

60 Martin Place, Sydney

Proposal Title : **60 Martin Place, Sydney**

Proposal Summary : **This proposal seeks to amend the Sydney Local Environmental Plan 2012 to enable the non-residential redevelopment of the building at 60 Martin Place and a portion of airspace above 197 Macquarie Street (St Stephens Church) by increasing the building height limit, and providing an exception to the sun access plane controls.**

PP Number : **PP_2014_SYDNE_006_00**

Dop File No : **14/17060**

Proposal Details

Date Planning
Proposal Received : **25-Sep-2014**

LGA covered : **Sydney**

Region : **Metro(CBD)**

RPA : **Council of the City of Sydney**

State Electorate : **SYDNEY**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **58-60 Martin Place**

Suburb : **Sydney**

City : **Sydney**

Postcode : **2000**

Land Parcel : **Lot 1 DP 221322**

Street : **197 Macquarie Street**

Suburb : **Sydney**

City : **Sydney**

Postcode : **2000**

Land Parcel : **Lot 1 DP 185400**

DoP Planning Officer Contact Details

Contact Name : **Wayne Williamson**

Contact Number : **0285754121**

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

RPA Contact Details

Contact Name : **David Fitzpatrick**

Contact Number : **0292659333**

Contact Email : **dfitzpatrick@cityofsydney.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	285

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Metropolitan Delivery has not met any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :	In regards to the concept design that accompanies the proposal, which includes a cantilever over St Stephen's Church at 197 Macquarie Street site, the Central Sydney Planning Committee adopted the following resolution on 11 September 2014: (B) the Central Sydney Planning Committee note that the supporting technical documentation included in the Planning Proposal – Sydney Local Environmental Plan – 60 Martin Place, shown at Attachment A (Parts A2 through to A18), will be revised prior to public exhibition, to reflect the following changes: (i) an increase in the maximum depth of the cantilever element from 5.5 metres to 8 metres; (ii) raising the lowest level of the cantilever to a height above the spire of the adjacent St Stephen's church; (iii) increasing the cantilever setback from Macquarie Street to 8 metres, from 4.85 metres; and (iv) lowering of the street wall height at Macquarie Street from 45 metres to a height corresponding with the surrounding built form. Council has further advised the appropriate consultants have initiated revisions to urban design analysis, shadow impact analysis, view impact analysis and heritage impact reports and the revisions will be completed prior to public exhibition.
External Supporting Notes :	Site context 58-60 Martin Place Currently a 33 storey building (Westpac) is located on the 60 Martin Place site with a building height ranging from 113m to 118m (RL148). The existing building was first completed in 1971 as a tower development designed by architectural firm Peddle Thorp and Walker. In 1998 a podium addition was added to the site. In 2004, retail and cosmetic upgrades within the podium were undertaken to better respond to the site's location on

Martin Place. The commercial office component of the building is currently 100% tenanted.

Opposite the site to the east on Macquarie Street is the Sydney Hospital group of buildings and Parliament House. Adjoining the site to the north on Macquarie Street is Deutsche Bank Place at 126 Phillip Street. Opposite to the south of the site is the head office of the Reserve Bank of Australia. To the west of the site on the opposite side of Phillip Street is 52 Martin Place, known as the Colonial Centre.

197 Macquarie Street

St Stephens Uniting Church was constructed in 1935. The church is listed as a heritage item on the State Heritage Register. The church is predominately sandstone apart from a central spire.

Adequacy Assessment

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

Is a statement of the objectives provided? **Yes**

Comment : The objective of the proposal is to amend the maximum height of building and the sun access plane controls, to allow for non-residential redevelopment of 60 Martin Place and a portion of airspace above 197 Macquarie street (St Stephens Church). Redevelopment of the site will promote the revitalisation of Martin Place as a significant commercial address.

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

Is an explanation of provisions provided? **Yes**

Comment : The proposal will provide incentive based planning controls for the site for non-residential development that:

- provides additional non-residential floor space; and
- causes no additional overshadowing to Martin Place and the building facades on its southern alignment (measured between 12 noon and 2pm on 14 April).

The concept design that accompanies the proposal includes a cantilever over St Stephens Church at 197 Macquarie Street site. The cantilever will project 8 metres over the boundary of the Church and be above the height of the spire of the church.

The following amendments will be made to the Sydney Local Environmental Plan 2012:

Alternative Building Height

Insert a new part 6 "Redevelopment" clause. This clause will provide an alternative building height for redevelopment of the site for non-residential uses. The alternative building height will be RL167. The Height of Buildings map will be amended to reflect the new RL. The current building height is RL148 (118 metres), and is above the current controls. The amended building height represents an increase of approximately 19 metres.

The current Height of Buildings map provides a building height of 55 metres, which will still apply for non-commercial development by way of the sun access plane controls.

This clause will apply to 60 Martin place and also a portion of the St Stephens Church site.

Martin Place 5B Sun Access Plane

The intent of the sun access plane is to prohibit development that causes any part of the building to project above the sun access plane. The current building projects through the sun access plane, as it was constructed prior to the sun access plane control being put in place. The impact of the sun access plane rules out a like-for-like replacement of the existing building.

The proposed exemption to the sun access plane would allow for the existing outdated commercial building to be replaced with a premium commercial building.

To implement this change a new sub-clause will be inserted into clause 6.18 Exceptions to Sun Access Planes detailing the circumstances under which an exception to the sun access plane would be available. The intent of the sub-clause is to exclude residential development accessing the exemption to the sun access plane.

The Sun Access Plane map will also be amended to identify the 60 Martin Place site and a portion of St Stephens Church site.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

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

d) Which SEPPs have the RPA identified?

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

SEPP No 6—Number of Storeys in a Building

SEPP No 22—Shops and Commercial Premises

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

SEPP No 60—Exempt and Complying Development

SEPP No 64—Advertising and Signage

SEPP No 70—Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

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

SEPP (Major Projects) 2005

SEPP (Temporary Structures and Places of Public Entertainment) 2007

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

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

The planning proposal contains provisions to facilitate the conservation of the adjacent St Stephens Church site.

The proposal is not considered to be inconsistent with any SEPP or Section 117 Direction.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Maps provided are considered adequate.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Consultation will be undertaken in accordance with the Gateway determination. Council suggests that an exhibition period of 28 days would be appropriate.

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in
relation to Principal
LEP :

The Sydney LEP 2012 was notified in December 2012.

Assessment Criteria

Need for planning
proposal :

A planning proposal is needed for the site to amend the building height and solar access restrictions the existing planning controls place on any redevelopment.

The existing building on the site is 118 metres and does not comply with the current 55 metre restrictions imposed by the building height and sun access plane controls. Any feasible redevelopment under the current controls could not be carried out without a considerable loss of floor space.

By applying a building height of RL167 (approx. 137 metres) and an exception to the sun access plane for non-residential development, a like-for-like commercial development can be achieved on the site, without creating any additional impacts.

The option to refurbish the existing building has been explored, however, this option was identified as less preferable, primarily due to the limitations of the current building structure. Key elements of the building, such as the facade and building services are nearing the end of their life-cycle. The facade design has poorly located columns which disrupt views and solar access.

Consistency with
strategic planning
framework :

The planning proposal is consistent with the objectives of the draft Metropolitan Strategy for Sydney in that it will:

- enhance the role of the subregion as Sydney's global economic driver, including strengthening connections within the Global Sydney and Global Economic Corridor city shapers;**
- provide capacity for employment growth; and**
- protect the CBD as Sydney's most significant concentration of global economic activities, including international business and financial head offices and legal companies.**

Environmental social
economic impacts :

The proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

It is unlikely that the proposal will result in development creating any environmental effects that cannot already be controlled. The following environmental aspects have been considered:

Solar Access

The intent of the sun access plane is to protect provision of sunlight to the facades of the buildings on the south side of Martin Place between 31 August and 14 April from 12 noon till 2pm each day. The analysis indicates that there will be no additional overshadowing on either Martin Place or the facade of the Reserve Bank building. There will be some minor additional shadow cast within that time on Macquarie Street and also on the Sydney Hospital group of buildings. These additional shadows are considered acceptable given that neither location is intended to be protected by the operation of the Martin Place 5B sun access plane.

Wind Impacts

The preliminary analysis indicates that wind conditions will not be significantly altered by the proposed development. Notwithstanding, detailed wind tunnel modelling will be undertaken at the detailed development assessment stage. This will involve modelling of the existing conditions as well as any proposed development.

Views and Visual Impact

A view impact analysis has been undertaken for the proposal, which concludes that no public views would be obstructed or significantly affected.

Heritage Context and Urban Design

The site is in the vicinity of a number of heritage listings including Martin Place plaza and Martin Place Railway Station and the Sydney Hospital group on Macquarie Street. The redevelopment is an opportunity to reinforce the podium-level relationship between the proposed new building, the Reserve Bank, the Sydney Hospital group viewed from Martin Place and St Stephen's Church viewed from Macquarie Street.

St Stephens Church is of State heritage significance. The proposed cantilever element in the concept design is to be separated from the spire of St Stephens Church both vertically, and horizontally. This separation will ensure that new development does not significantly affect the heritage value of St Stephen's Church.

The Heritage Division has reviewed the Planning Proposal and recommends that the following additional information be included at public exhibition stage:

- Drawings that explain and justify the DCP envelope for the cantilever and its relationship with St Stephen's Church (as per your proposed condition below) This is to include:
 - o Plans, elevations and sections (front and side views) clearly detailing the form of St Stephen's and dimensions of the proposed separation distances of the tower and cantilever with the church and its significant components.
 - o Views and sightlines from streetscape level of the cantilever and St Stephen's.
- Details on the additional floor space that could be gained by the cantilever element.

Transport and Pedestrian Impacts

The proposal would not result in any additional vehicle traffic in relation to the new building. The existing building has an allocation of 80 parking spaces. This would be reduced to approximately 50 spaces, in accordance with the City of Sydney's parking rates. This would result in a minor impact on local traffic.

Social and economic effects

The key positive economic effects of the proposal are the rejuvenation of a declining commercial precinct and the generation of employment opportunities, thus reinforcing the precinct as a commercial address and destination.

By allowing a proposed development to make use of the airspace and unused development potential on the St Stephens Church site, it is anticipated that the church will benefit through contributions to ongoing maintenance.

The current building has a Gross Floor Area (GFA) of 30,022 square metres, which provides floor space for approximately 1200 jobs. The concept design for the site

proposes a GFA of 38,000 square metres (36,500 commercial, 1500 retail), which will provide floor space for approximately 1485 jobs, a potential increase of 285 jobs.

The indicative scheme plans for an 18-hour precinct, which seeks to increase activity in Martin Place outside of normal office hours.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - s56(2) (d) : **Office of Environment and Heritage
Transport for NSW
Sydney Water
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal_Sydney LEP 2012_60 Martin Place.pdf	Proposal	Yes
Council_letter.pdf	Proposal Covering Letter	Yes
CSPC_resolution.pdf	Proposal	Yes
Planning Justification Report.pdf	Proposal	Yes
Appendix A_Urban Design Analysis Report_Part1.pdf	Study	Yes
Appendix A_Urban Design Analysis Report_Part2.pdf	Study	Yes
Appendix A_Urban Design Analysis Report_Part3.pdf	Study	Yes
Appendix A_Urban Design Analysis Report_Part4.pdf	Study	Yes
Appendix A_Urban Design Analysis Report_Part5.pdf	Study	Yes
Appendix B_Shadow Impact Analysis Report_Part1_.pdf	Study	Yes
Appendix B_Shadow Impact Analysis Report_Part2_.pdf	Study	Yes
Appendix B_Shadow Impact Analysis Report_Part3_.pdf	Study	Yes

60 Martin Place, Sydney

Appendix B_Shadow Impact Analysis Report_Part4_.pdf	Study	Yes
Appendix C_Structural Reports.pdf	Study	Yes
Appendix D_Heritage Impact Report.pdf	Study	Yes
Appendix E_Consistency with Sydney 2030 Objectives.pdf	Study	Yes
Appendix F_Assessment against S117 Directions.pdf	Study	Yes
Appendix G_Transport, Traffic, Pedestrian and Parking Study.pdf	Study	Yes
Appendix H_View Impact Analysis Report.pdf	Study	Yes
Appendix I_Environmental Wind Analysis Report.pdf	Study	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : It is recommended that the planning proposal proceed, subject to the following conditions:

1. That the planning proposal and supporting technical documentation be revised prior to public exhibition in accordance with the Central Sydney Planning Committee resolution on 11 September 2014;
2. That drawings explaining and justifying the DCP envelope for the cantilever and its relationship with St Stephen's Church be included in the planning proposal and supporting technical documentation prior to public exhibition.
3. The planning proposal be publicly exhibited for a period of not less than 28 days.
4. The planning proposal is to be finalised within 12 months from the date of the gateway determination.
5. Council is to consult with:
 - Office of Environment and Heritage;
 - Transport for NSW;
 - Sydney Water; and
 - Ausgrid.
6. A public hearing is not required.
7. The planning proposal to be finalised within 12 months from a week following the date of the gateway determination.

Supporting Reasons : The planning proposal is supported because non-residential redevelopment of the site will promote the revitalisation of Martin Place as a significant commercial address. The proposed redevelopment of the site will have no adverse environmental, social or economic impacts on the Martin Place precinct. Consultation with the Heritage office also confirmed that the proposal will not adversely impact on the adjacent State heritage item.

60 Martin Place, Sydney

Signature:



Printed Name:

Tim ARCHER

Date:

10/11/14