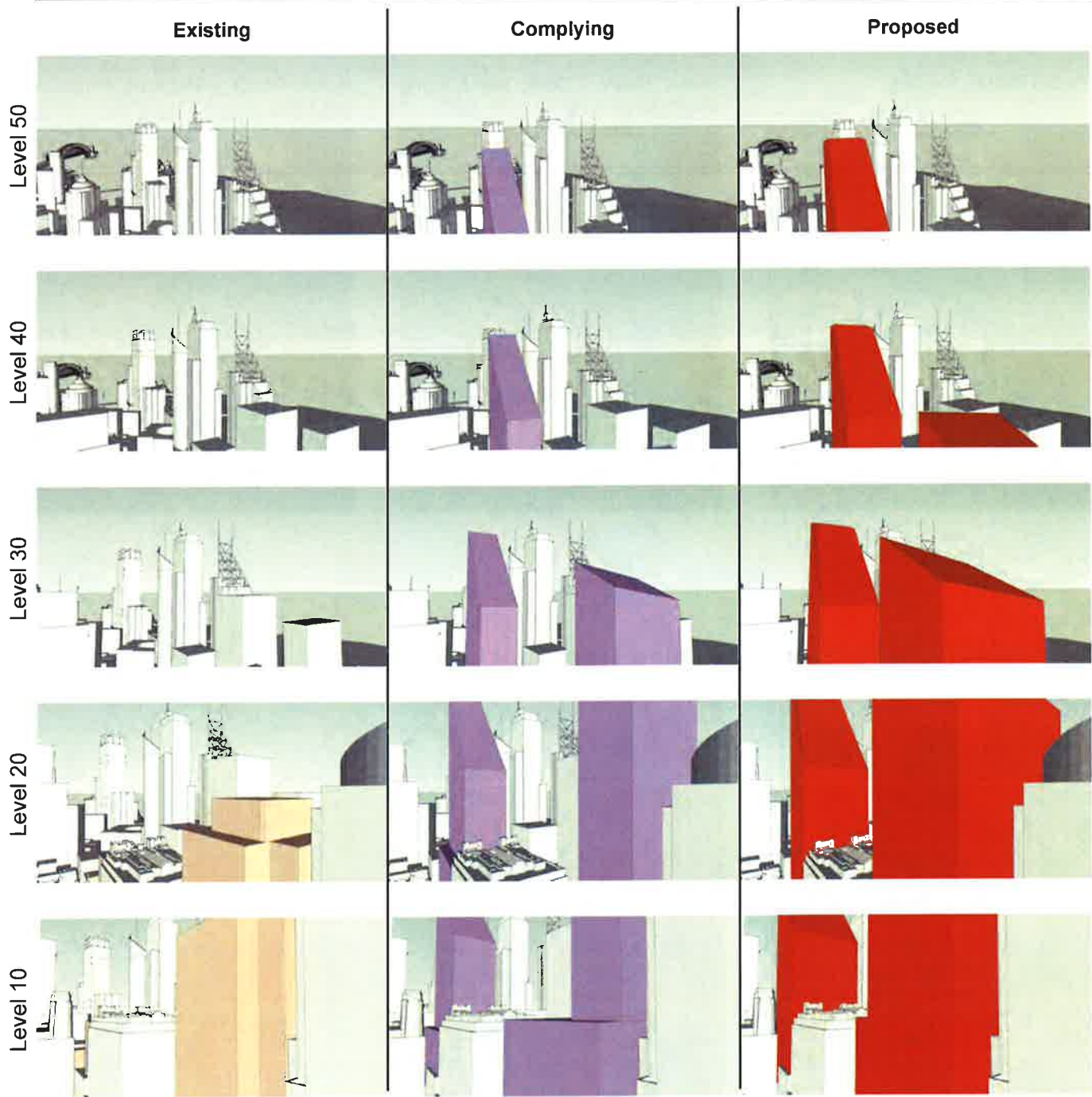


Martin Place view of the MLC Centre and Josef Albers art work - Existing



Martin Place view of the MLC Centre - Planning Proposal envelope





Analysis of impact on outlook from MLC Tower

SHADOW ANALYSIS AND VERIFICATION LETTER

Proposal Appendix E

The Shadow Analysis undertakes comparative testing of:

- The existing conditions
- The Sydney LEP2012 and DCP2012 compliant envelope
- A Stage 1 State Significant Development [SSD] Development Application envelope
- The Planning Proposal envelope

Overshading is analysed between 09:00 and 15:00 hours for the dates of:

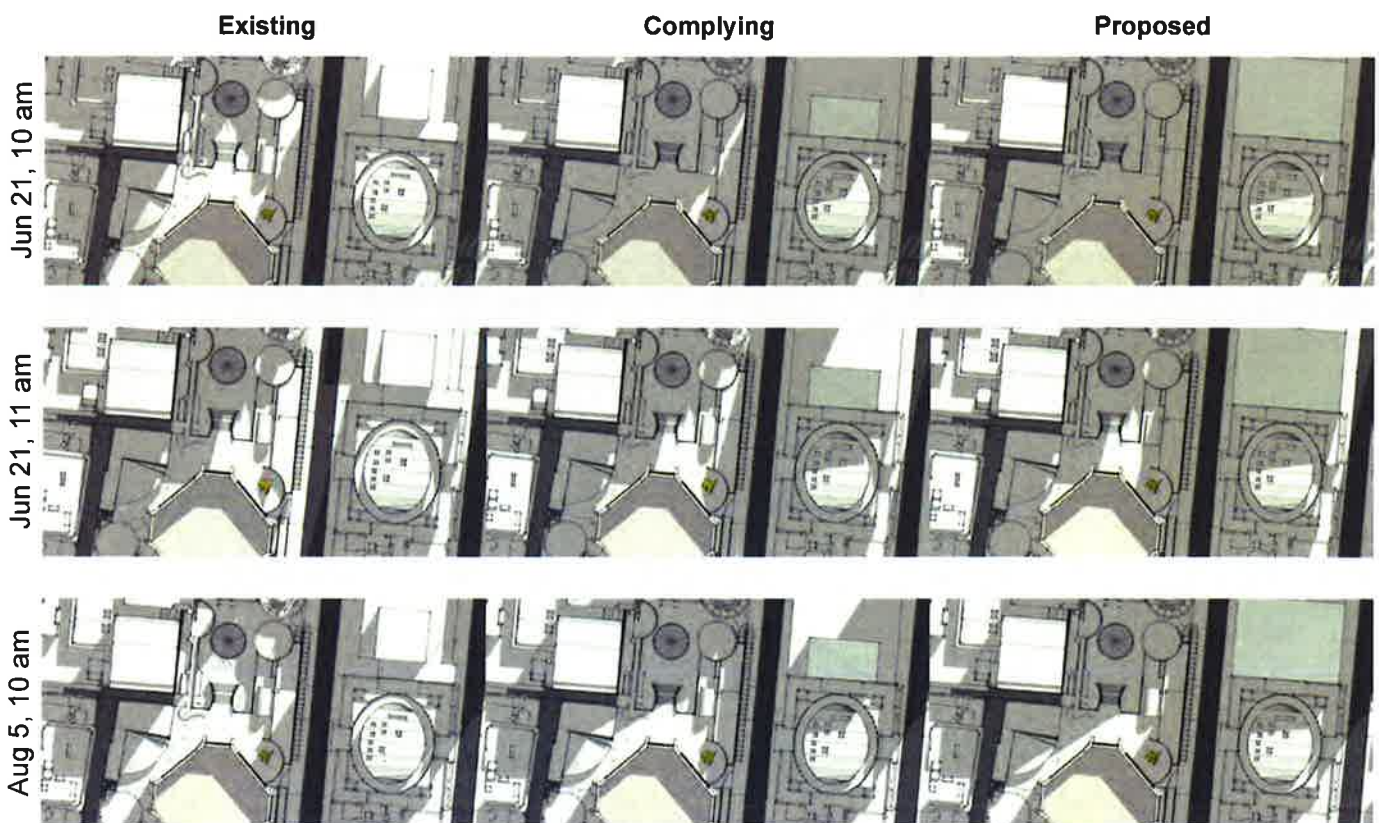
- 14th April
- 21st June
- 31st August
- 21st September
- 21st December

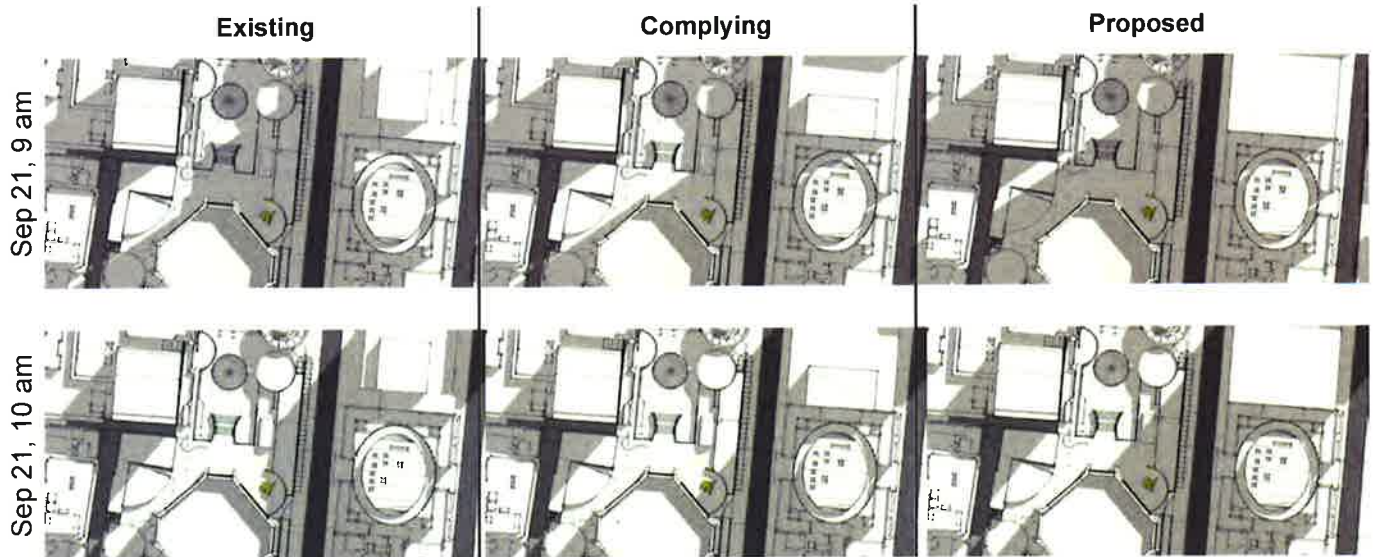
North Site Overshading

Significant for the MLC Centre is the increased overshading of the public plaza by the North Site Planning Proposal envelope when compared with the existing conditions during the winter months of April to August.

South Site Overshading

Also significant for the MLC Centre is the increased overshading of the public plaza by the South Site Planning Proposal envelope when compared with the existing conditions during the months of August to December.





Both of the Planning Proposal's over-station tower envelopes reduce the amount of sunlight received by the MLC Centre public plaza in the morning, throughout the year.

There is a notable reduction in the duration and extent of loss of sunlight by the Sydney LEP2012 and DCP2012 compliant envelope.

The Planning Proposal should include Sun-Eye View analysis of overshadowing to allow a complete understanding of the impacts of the proposed built form.



QUALITATIVE WIND ASSESSMENT AND WIND TUNNEL STUDY

Proposal Appendix F

This Appendix describes the comparative wind tunnel testing which was carried out for the Sydney DCP2012 compliant building envelope and the maximum proposed building envelope on the South Site with setbacks from Martin Place above RL76.95 of 6 metres and 25 metres. The results were compared with existing wind conditions described by the test model.

The testing focusses on pedestrian level wind environment for footpaths, entrances and plazas at 29 locations on the test model from 16 wind directions at each location. Testing was performed without trees and other plantings which typically reduce wind impacts. Measurements were compared to the Lawson Comfort Criteria (1990) – reported as one of the most widely accepted set of criteria for assessing pedestrian comfort and distress.

Wind tunnel testing was carried out at four locations near the MLC Centre:

- The middle of Martin Place opposite the main plaza stair to MLC (Location 16)
- The corner of Martin Place on the opposite side of Castlereagh Street (Location 17)
- At two locations on the Castlereagh Street footpath opposite the MLC Centre (Locations 23 and 24)

Architectural review of the test data for the four locations near the MLC Centre does not indicate any significant change when compared to the existing wind environment.

Wind tunnel testing has not been carried out on the footpaths adjacent to the MLC Centre or within the MLC Centre boundaries.

TRANSPORT, TRAFFIC, PEDESTRIAN AND PARKING REPORT

Proposal Appendix G

The Transport, Traffic, Pedestrian and Parking Report outlines transport planning provisions and objectives relevant to the Planning Proposal.

The Report evaluates existing transport provisions with reference to the NSW Government Bureau of Transport Statistics' CBD Travel Zones (TZs) which provide detailed data for analysis of travel patterns. The site of the Planning Proposal is located within TZ 60 and TZ 75. The Report extends its analysis to adjoining Travel Zones to the east of the Planning Proposal site (TZ 61 and TZ 76) "...to give a wider representation of the area presented..."

The MLC Centre forms part of TZ 74. The city block north of the MLC Centre and also west of Planning Proposal site is part of TZ 59. Both of these Travel zones adjacent to the Planning Proposal site are not evaluated. There is no explanation of the significance of the adjacent sites to the east.

Vehicles

The primary vehicular access point is from Castlereagh Street at the southern-most boundary of the South Site. There are 68 cars accommodated within the basement levels of the existing development.

The Planning Proposal is to limit vehicular access to the South Site to service vehicles accessing a loading dock. The indicative point of access to the loading dock remains in its existing location off Castlereagh Street. Due to the restricted area available to accommodate a loading dock as a consequence of the requirements of the Metro Station, it is recognised that it will not be possible to meet the requirements of the Sydney DCP 2012. A single MRV turntable is proposed for the South Site loading dock.

No new car parking spaces are proposed for the South Site. Short-stay car parking will use existing and planned kerbside spaces.

Bicycles

End of trip facilities and bicycle parking is proposed to be provided in accordance with Sydney DCP 2012.

Pedestrians

The primary pedestrian access points for the existing development on the South Site at 39 Martin Place are identified as Castlereagh Street, Martin Place and Elizabeth Street.

As part of the Sydney Metro EIS, pedestrian surveys were undertaken in December 2015 at the Martin Place-Castlereagh Street intersection adjacent to the north-east corner of the MLC Centre. The surveys showed that approximately 44,300 pedestrians crossed Castlereagh Street through the day.

The Report recognises the impact of additional peak-hour trips made by foot on the footpaths surrounding the Planning Proposal. The impact is assessed to be acceptable considering the various route choices and entrances available to access the North and South Site. It is noted that a pedestrian planning report has been prepared which assesses this impact; however, a pedestrian planning report does not form part of the Planning Proposal on exhibition.

The Urban design Report (Appendix 1, p.9) anticipates that the new Martin Place Metro Station is anticipated to service 40,000 people per hour in each direction of travel – a quantum increase over the existing.

ASSESSMENT OF AIRSPACE APPROVABILITY

Proposal Appendix H

This report assesses the current and forecast regulated airspace height constraints over the planning proposal site for the Planning Proposal. The matters in this report do not impact considerations for the MLC Centre.

ESD REPORT

Proposal Appendix I

This report outlines the key Ecologically Sustainable design (ESD) initiatives for the Planning Proposal. The matters in this report do not raise issues of impact on the MLC Centre.

AMENDED LEP MAP

Proposal Appendix J

A key initiative of the Planning Proposal for the South Site is to increase the allowable Floor Space Ratio (FSR) under the Sydney LEP 2012.

This appendix is the proposed amended Height of Buildings Map (HOB_014). The map amendment proposes the addition of Area 7 for the South Site of the Planning Proposal.

URBAN DESIGN AND PLANNING CONTEXT REVIEW

Proposal Appendix K

The purpose of this report is to review the current planning controls and their objectives specific to the variations sought by the Planning Proposal to the Sydney Local Environment Plan 2012 for the Martin Place Station Precinct.

The purpose of review is establish appropriate interpretations of the current planning controls and, where relevant, propose modifications and new controls *"...to ensure the Sydney Metro at Martin Place, an unanticipated development initiative, delivers in full, long term public benefits reflecting the scale and vision of this public infrastructure investment."*

Variations sought to the Sydney LEP 2012 are:

- *"An FSR in excess of the current potential maximum of 14.05:1 (assuming a competitive design process and end of trip facilities) to 18.5:1 on the North Site and 22:1 on the South Site, inclusive of all design excellence and other applicable bonuses."*
- *"Height of the South Site be modified to reduce the tower setback from Martin Place, but comply with restrictions set by the Hyde Park North Sun Access Plane 2B as defined by the Sydney LEP 2012."*

Regarding the Sydney DCP 2012 as it applies to the South Site:

"The Over Station Development (OSD) envelopes proposed in the Stage 1 State Significant Development (SSD) Development Application (SSD 17_8351) also reduce the Sydney DCP 2012 setbacks as follows:

- *to Martin Place for the South Site from those specified in part 5.1.3 'Street frontage heights and setbacks for Special Character Areas' of the Sydney DCP 2012 and as noted in figure 5.16 'Special Character Area H Setback'; and*
- *to Elizabeth and Castlereagh Streets for the South Site from those specified in part 5.1.3 "Street frontage heights and setbacks for Special Character Areas" of the Sydney DCP 2012.*

No variations are proposed to the Sun Access Planes which effectively cap building height on both Sites."

The Executive Summary reports the findings of the review of four key matters of planning control.

1. FSR Uplift

The Planning Report considers the proposed FSR to be consistent with the draft Central Sydney Planning Strategy (City of Sydney), and the precedent established by 60 Martin Place (in construction) approval.

The Planning Proposal should clarify that 60 Martin Place complies with LEP 2012 Floor Space Ratio limits (with bonuses).

The Planning Proposal should also clarify that the 22:1 FSR proposed for the South Site is far in excess of any other Sydney CBD site and the 13.466:1 FSR at 60 Martin Place adopted as a key precedent by the proponent.

2. Tower Setbacks

The The Planning Proposal's reduced setback for the South Site from Martin Place is justified by considerations including:

- *"Tower setbacks to Martin Place included in studies, policies and planning controls prepared by the City of Sydney are not reflected in the heritage buildings that define the character of the special area."*

It is not recognised the recessive presence of tower forms where they exist in the context of the heritage buildings largely define the reading of the Special Character Area.

- *"The 25m minimum setback described in the Sydney DCP 2005 and continued in the Sydney DCP 2012 is not representative of the tower setbacks to Martin Place."*

Apart from 20 Martin Place, applying a 25 metre setback for the South Site will re-establish the consistent reading of scale that defines the built form of the Martin Place Special Character Area from Elizabeth Street to George Street – more than two-thirds of the length of Martin Place.

- *"The 25m minimum tower setback has not been consistently enforced by the City of Sydney in recent applications at 20 and 60 Martin Place."*

The tower form of 20 Martin Place was maintained by the developer by side-stepping the planning controls. The pre-existing tower form was not "technically" demolished, but refurbished insitu.

The 60 Martin Place site benefited from its location at the far end of Martin Place where the architectural characteristics that define the place at the western end are remote and significantly modified by the design and form of the Reserve Bank building opposite. There is also no acknowledgement that the eastern-most end of Martin Place benefits from the additional sunlight and sky views over the Macquarie Street low rise state government precinct and Sydney Eye Hospital.

- *"The CoS has supported setbacks and alternative design controls that do not comply with the Sydney LEP 2012 or Sydney DCP 2012 where high quality, globally-focussed non-residential development is proposed."*

This justification appears to ignore the site's context in the Martin Place precinct.

3. Podium Height

The proposed podium height of 55 metres appears to be reasonable; however, the review findings rely partly on the precedents of 20 Martin Place and 60 Martin Place.

4. Overshadowing

The review findings do not recognise additional overshadowing of the MLC Centre because the public spaces are not recognised in current planning controls.

The review concludes that the variations sought to current planning controls are in the public interest on evidence that the design is (as it applies to the South Site and Martin Place):

- *"not inconsistent with prior recent approvals by the City of Sydney"*
 - Apparently (selectively) referencing 20 Martin Place and 60 Martin Place
- *"reflects the predominant built form of Martin Place east of Pitt Street"*
 - Which appears to conflict with the review considerations using the break in the Martin Place south alignment street wall, created by the MLC Centre, to remove the part of Martin Place west of Castlereagh Street from the report's definition of the predominant built form of Martin Place.
- *"reflects and reinforces the significance of 50 Martin Place"*
- *"reflect the significance of Martin Place and the Martin Place Metro Station Precinct"*
 - Both subjective opinions not supported by the Planning Proposal.

SKYVIEW FACTOR DAYLIGHT ANALYSIS

Proposal Appendix L

This appendix to the proposal assesses the impact on pedestrians' perspective views to the sky from street level. The assessment considers the sky view factor from fourteen locations surrounding the Martin Place Metro Station Precinct. A comparison is assessed (against the existing situation) of:

- The DCP 2012 compliant envelope (25 metre setback from Martin Place for the tower part of the South Site)
- The State Significant Development envelope
- The Planning Proposal envelope (8 metre setback from Martin Place for the tower part of the South Site)

The Sky View Factor [SVF] assessment provides an estimate of the view obstruction. The simulation results are an interpretation of the potential Sky view Factor effected.

Three of the fourteen locations assessed have relevance to the MLC Centre.

Location 1

Location 11 is in the centre of Martin Place opposite the MLC Centre's main stair.

This location showed a slightly reduced SVF (16.0%) for the Planning Proposal envelope from the DCP envelope (16.5%) and the existing situation (18.0%).

Location 2

Location 2 is at the centre of the intersection of Martin Place and Castlereagh Streets.

This location showed a slightly reduced SVF (21.5%) for the Planning Proposal envelope from the DCP envelope (21.5%) and the existing situation (22.5%).

Location 13

Location 13 is in the centre of Castlereagh Street and approximately aligned with the southern extent of the CTA mushroom.

This location showed a slightly reduced SVF (19.0%) for the Planning Proposal envelope from the DCP envelope (20.0%) and the existing situation (22.5%).

In all three locations the Sky View Factor assessments fall within the range of "typical" under the City of Sydney's classification guidelines.

It should be noted that all locations assess SVF from the centre of roadway and the centre of road intersections, not from positions of typical pedestrian pathways such as footpaths and other heavily populated parts of the public domain where the impact of changed SVF will be more significant and relevant.

SUMMARY AND CONCLUSION

Macquarie Corporate Holdings Pty Limited has submitted a Planning Proposal to the NSW Government Department of Planning and Environment under Section 55 of the Environmental Planning and Assessment Act 1979 for works associated with the future Martin Place Metro Station, which forms part of the NSW Government's Sydney Metro Project.

Macquarie's Planning Proposal centres on the delivery of two predominantly commercial/ office towers for two sites (North Site and South Site) which initially provide access for the construction of the Metro Station, and on completion, provide the northern and southern access portals to Martin Place Station and the Metro System.

The MLC Centre is located at the corner of Martin Place and Castlereagh Street. The Planning Proposal's South Site is located on the opposite side of Castlereagh Street directly to the east of the MLC Centre.

The Planning Proposal for the South Site centres on an application to increase the bulk and scale of the built form allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012) through enabling greater building height and floor space.

"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". (Planning Proposal 1.4, p.14)

The conditions of the Gateway Determination include:

- *Provide further justification for why the proposal would create a better design outcome than the current planning controls,*
- *How the proposal will protect and enhance Martin Place's civic and ceremonial functions,*
- *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, ...and*
- *Address the recommendations of the Martin Place area of special significance proposal for Urban Design Development Controls (1993)..."*

The Appendices supporting the Planning Proposal on exhibition have been reviewed for architectural matters of design intent and potential impact on the MLC Centre. This review focusses on the South Site given its proximity to the MLC Centre. This review establishes that significant parts of the required conditions for Gateway Determination are not met for the South Site by the Planning Proposal.

The Appendices forming the Planning Proposal do not assess potential impacts on the MLC Centre.

Should the Planning Proposal be approved, the MLC Centre will suffer additional over-shading of the public plaza in the morning, throughout the year, when compared to the existing conditions and the Sydney LEP2012 and DCP2012 compliant envelope.

An architectural review of the test data for wind tunnel testing for four locations near the MLC Centre does not indicate any significant change when compared to the existing wind environment. Wind tunnel testing has not been carried out on the footpaths adjacent to the MLC Centre or within the MLC Centre boundaries.

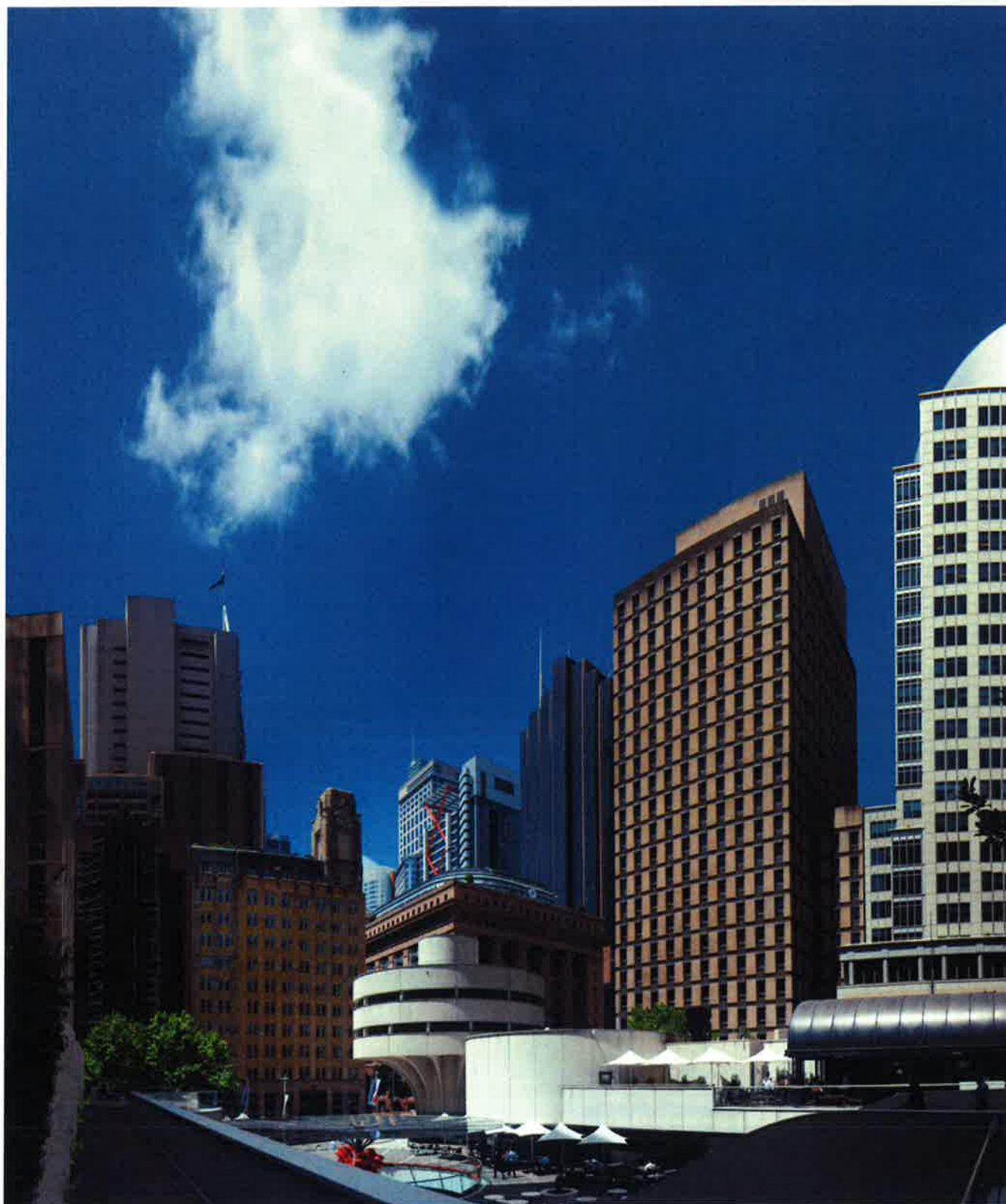
Existing outlook and sky views from the MLC Centre tower are significantly impacted by the Planning Proposal building envelope for the South Site when compared to the building envelope allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012), and the existing situation.

The considerations advanced in the Appendices of the Planning Proposal to increase the bulk and scale of the built form allowable under the Sydney Local Environment Plan (LEP 2012) and the Sydney Development Control Plan (DCP 2012) through enabling greater building height and floor space on the South Site are sometimes selective and contradictory and inappropriate when considered in the full context of Martin Place and the MLC Centre.

The Planning Report does not objectively evaluate the Martin Place precinct if a 25 metre tower setback is maintained for the South Site. When the South Site complies with DCP2012 the scale and legibility of built form in Martin Place is substantially consistent and is able to be appreciated as a designed and planned civic precinct. When the built form of the South Site does not comply, the reading of Martin Place as a consistent civic precinct is lost. The South Site is the tipping-point – it is the critical site in determining the future of Martin Place.

APPENDIX

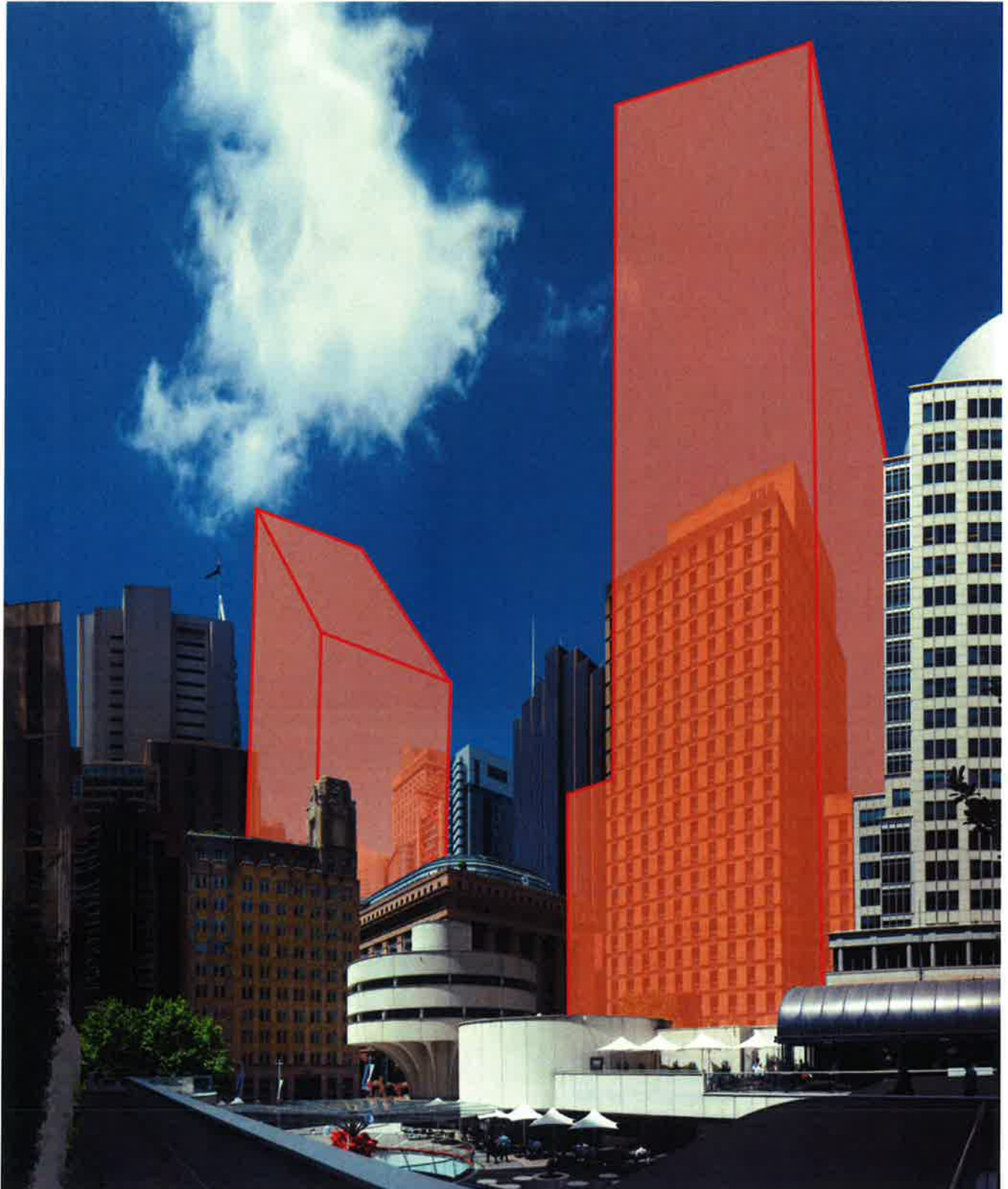
Photomontages included in the report



Public Plaza - Existing



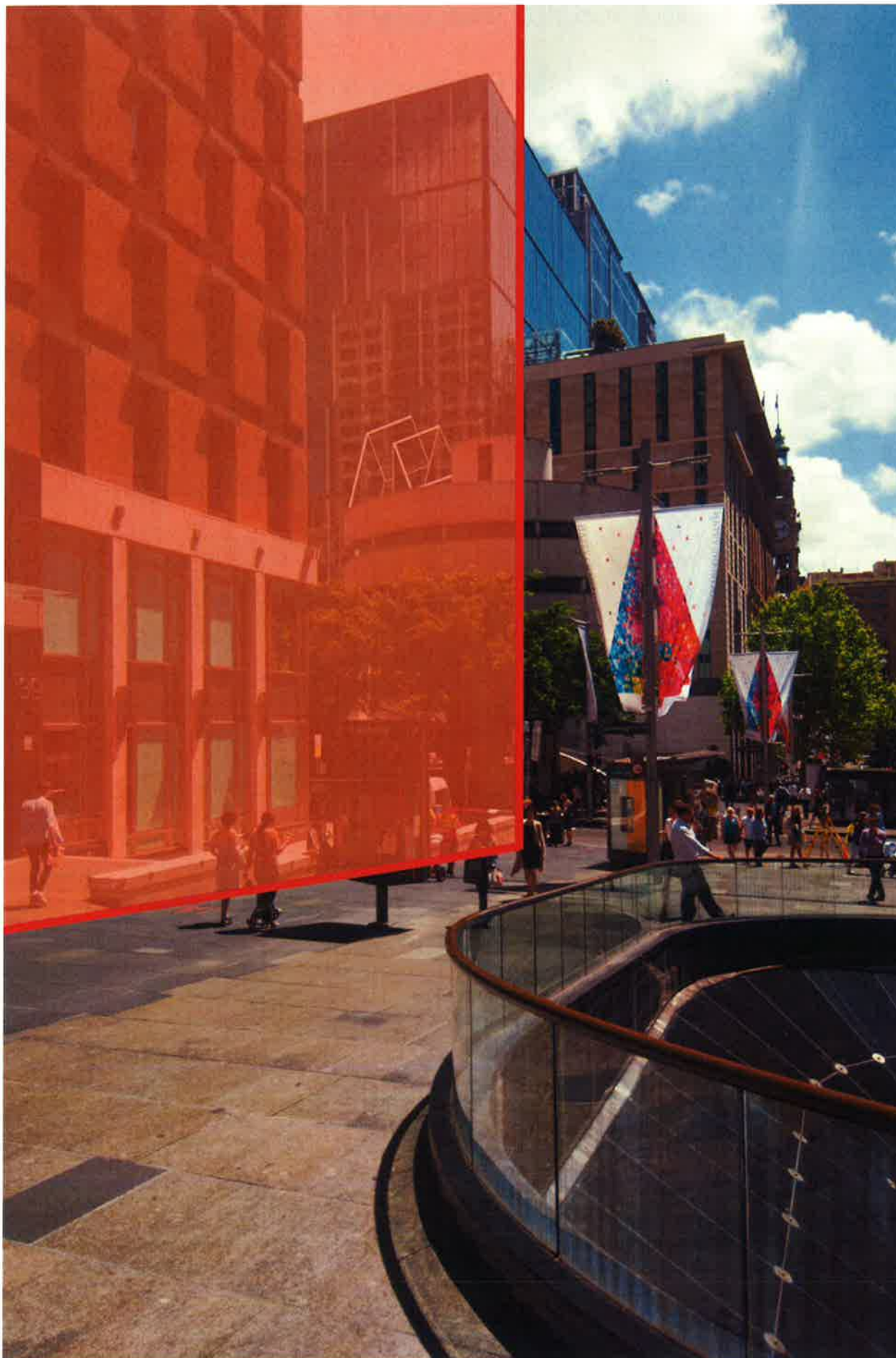
Public Plaza - Compliant building envelope



Public Plaza - Planning Proposal envelope



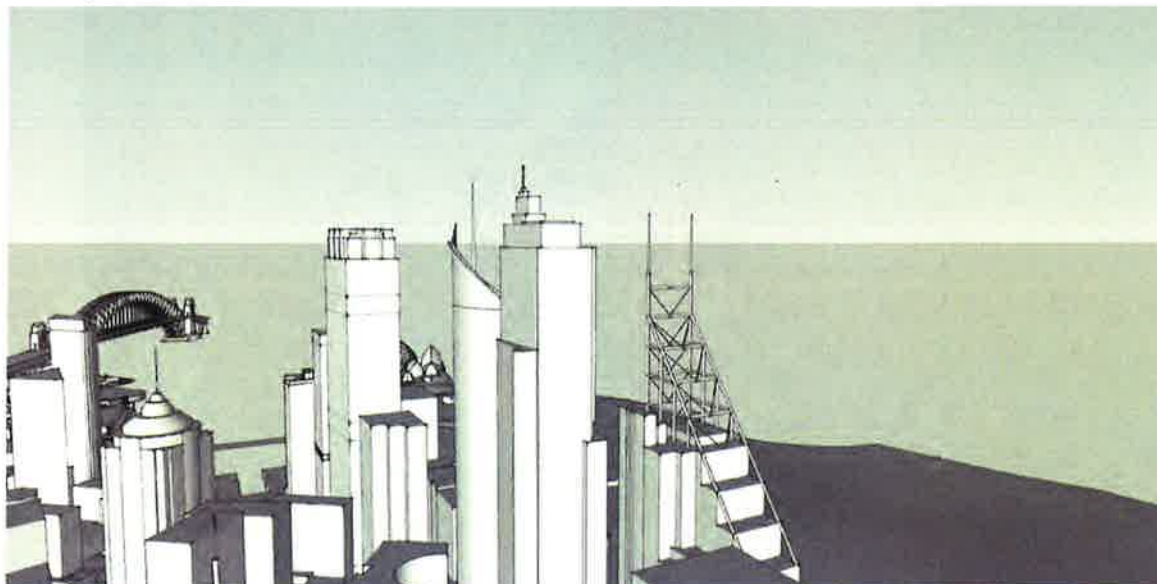
Martin Place view of the MLC Centre and Josef Albers art work - Existing



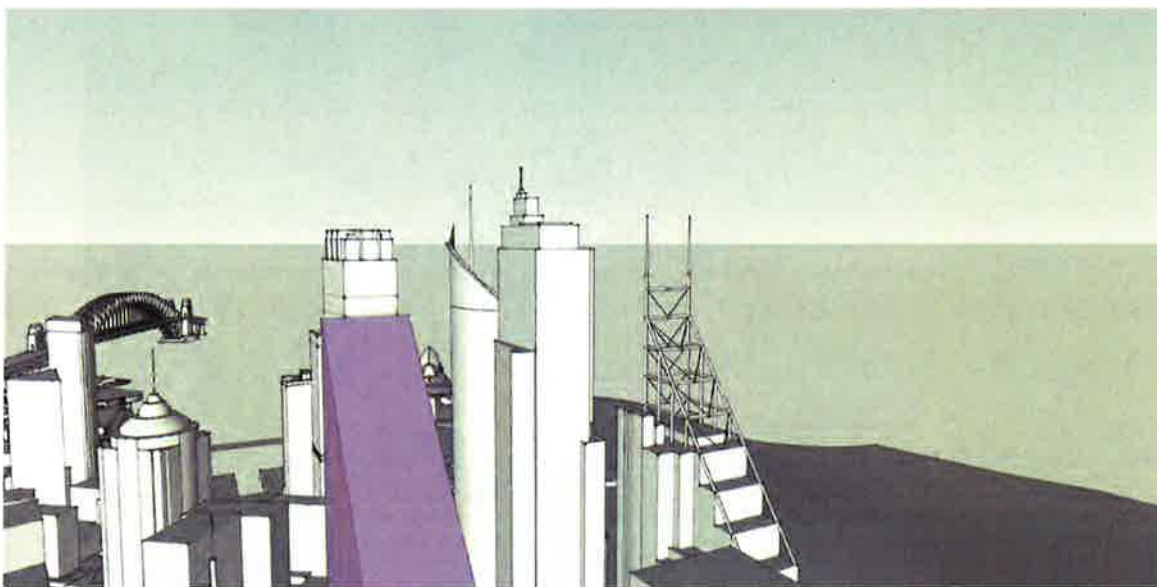
Martin Place view of the MLC Centre - Planning Proposal envelope

Impact on views and outlook from MLC Tower Level 50

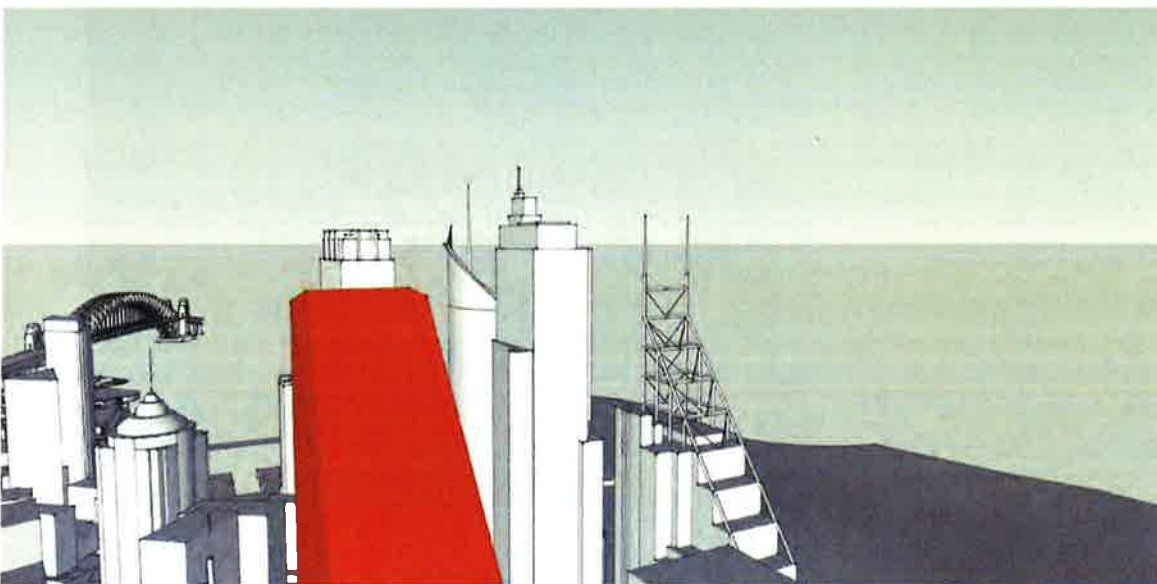
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Complying



Proposed



Impact on views and outlook from MLC Tower Level 40

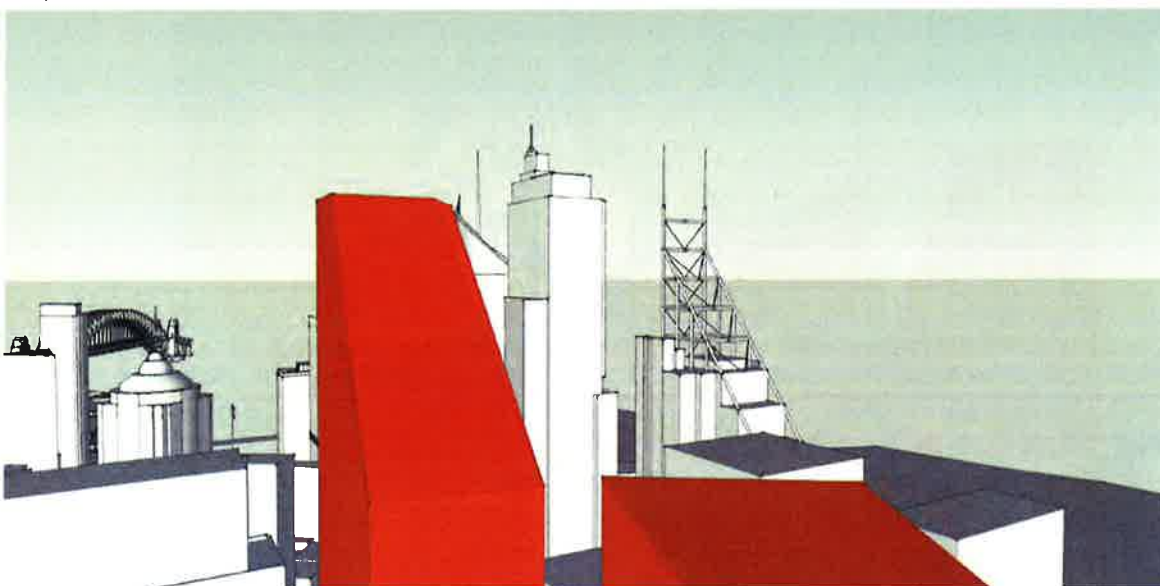
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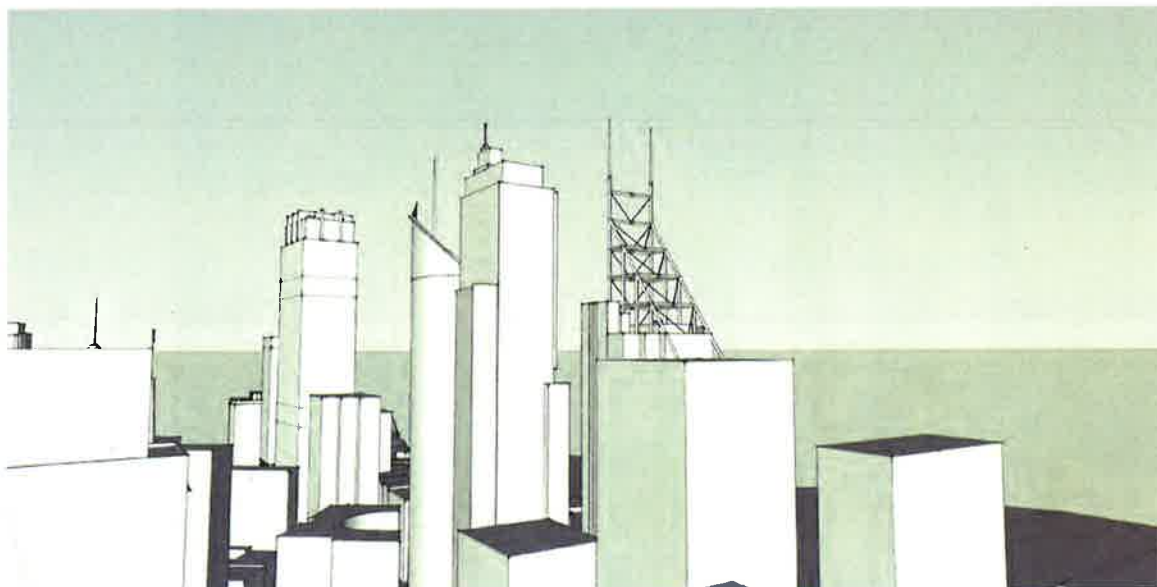


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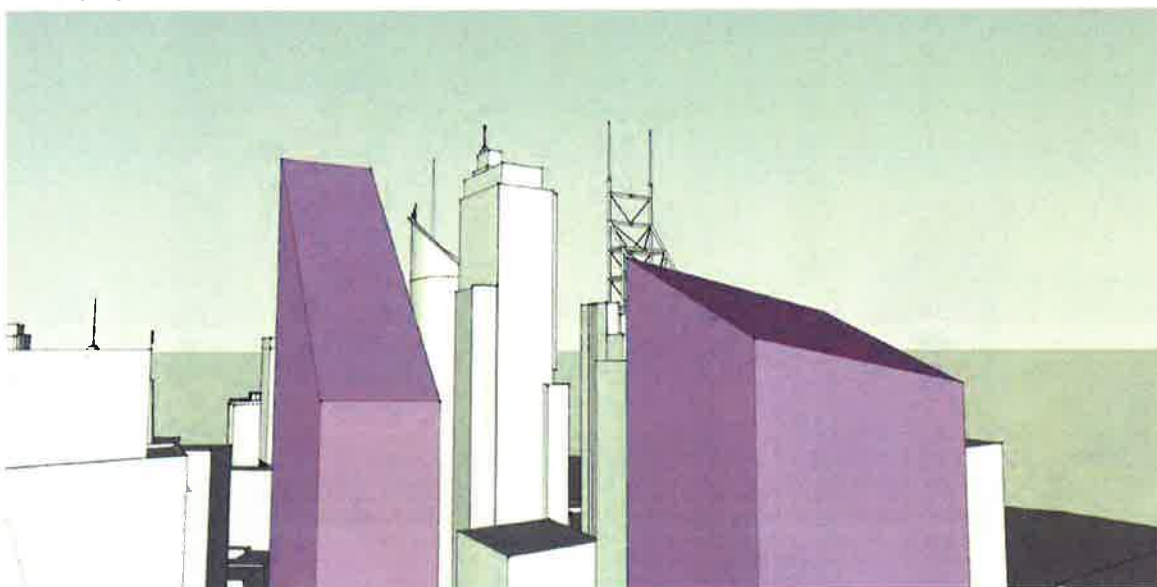


Impact on views and outlook from MLC Tower Level 30

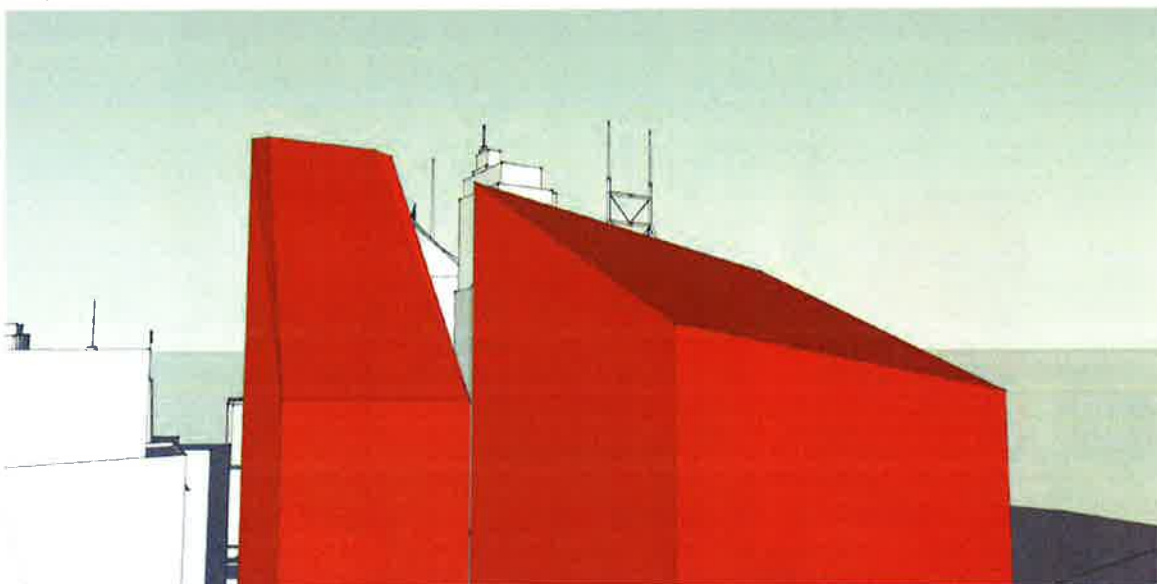
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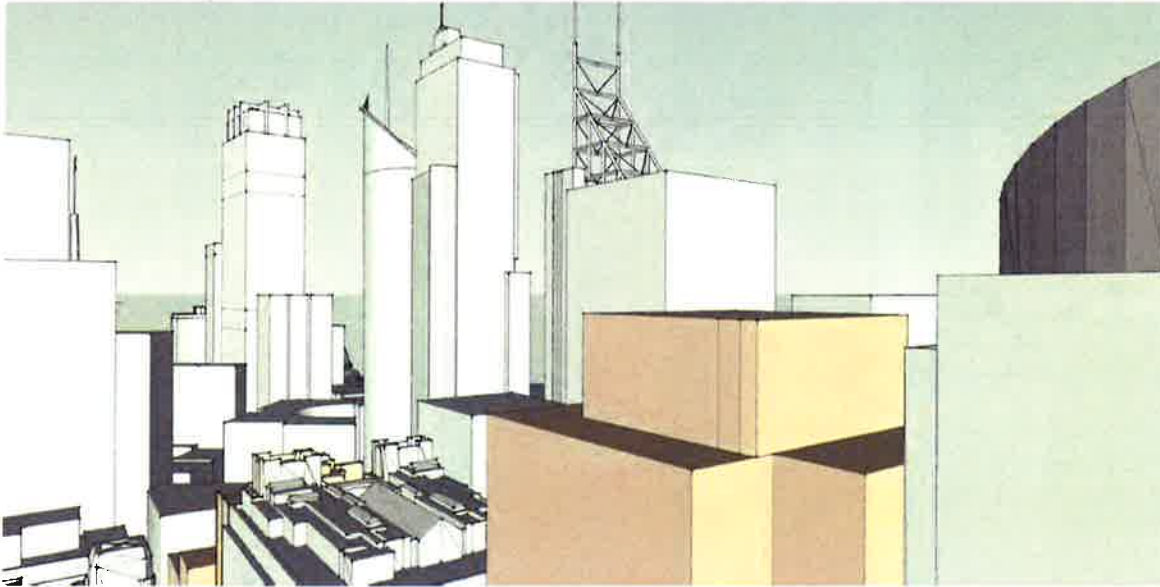


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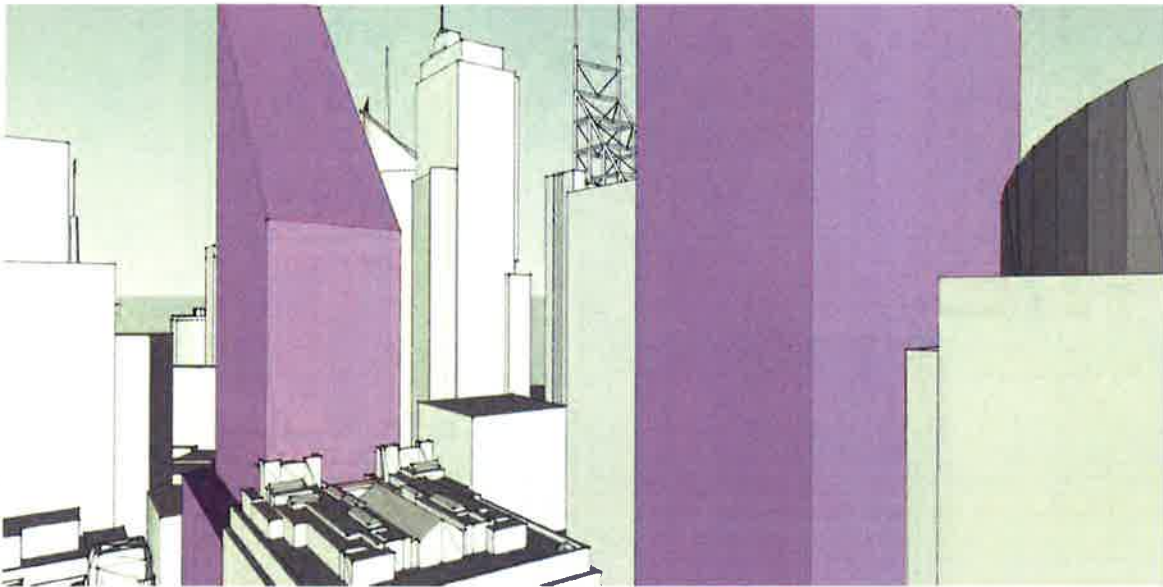


Impact on views and outlook from MLC Tower Level 20

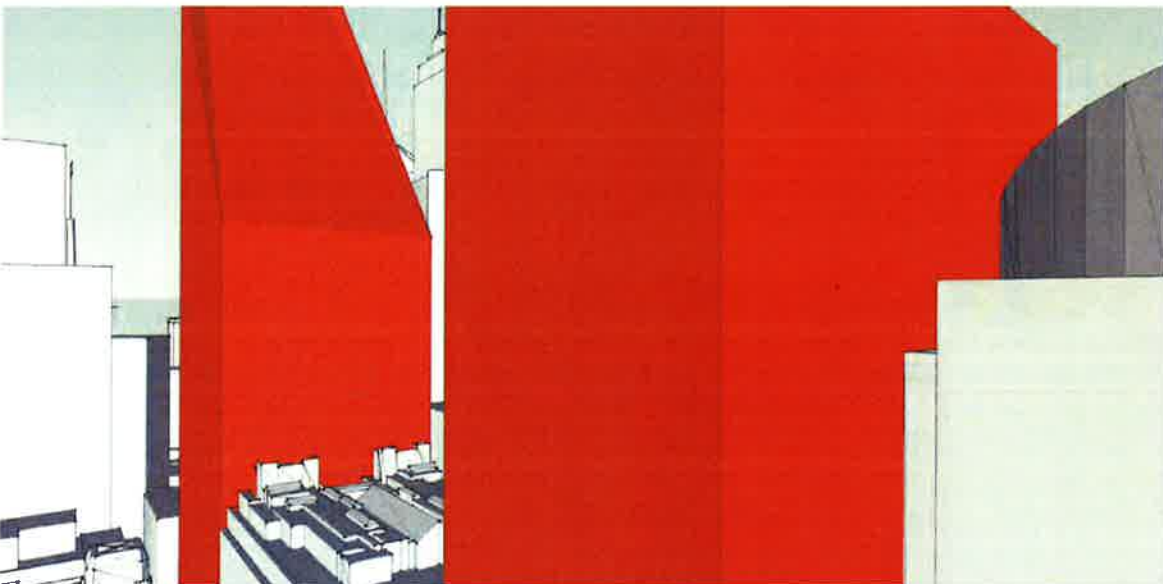
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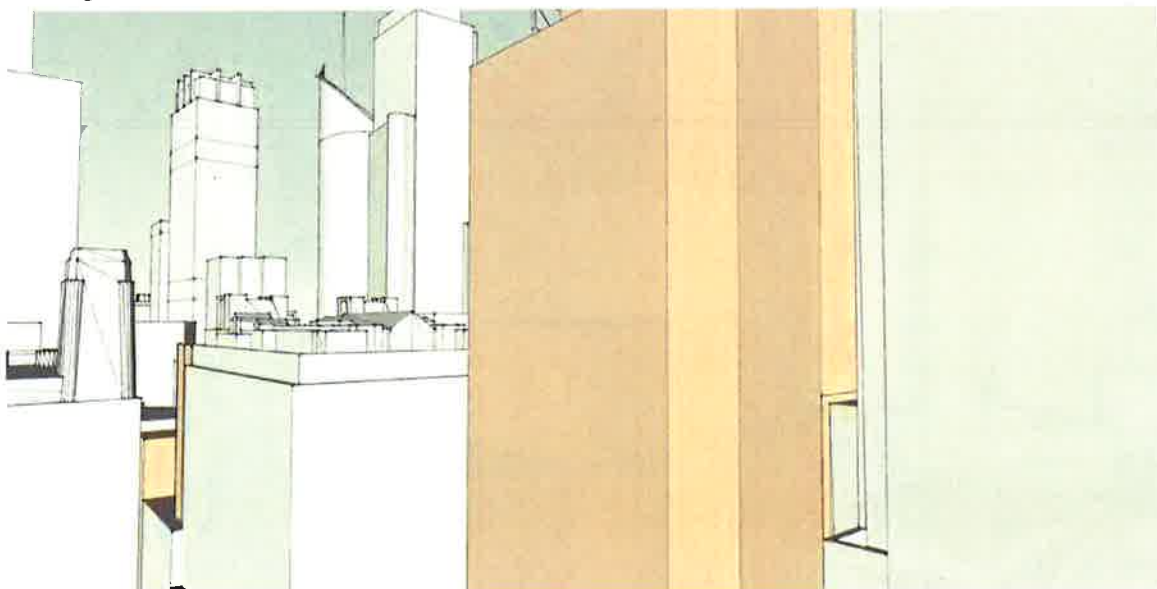


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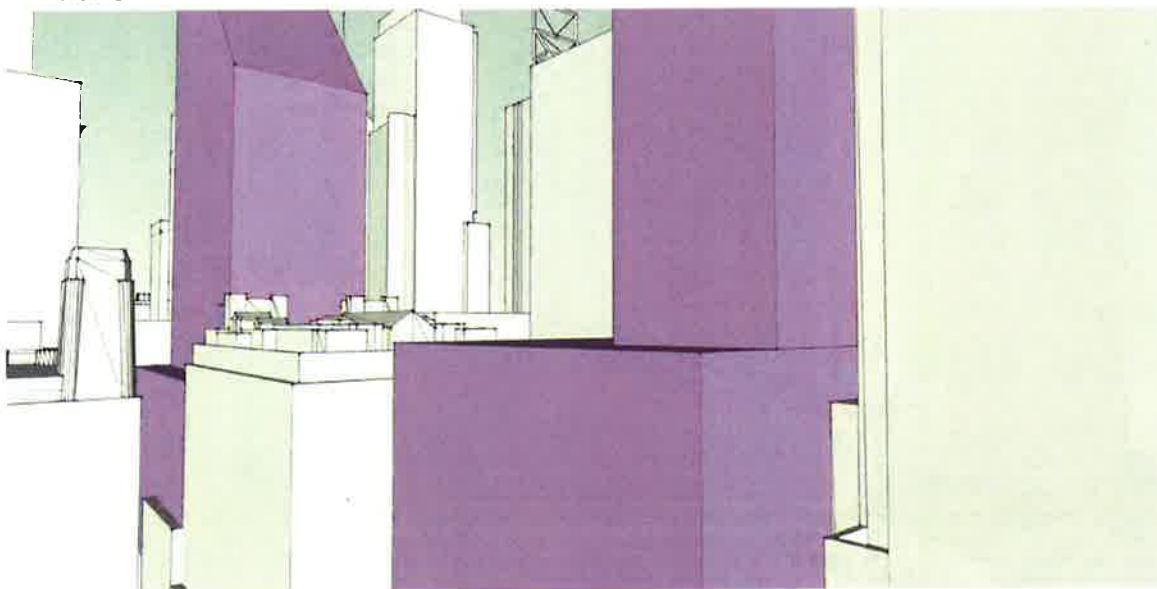


Impact on views and outlook from MLC Tower Level 10

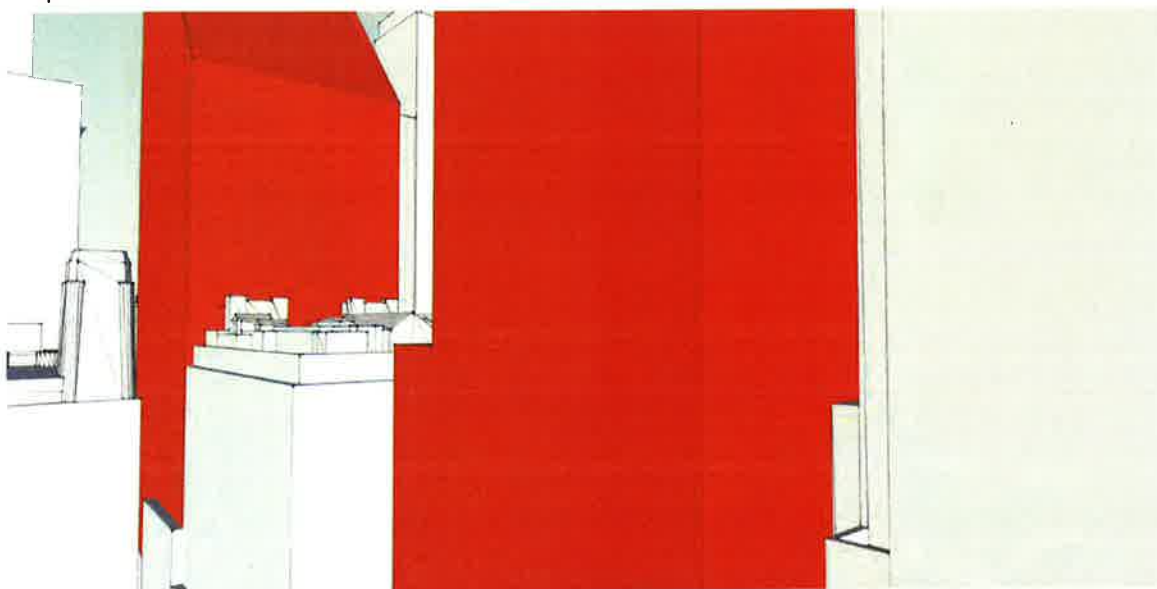
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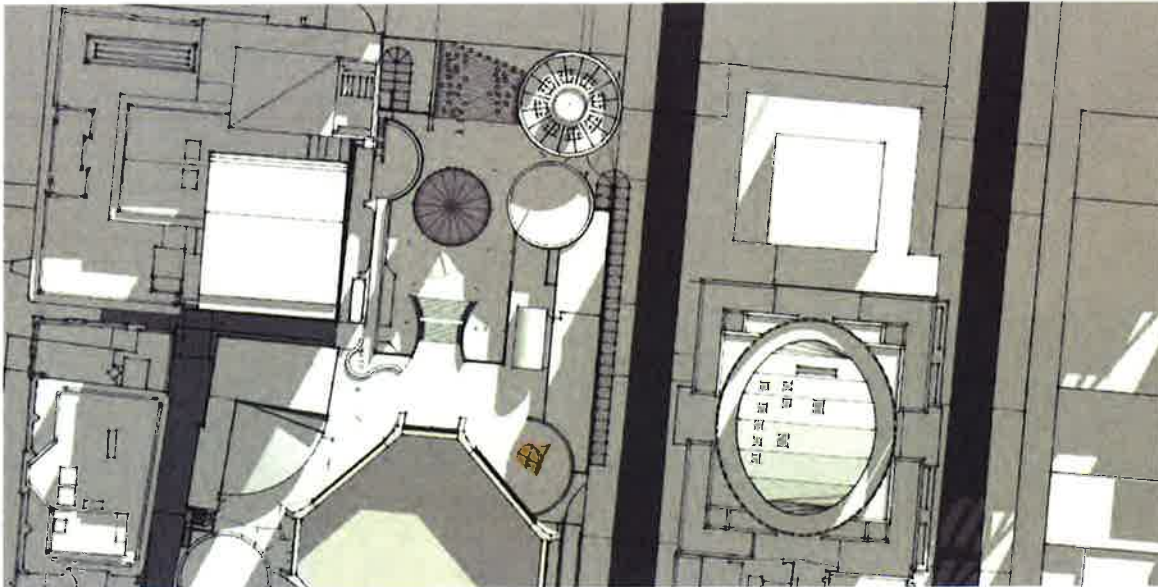


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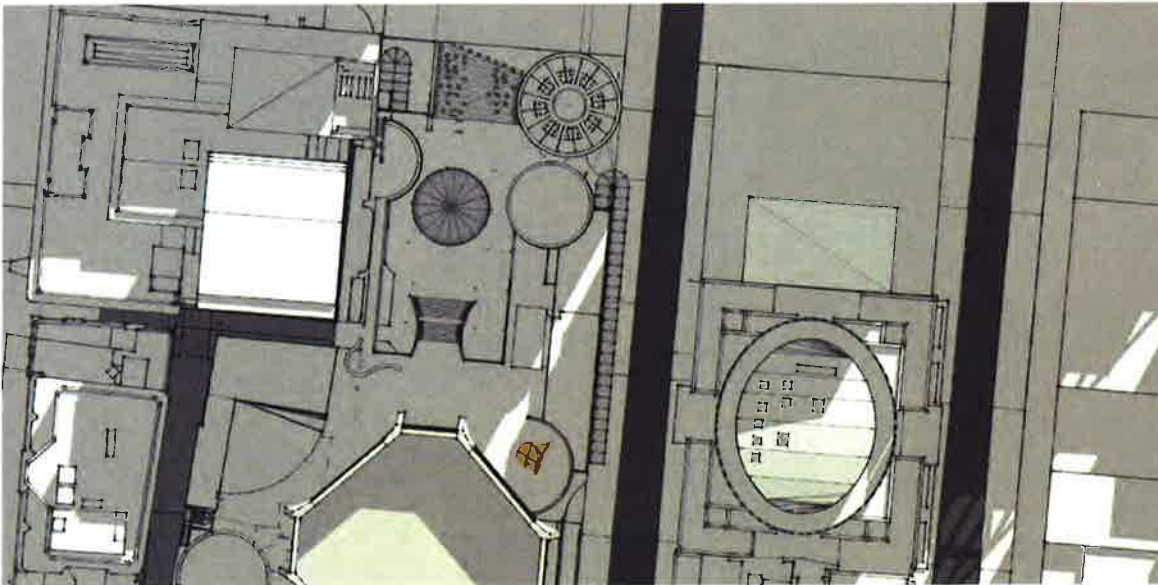


Shadow study on the 21st June 10 am

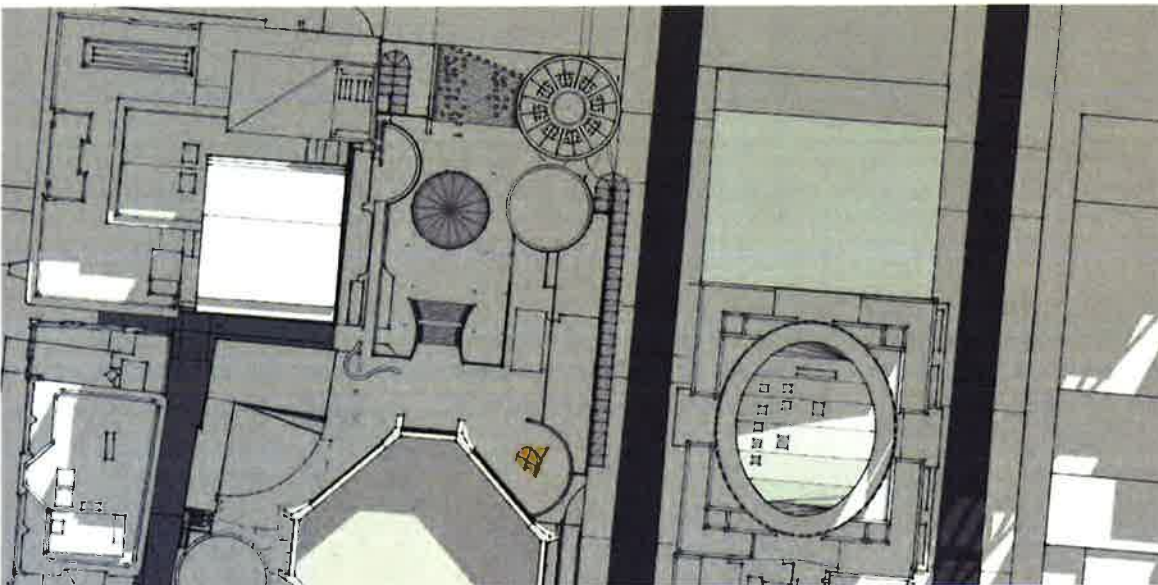
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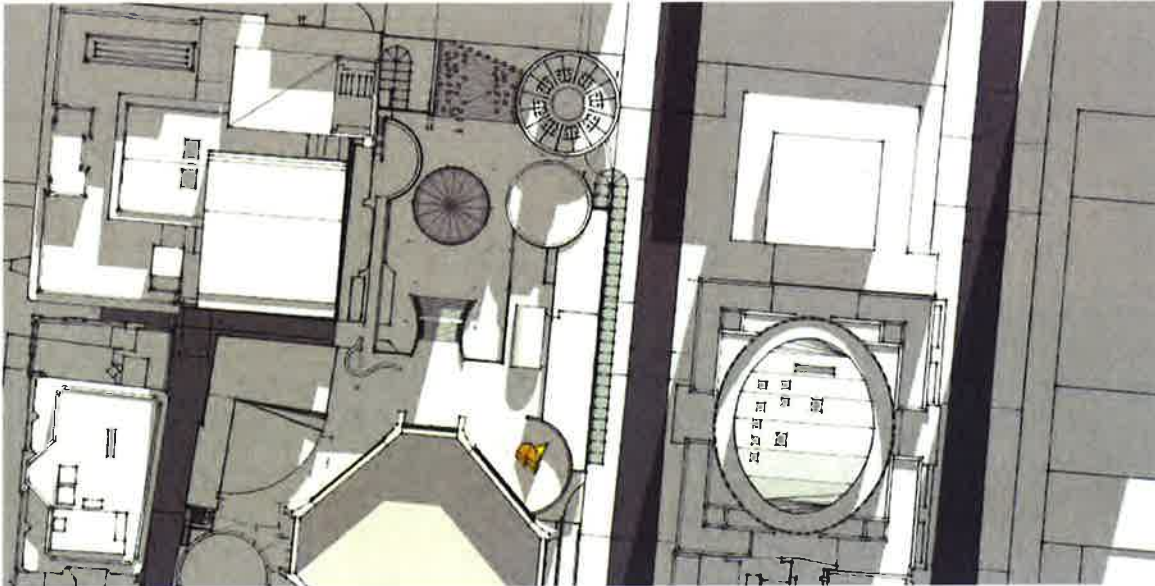


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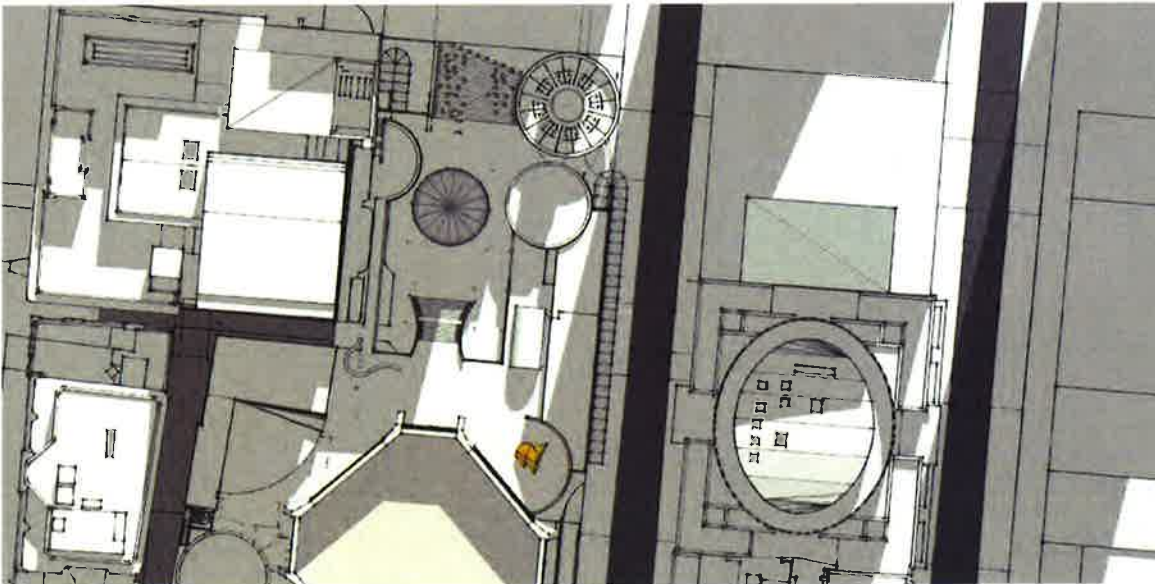


Shadow study on the 21st June 11 am

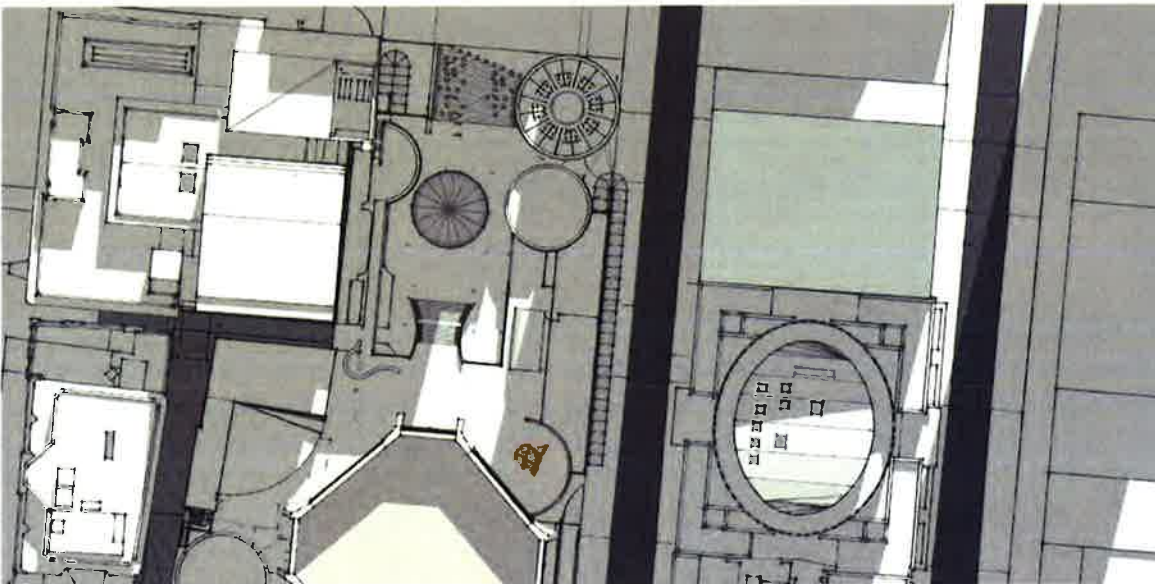
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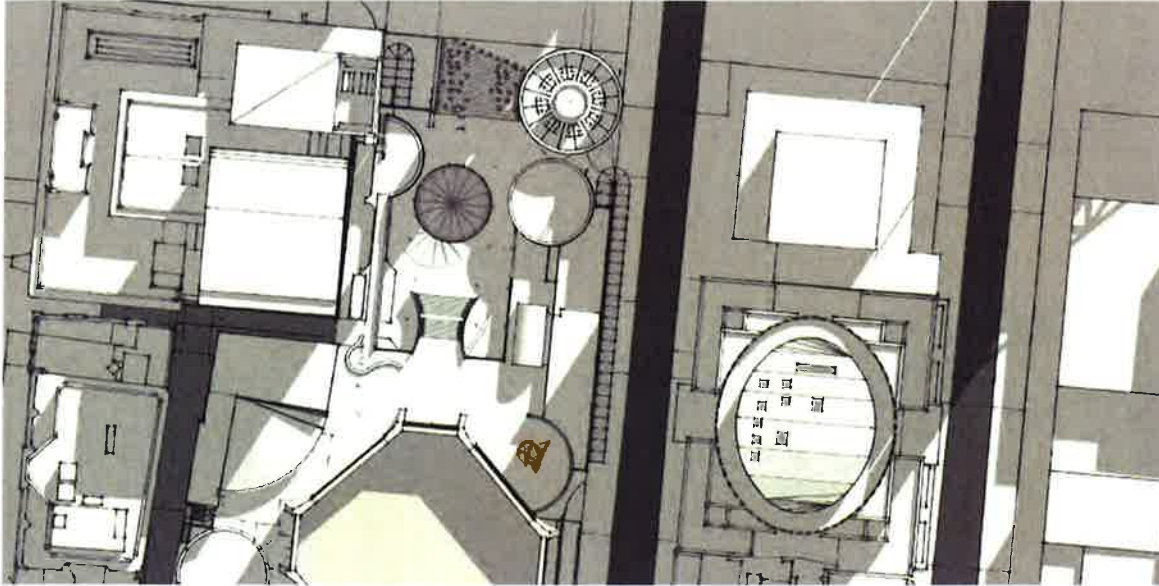


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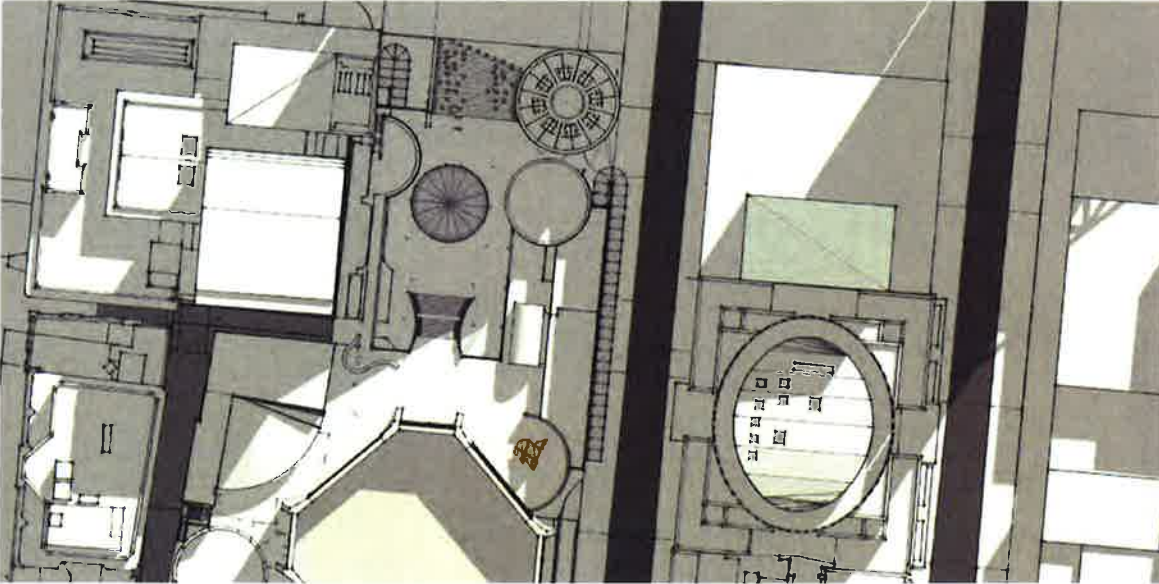


Shadow study on the 5th August 10 am

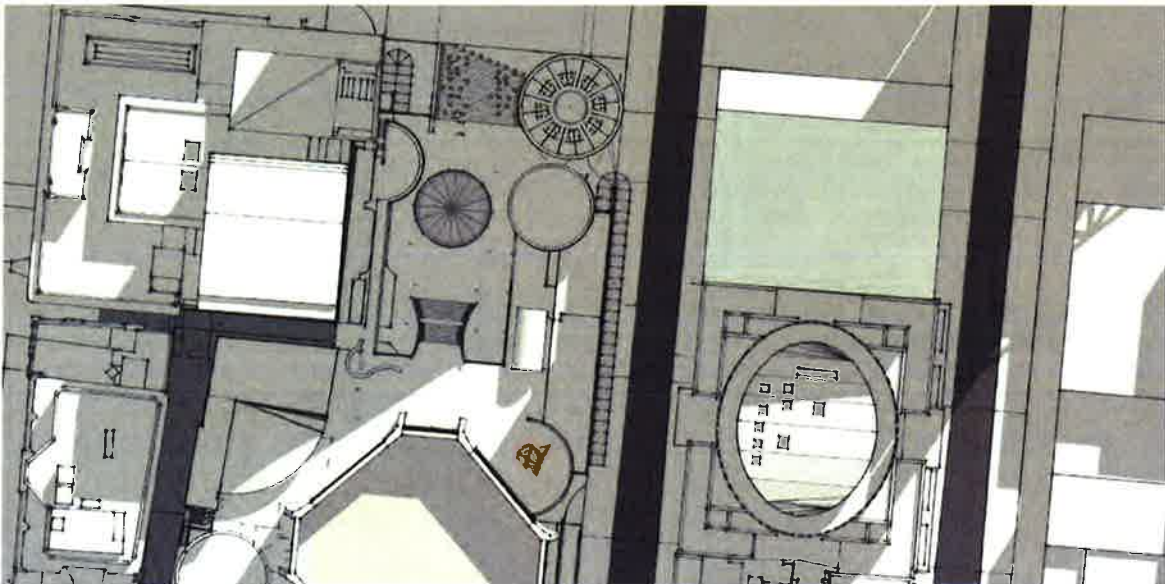
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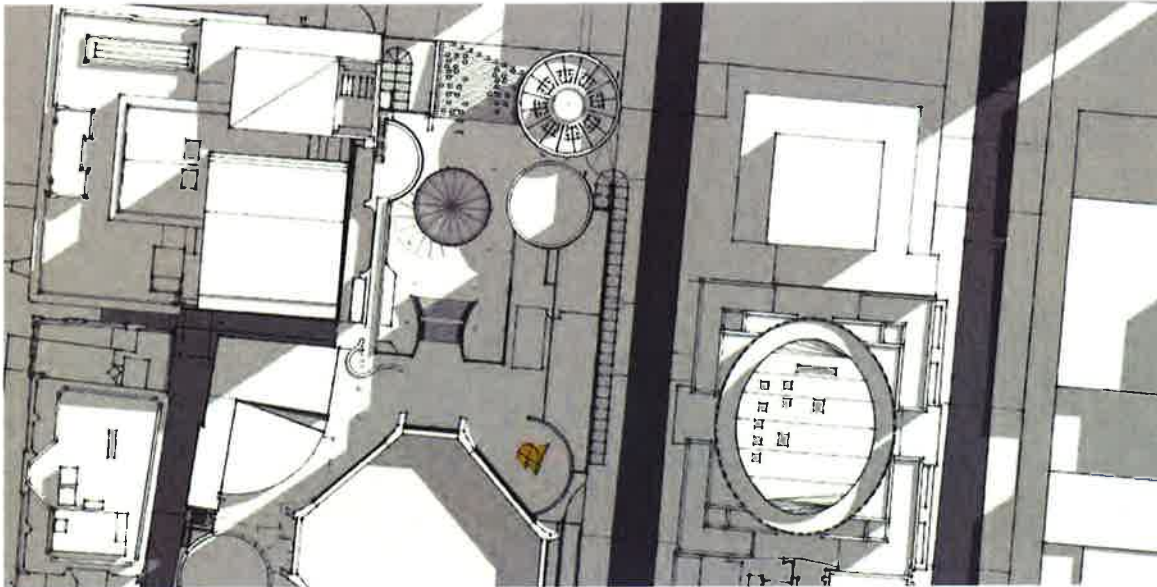


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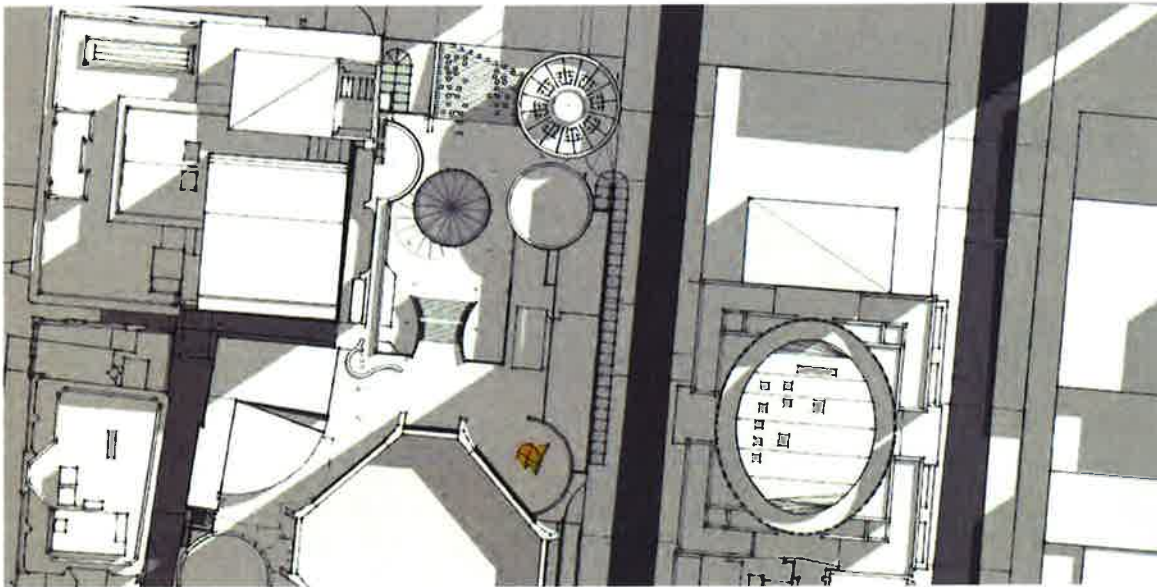


Shadow study on the 21st September 9 am

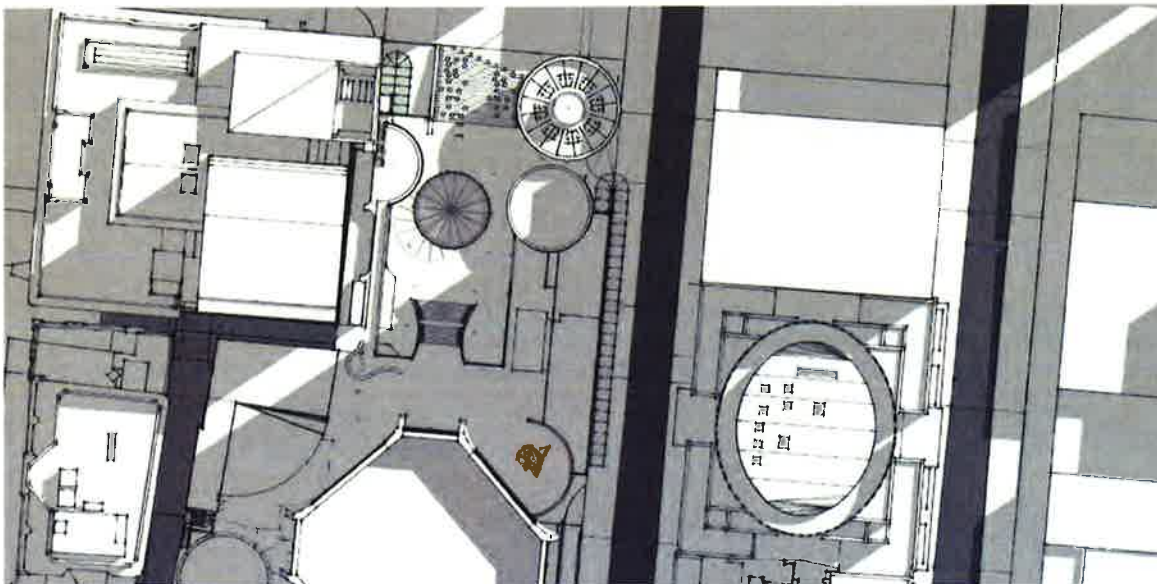
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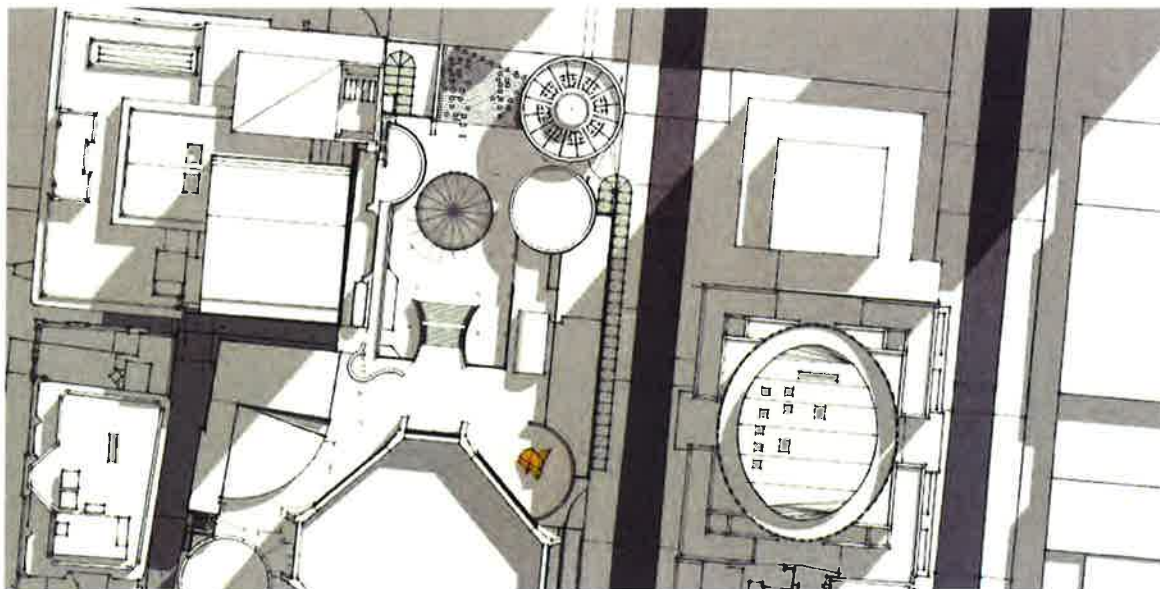


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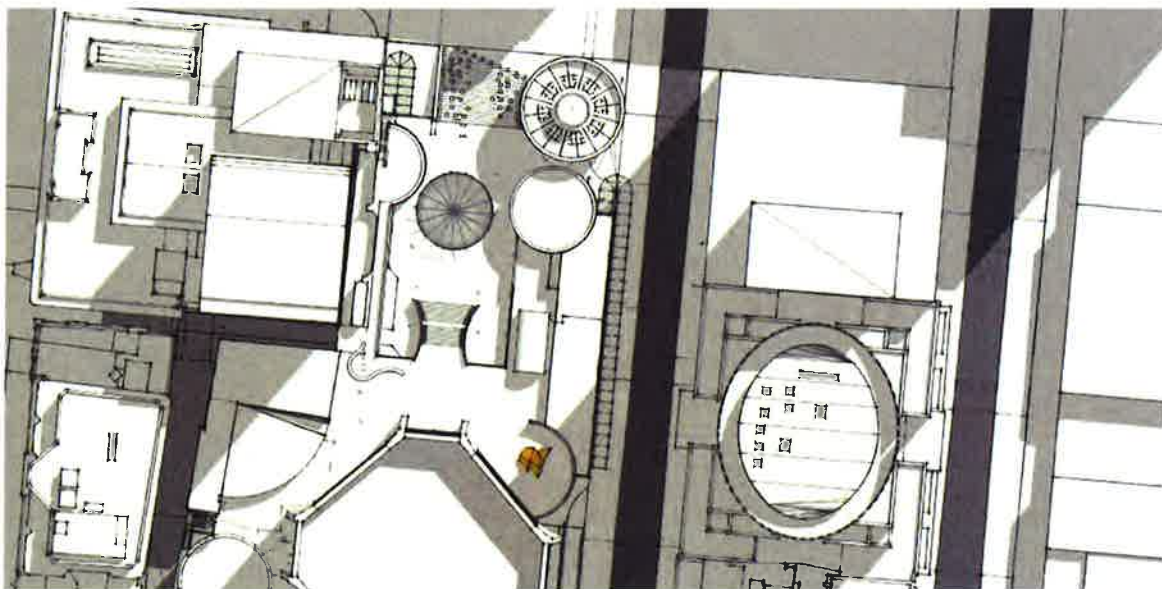


Shadow study on the 21st September 10 am

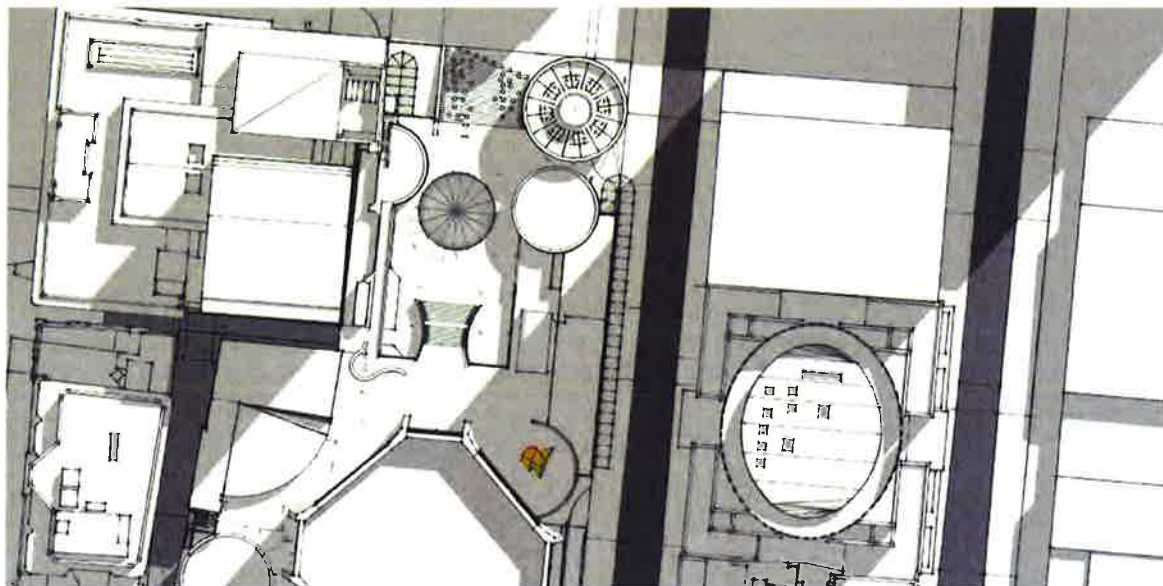
Existing



Complying



Proposed



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7 December 2017

File No: 2017/618188
Our Ref: S064204.012

Wayne Williamson
Team Leader, Sydney Region East
Planning Services
Department of Planning and Environment
320 Pitt Street Sydney NSW 2000
By email: Wayne.Williamson@planning.nsw.gov.au

Dear Wayne

Design Advisory Panel - Martin Place Planning Proposal

Please find attached an independent submission by the City of Sydney's Design Advisory Panel on the Martin Place Planning Proposal.

Should you wish to speak with a Council officer about the above, please contact me on 9265 9945 or at GJahn@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'GJahn', is written over a faint, larger signature.

Graham Jahn AM
Director
City Planning | Development | Transport

Design Advisory Panel - Martin Place Planning Proposal

NSW State and City governments created Martin Place and developed a long-term vision for it as the civic and ceremonial heart of the city. This vision began with Barnett's 1874 sketches. From 1971 a strategic planning process was undertaken. Studies developed jointly by the Department of Environment and Planning, the Heritage Council and the City of Sydney resulted in planning controls to implement the long-term vision. These were approved by the Minister in 1996.

The principle objectives of the planning controls are:

- to preserve the visual prominence of the GPO clock tower;
- to reinforce the street wall to Martin Place by setting back any new tower development at least 25m from the street wall alignment;
- to protect open views to the sky; and
- to improve Martin Place for pedestrians by preserving solar access and daylight and controlling the wind environment.

The long-term vision is to protect and enhance the special character of Martin Place that distinguishes it from other streets in the CBD. It is a linear pedestrian place bounded by fine civic buildings, including the eastern gateway sites of the RBA and 60 Martin Place. The palazzo forms that front Martin Place are shaped by controls designed to achieve consistency in building height and setback, massing, heritage scale and materiality. These are applied to sites as they redevelop to progressively achieve the long-term vision.

Since the planning controls were introduced, all new development has contributed to this long-term vision. 5 Martin Place is the latest example. Only three sites do not conform to the tower setback requirements. These date from prior to the introduction of the planning controls. 39-49 Martin Place is one of these sites and it is the next opportunity to contribute to the Martin Place long-term vision.

The City of Sydney Design Advisory Panel considers that any new development at 39-49 Martin Place should conform to the adopted controls, so that Martin Place continues to be distinguished from other streets as the civic and ceremonial heart of Sydney's community.

Any development along Martin Place should be consistent with the current planning controls:

- be built to the boundary with a 45m high street wall;
- if there is any tower development above 55m in height, it must be set back from Martin Place by 25m.

Yours Sincerely,



Ken Maher
Chairman
City of Sydney
Design Advisory Panel



TELEPHONE: (02) 93946627
EMAIL: development@ausgrid.com.au
REFERENCE: TRIM 2017/40/66

ATTN: Wayne Williamson
Team Leader - Sydney Region East
GPO Box 39
Sydney NSW 2001

570 George Street
Sydney NSW 2000
All mail to GPO Box 4009
Sydney NSW 2001
T +61 2 131 525
F +61 2 9269 2830
www.ausgrid.com.au

Re: PP_2017_SYDNE_007_007_00 - 50 Martin Pl, 9-19 Elizabeth St, 8-12 Castlereagh St, 5&7 Elizabeth St, 55 Hunter St and 39-49 Martin Pl - Planning proposal for the development of the Martin Place Station Precinct.

I refer to Macquarie Corporate Holdings Ptd Ltd Planning Proposal PP_2017_SYDNE_007_007_00.

This letter is Ausgrid's response under clause 45(2) of the State Environmental planning Policy (Infrastructure) 2007.

The assessment and evaluation of environmental impacts for a new development consent (or where a development consent is modified) is undertaken in accordance with requirements of Section 79C of the Environmental Planning and Assessment Act 1979. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment.

In this regard, Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

With Regard to: Planning proposal for the development of the Martin Place Station Precinct at 50 Martin Pl, 9-19 Elizabeth St, 8-12 Castlereagh St, 5&7 Elizabeth St, 55 Hunter St and 39-49 Martin Pl.

Ausgrid consents to the above mentioned development subject to the following conditions:-

Method of Electricity Connection

The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – 'Premise Connection Requirements.

Supply of Electricity

It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

- The existing network can support the expected electrical load of the development
- A substation may be required on-site, either a pad mount kiosk or chamber style and;
- site conditions or other issues that may impact on the method of supply.

Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

Conduit Installation

The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

Proximity to Existing Network Assets

Underground Cables

There are existing underground electricity network assets in Martin Pl, Elizabeth St, Castlereagh St and Hunter St..

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Substation

There are existing electricity substation assets at various locations across the Martin Place Station precinct.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment.

The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (ARPANSA, 2006).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143.

Please do not hesitate to contact Adam Bradford on Ph: (02) 93946627 (please quote our ref: Trim 2017/40/66) should you require any further information.

Regards, Adam



Adam Bradford
Portfolio Manager - Asset Protection
Ausgrid - Field Services
Ph: (02) 93946627



Australian Government
Civil Aviation Safety Authority

STAKEHOLDER ENGAGEMENT GROUP

CASA Ref: G17/924

9 November 2017

Mr Wayne Williamson
Team Leader, Sydney Region East
Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Email: wayne.williamson@planning.nsw.gov.au

Dear Mr Williamson

Thank you for your letter of 1 November 2017 addressed to Mr Shane Carmody, Chief Executive Officer and Director of Aviation Safety at the Civil Aviation Safety Authority (CASA) requesting comment on the planning proposal for the development of the Martin Place Station Precinct. Mr Carmody has asked me to respond on his behalf.

CASA has reviewed the details provided and I am advised that the proposal is to increase the maximum building height to 214.5m above Australian Height Datum (AHD) at the north site, and to 165m AHD at the south site. Both heights will impact on the prescribed airspace for Sydney Kingsford Smith Aerodrome (KSA) by 58.5m and 9m respectively.

Due to the proximity of the site to the KSA, the penetration of the prescribed airspace and the potential for further increase in height by cranes used during construction, the planning proposal should be referred to Sydney Airport Corporation Limited (SACL) as the operator of KSA, and the procedure design organisation/s responsible for the maintenance of instrument flight procedures at the aerodrome.

CASA has determined that the proposed buildings will be shielded by the Sydney Centrepont Tower and the Deutsche Bank Place. Therefore obstacle marking and lighting is not required.

The proponent should also consider the specific issues which are contained in the attachment as part of any planning and development.

For further information please contact Ms Slavica Despotovic, Aerodrome Inspector, by email anaa_corro@casa.gov.au or call 131 757.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CHutton'.

Carolyn Hutton
Manager
Government and International Relations Branch

ATTACHMENT – CASA Recommendations

Departure and Approach Procedures

Any proposed structures and cranes if used in construction should be referred to the procedure design organisation/s responsible for the maintenance of instrument flight procedures at the Aerodrome. Please be aware that there may be more than one organisation responsible for the procedures at the aerodrome.

To check which organisations are responsible you can view the procedures at: <http://www.airservicesaustralia.com/aip/aip.asp> then Departure and Approach Procedures. The logo on the bottom of each procedure plate indicates the design organisation responsible.

Compliance with standards

Any aerodrome developments to aviation facilities associated with the planning proposal need to be consistent with the requirements of Civil Aviation Safety Regulations 1998 Part 139 and the associated Manual of Standards. Further details are available on the CASA website.

<https://www.casa.gov.au/standard-page/casr-part-139-aerodromes>

The National Airports Safeguarding Framework provides guidance on planning requirements for development that affects aviation operations. This includes building activity around airports that might penetrate operational airspace and/or affect navigational procedures for aircraft. The Framework consists of a set of guiding principles with six guidelines relating to aircraft noise, windshear and turbulence, wildlife strikes, wind turbines, lighting distractions and protected airspace. Further information is available from the following link:

https://infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/

Aerodrome operations

Consultation should also be undertaken with the aerodromes operational management team to manage the following issues with developments adjacent to any aerodromes:

- Airport master planning: Council should ensure that the proposal does not affect any future development or upgrades planned by the aerodrome's operational management.
- Obstacle limitation surfaces (OLS) and Procedures for Air Navigation Services – Aircraft Operations: Prior to construction, the development and crane activity should be reviewed by the aerodrome's management team for the protection of these surfaces.
- Wildlife hazard management plan: Consideration needs to be given to the final heights and bird attractions of landscaping provisions which potentially may cause a risk to aviation activities.
- Obstacle lighting: The building and any construction cranes would need to be marked to comply with CASR 139 and associated MOS, paying particular attention to the quantity, type, luminescence and whether day and/or night marking is required.
- Lighting in the vicinity of an aerodrome: Any proposed non-aeronautical ground light in the vicinity of an aerodrome may by reason of its intensity, configuration or colour, cause confusion or glare to pilots and therefore might endanger the safety of aircraft.
- Gaseous plume: Exhaust plumes can originate from a number of sources and aviation authorities have established that an exhaust plume with a vertical gust in excess of 4.3 metres/second may cause damage to an aircraft airframe, or upset an aircraft when flying at low levels.
- Control of dust: During any construction the emission of airborne particulate may be generated which could impair the visual conditions.



DOC17/303129-05
PP_2017_SYDNE_007_00

Wayne Williamson
Team Leader, Sydney Region East
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Dear Mr Williamson

**RE: Planning proposal for the development of the Martin Place Station Precinct
Notice of Exhibition**

I refer to your letter dated 1 November 2017 requesting comments from the NSW Environment Protection Authority (EPA) on the planning proposal for the development of the Martin Place Station Precinct (PP_2017_SYDNE_007_00). The EPA notes that the proposal relates to an 'over station development' (OSD) which is to be fully integrated with Martin Place Station, and applies to 50 Martin Place, 9-19 Elizabeth Street, 8-12 Castlereagh Street, 5 and 7 Elizabeth Street, 55 Hunter Street and 39-49 Martin Place.

Based on the information provided, the planning proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) and will therefore not require an Environment Protection Licence (EPL) under the POEO Act. The EPA understands that the proposal is not being undertaken by or on behalf of a public authority. The EPA is therefore not the appropriate regulatory authority for the planning proposal.

In view of the information set out above, the EPA has no further interest in this planning proposal or in any similar proposal in the future that have no impact on areas of EPA interest.

If you have any questions regarding this matter, please contact Rajesh Mottey on (02) 9995 6563.

Yours sincerely

Erin Barker 13/11/2017

ERIN BARKER
Unit Head - Sydney Industry
NSW Environment Protection Authority



File No: SF17/50524
Ref No: DOC17/540512

Wayne Williamson
Team Leader, Sydney Region East
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

By email: wayne.williamson@planning.nsw.gov.au

Dear Mr Williamson

Planning Proposal planning proposal for the development of the Martin Place Station Precinct (PP_2017_SYDNE_007_00)

I refer to your email dated 1 November 2017 regarding the abovementioned planning proposal seeking amendments to the *Sydney Local Environmental Plan 2012* (SLEP 2012) relating to the Sydney Metro Martin Place Station Precinct (Precinct).

The Precinct, 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).

The proposed key amendments to the SLEP 2012 include:

- increasing the building height for part of the south site up to the Hyde Park north sun access plane by amending the existing 55 metre height limit adjoining Martin Place from 25 metre setback to 8 metres; and
- inserting a new site specific clause that provides for additional floor space of up to 22:1 (on the south site) and 18.5:1 (on the north site) only where it is to be used for employment purposes.

It is noted that 50 Martin Place (SHR 01427) is the only State Heritage Register item that is within the proposed development, however the subject site is within the vicinity of heritage items listed at Commonwealth, State and Local level.

It is understood that the 7 Elizabeth Street which forms a part of the subject site is a local heritage item and that the item's demolition was approved by the Planning Minister on 9 January 2017 as part of Critical State Significant Infrastructure (CSSI 15_7400) application.

Background

An unsolicited proposal was lodged by Macquarie Corporate Holdings Pty (Macquarie) to the State Government for the delivery of a single fully integrated station/OSD solution for the new Sydney Metro Martin Place Station. On 3 May 2017, Macquarie presented to the Heritage

Council an overview of the proposal and specifically the objectives and scope of the State Significant Development Application. On 26 June 2017, Transport for NSW submitted a modification to their Critical State Infrastructure Application for Sydney Metro to integrate it with the Macquarie proposal. The Heritage Council provided comment on the Stage 1 Concept Proposal (SSD 8351) for the development of the Martin Place Station Precinct on 7 July 2017, and on the Notice of Exhibition Sydney Metro and Southwest (Chatswood to Sydenham Modification 3 – Martin Place) (SSI 7400 MOD 3) on 25 July 2017.

On 1 November 2017, Macquarie presented to the Heritage Council to provide an update on progress of the design of the proposal and to respond to matters raised by the Heritage Council in its response to the State Significant Development Application and the proposed modification to the Critical State Infrastructure Application.

Comments on the proposal

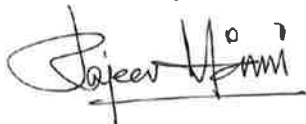
In its November meeting, the Heritage Council raised concerns regarding the proposed 8m setback which was considered to be inadequate to minimise the visual impact of the South Tower on Martin Place. The Heritage Council meeting recommended that a minimum setback of 10-15m would be more appropriate.

It is understood that further consultation with the Heritage Council is anticipated in 2018 and that this will contribute to the refinement of the design to mitigate any heritage impacts, including the impacts of the proposed design on the setting, context and views along Martin Place, Chifley Square and to Richard Johnson Square, and especially the interface of the North Tower with 50 Martin Place.

Therefore, it is recommended that the planning proposal not be finalised until the Heritage Council is satisfied with the final design of the development.

If you have any questions regarding the above matter please contact Vibha Upadhyay, Heritage Assessment Officer, at the Heritage Division on 98738587 or at vibha.upadhyay@environment.nsw.gov.au.

Yours sincerely



Rajeev Maini
Manager, Conservation
Heritage Division
Office of Environment & Heritage
As Delegate of the NSW Heritage Council
30 November 2017



File No: SF18/10709
Ref No: DOC18/83885

Wayne Williamson
Team Leader, Metropolitan Delivery
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

By email: Wayne.Williamson@planning.nsw.gov.au

Dear Mr Williamson

SYDNEY METRO MARTIN PLACE STATION PRECINCT – PLANNING PROPOSAL, STATE SIGNIFICANT DEVELOPMENT (SSD) N^o SSD 7894

Thank you for providing additional view analysis and supporting information to address concerns raised by the Heritage Council Approvals Committee (HCAC) in November 2017 regarding the proposed setback of the South Tower for the proposed Over Station Development (OSD) at the Martin Place Station Precinct (Planning Proposal).

The Heritage Council considered the information at its meeting on 7 March 2018 and resolved to:

1. NOTE the information; and
2. ADVISE the Department of Planning and Environment that it:
 - a) notes the position of the City of Sydney that the view analysis provided confirms the visual impact of the proposed South Tower on the heritage significance of Martin Place and that the existing 25m setback control is the minimum required to protect the heritage significance of Martin Place;
 - b) has formed the view that further information and view analysis provided by Tzannes and TKD confirms that, while there is little difference between the 8m, 10m and 15m setbacks, none of these setback options are adequate to avoid adverse impacts on the scale and heritage values of Martin Place and the SHR and LEP listed buildings located within its immediate context;
 - c) recommends that the existing 25m LEP control in relation to setbacks should be maintained to ensure that any proposed tower will not result in an unacceptable visual impact on the heritage values of Martin Place.

If you have any questions regarding this matter, please contact James Quoyale, Heritage Assessment Officer on (02) 9873 8612 or at james.quoyale@environment.nsw.gov.au.

Yours sincerely

Rajeev Maini
Senior Team Leader
South Assessments, Heritage Division
Office of Environment and Heritage
As Delegate of the Heritage Council of NSW
5 April 2018



22 December 2017

Roads and Maritime Reference: SYD17/01523/01 (A20415731)
Council's Reference: PP_2017_SYDNEY_007_00

Wayne Williamson
Team Leader, Sydney Region East Planning Services
Department of Planning & Environment
GPO Box 39
SYDNEY, NSW 2001

Dear Mr Williamson,

**EXHIBITION OF PLANNING PROPOSAL FOR MARTIN PLACE STATION PRECINCT
APPLIES TO 50 MARTIN PLACE, 9-19 ELIZABETH STREET, 8-12 CASTLEREAGH
STREET, 5 & 7 ELIZABETH STREET, 55 HUNTER STREET (NORTH SITE) AND 39-49
MARTIN PLACE (SOUTH SITE)**

Reference is made to your letter dated 1 November 2017 regarding the abovementioned planning proposal which was referred to Roads and Maritime Services (Roads and Maritime) for comment. Roads and Maritime appreciates the opportunity to provide comment.

Roads and Maritime has reviewed the information provided and notes that the Planning Proposal seeks to amend Sydney Local Environmental Plan 2012 as follows:

- Increase the permissible building height to allow development up to the Hyde Park north sun access plane for part of the south site by amending the existing 55m height limit adjoining Martin Place from a 25m setback to 8m, and
- Insert a new site specific clause that provides for additional floor space of up to 22:1 (on the south site) and 18.5:1 (on the north site) only where it is to be used for employment purposes.

Roads and Maritime raises no objection to the Planning Proposal and provides the following comments for consideration:

1. The Proposal should include a detailed pedestrian impact assessment to demonstrate that proposed pedestrian facilities for access to the public transport network will be adequate to cater for future demands on key pedestrian desire lines. The assessment should identify any required improvements to pedestrian facilities to accommodate the additional demand. This should include consideration to provision of subterranean pedestrian links.
2. While it is noted that access strategy for the site is indicative at this stage, any future development application (DA) or Development Control Plan (DCP) for the site should ensure that vehicular access points for the loading docks and carparks are located as far as reasonably practical away from any nearby the traffic control signals. In accordance with the *Sydney City Centre Access Strategy*, consideration should be given to a 'Loading Zone Hub' facility being incorporated into any future development to provide off street loading facilities for the site and adjacent sites. The Loading Zone Hub facility would also assist in mitigating the impact of the loss of kerbside loading facilities due to the extension of the on-street

Roads and Maritime Services

cycleway along Castlereagh Street, King Street and Pitt Street, as set out under the Access Strategy deliverables.

3. The proposed loading dock capacity for any future DA should be adequate to cater for the full service vehicle demands of the ultimate development. An assessment of the loading dock capacity and details of proposed management plans should accompany any future development application. Vehicles should not be forced queue or wait on the public road for parking and/or loading.
4. As part of any future DA for the site, a draft Construction Pedestrian and Traffic Management Plan (CPTMP) should be prepared in consultation with the TfNSW Sydney Coordination Office. The draft CPTMP is to include (but not be limited to) details of construction vehicle routes, number of trucks, hours of operation, access arrangements (including consideration to pedestrians and cyclists) and traffic control.

The draft CPTMP will need to consider the cumulative impacts of infrastructure projects and developments under construction in the vicinity of the site. The CPTMP will need to identify mitigation measures to ensure the proposal can be constructed while the impacts to rail users (and their connections) are appropriately managed.

The CPTMP should also consider the potential construction impact during testing and commissioning of the Metro and mitigation measures to minimise its impact for both traffic and pedestrians/cyclists.

Thank you for the opportunity to comment on the subject proposal. If you require clarification on the above matter, please contact Ahsanul Amin, Acting Senior Strategic Land Use Planner on 8849 2762 or e-mail at development.sydney@rms.nsw.gov.au.

Yours sincerely



Rachel Nicholson
A/Program Manager Land Use
Strategic Land Use – Network Sydney



**Transport
for NSW**

Mr Wayne Williamson
Team Leader, Sydney Region East
Planning Services
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Williamson

**Planning Proposal for the development of the Martin Place Station Precinct
Notice of Exhibition (PP_2017_SYDNE_007_00)**

Thank you for your letter dated 1 November 2017 requesting Transport for NSW (TfNSW) comment on the above.

TfNSW has reviewed the Planning Proposal and raises no issues at this stage. Development on the site should be subject to the existing and future rail corridor provisions in the State Environmental Planning Policy (Infrastructure) 2007.

If you require clarification on the above, please don't hesitate to contact Para Sangar, Senior Transport Planner, Land Use Planning and Development on Para.Sangar@transport.nsw.gov.au.

Yours sincerely

21/11/17

Mark Ozinga
**Principal Manager, Land Use Planning and Development
Freight, Strategy and Planning**

Objective Number - CD17/12172

Wayne Williamson

From: Marnie Stewart
Sent: Monday, 13 November 2017 3:39 PM
To: Wayne Williamson
Subject: Notice of exhibition - Planning proposal for Martin Place Station Precinct (PP_2017_SYDNE_007_00) - City of Sydney LGA

Dear Wayne

Thank you for forwarding the planning proposal to the Office of Environment and Heritage (OEH) for consideration. After reviewing the relevant documents, OEH's Greater Sydney Planning Team has concluded that the matter does not contain biodiversity, natural hazards or Aboriginal cultural heritage issues that require a formal OEH response. We have no further need to be involved in the assessment of this project.

Please note that the Heritage Division in the Office of Environment and Heritage may wish to provide separate comments. The Heritage Division can be contacted at HERITAGEMailbox@environment.nsw.gov.au.

Regards,

Marnie Stewart
Senior Project Officer – Planning, Greater Sydney Branch
Regional Operations Division
Office of Environment and Heritage

 Save paper, save the planet! think before you print.

From: Wayne Williamson
Sent: Wednesday, 1 November 2017 4:56 PM
To: Planning Matters Mailbox <planning.matters@environment.nsw.gov.au>
Subject: Notice of exhibition - Planning proposal for Martin Place Station Precinct (PP_2017_SYDNE_007_00) - City of Sydney LGA

Good afternoon

Please find attached the notice of exhibition for a planning proposal for the development of the Martin Place Station Precinct (PP_2017_SYDNE_007_00).

The public exhibition is on from **Thursday 2 November 2017** until **Friday 2 December 2017**. The planning proposal and accompanying documents may be viewed on the Department's website at <http://planspolicies.planning.nsw.gov.au/> from Thursday, 1 November 2017.

Regards

Wayne Williamson
Team Leader, Sydney Region East
Department of Planning & Environment
Level 22, 320 Pitt Street, SYDNEY NSW 2001
T 02 9274 6585 E wayne.williamson@planning.nsw.gov.au



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Wayne Williamson

From: Bleasdale, Peter <peter.bleasdale@syd.com.au>
Sent: Tuesday, 14 November 2017 11:01 AM
To: Wayne Williamson
Subject: 17/0454 & 17/0469 - MARTIN PLACE Station PRECINCT NORTH & SOUTH SITES - your ref: PP_2017_SYDNE_007_00

Hi Wayne,

NSW Planning & Environment has invited comments from Sydney Airport on the Planning Proposal for the development of the Martin Place Station Precinct.

Previously, Sydney Airport Processed two applications –

17/0454 - MARTIN PLACE PRECINCT SOUTH SITE – 155.5m AHD - below the Obstacle Limitation Surface (OLS) of 156m AHD – approved by Sydney Airport.

17/0469 - MARTIN PLACE PRECINCT NORTH SITE – 214.2m AHD - penetrates the OLS of 156m AHD – approved by Federal Department of Infrastructure & Regional Development (DIRD).

Referring to the newly supplied document - Appendix H_ Assessment of Airspace Approvability – the two buildings have now grown in height –

MARTIN PLACE PRECINCT SOUTH SITE – 165m AHD

MARTIN PLACE PRECINCT NORTH SITE – 214.5m AHD

As both proposed buildings now penetrate the OLS & both have increased in height, they will both need to be referred to Airservices & CASA for assessment prior to being sent to DIRD for separate determinations.

Please advise if NSW Planning wishes Sydney Airport to proceed with the assessment process.

For Sydney Airport to proceed, we will require elevation diagrams of each building showing the overall height of the buildings.

Regards

Peter Bleasdale
Airfield Design Manager
Sydney Airport


peter.bleasdale@syd.com.au
www.sydneyairport.com.au



DISCLAIMER: This email is confidential and may also contain legally privileged information. If you are not the intended recipient, please contact the sender on 61 2 9667 9111 and do not use, disclose, copy, or distribute it to anyone. Confidentiality and legal privileges are not waived by reason of mistaken delivery to you.

30 December 2017
Mr Wayne Williamson
Team Leader - Sydney Region East
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Our Ref: Case 168282

Re: Planning Proposal for the development of the Martin Place Station Precinct (your reference PP 2017 SYDNE_007_00)

Dear Mr Williamson

Thank you for notifying Sydney Water of the Planning Proposal listed above. We have reviewed the application and provide the following information to assist in planning the servicing needs of the proposal, based on the information supplied.

Water

- The existing potable water mains fronting the site have sufficient capacity to serve the proposed development.

Wastewater

- The existing wastewater system has capacity to serve the proposed development.

This advice is not a formal approval of our servicing requirements. Detail requirements including any potential extensions or amplifications will be provided once developments on the rezoned site are referred to Sydney Water for a Section 73 application.

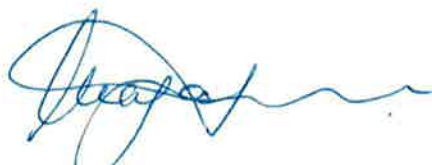
More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Sydney Water E-Planning

Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au

Further advice and requirements for this proposal are in the attachment. If you require any further information, please contact Lyndall Salli of Growth Planning and Development on 02 8849 3530 or e-mail lyndall.salli@sydneywater.com.au

Yours sincerely



Maja Georgievska
A/Manager, Growth Planning and Development

Attachment 1

Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water [Tap in™](#) online self-service replaces our Quick Check Agents as of 30 November 2015.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](#) online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>