



Planning Proposal Planning Justification Report



58 - 60 Martin Place, Sydney and Part 197 Macquarie Street
Amendment to the Sydney LEP 2012 and Sydney DCP 2012
Submitted to City of Sydney Council
On Behalf of Investa Nominees Pty Ltd ATF 60 Martin Place Trust

September 2014 ■ 11585

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1.0 Background

1.1 Introduction

This Planning Justification Report is submitted to the City of Sydney Council (Council) to support a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* (SLEP 2012). This report has been prepared by JBA on behalf of Investa Nominees Pty Ltd ATF 60 Martin Place Trust.

It is proposed to amend the SLEP 2012 to permit a building higher than the sun access plane on the site, which comprises the entire 60 Martin Place site and a portion of the 197 Macquarie Street site. An amendment to Section 6 'Specific Sites' of the Sydney Development Control Plan 2012 (Sydney DCP 2012) is also proposed to establish development controls on the site to guide any future redevelopment.

The future redevelopment relates to replacing the current building on the 60 Martin Place site. This development is expected to include a cantilever over the 197 Macquarie Street site. As the height limit on the 197 Macquarie Street site is identical in part to that of the 60 Martin Place site, the planning proposal needs to amend both the 60 Martin Place site and a portion of the 197 Macquarie Street site height limit.

This report describes the site, its environs, the proposed development and planning process, and provides an assessment of the proposal in terms of the matters for consideration established under the Department of Planning and Environment's (the DP&E) publication '*A Guide to Preparing Planning Proposals*' (October 2012) and NSW Planning Circular 06-005.

This report should be read in conjunction with the Urban Design Analysis Report prepared by Hassell (**Appendix A**) and the other appended technical reports (see **Table of Contents**).

1.2 Purpose of the Report

The purpose of this Planning Justification Report is to document and integrate the environmental analysis undertaken in support of the Planning Proposal and summarise the proposed approach to the future redevelopment of the site.

The report is designed to demonstrate the integrated manner in which investigations have been undertaken and constraints and opportunities identified and addressed. It also reflects the attention given to the management of key environmental issues, including:

- Overshadowing;
- Urban Design Context;
- Transport and Pedestrian Impacts;
- Heritage Context;
- Views and Visual Impact;
- Structural Adequacy;
- Wind Environment; and
- Land suitability.

A Planning Proposal is required for the site to amend the restrictions the existing planning controls place on any redevelopment. The existing building on the site does not comply with the current planning controls, and therefore any feasible redevelopment under the current controls could not be carried out without a considerable loss of floor space and significant truncation of the existing height/built form on the site. It is also considered that the built form dictated by the current planning controls is sub-optimal, with a redevelopment conforming to these controls unlikely to facilitate design excellence for this pivotal site at the eastern entry to Martin Place.

The principal planning controls regulating the redevelopment of the site include a height restriction in the SLEP 2012, in the form of a maximum building height and a sun access plane designed to protect solar access to Martin Place. The existing building on the site does not comply with these height limit controls (refer to **Figure 1**). As well as these height controls, significantly large above podium setback controls in the Sydney DCP 2012 absorb the majority of the site and limit any reasonable floor plate even if the maximum height controls were to be amended.

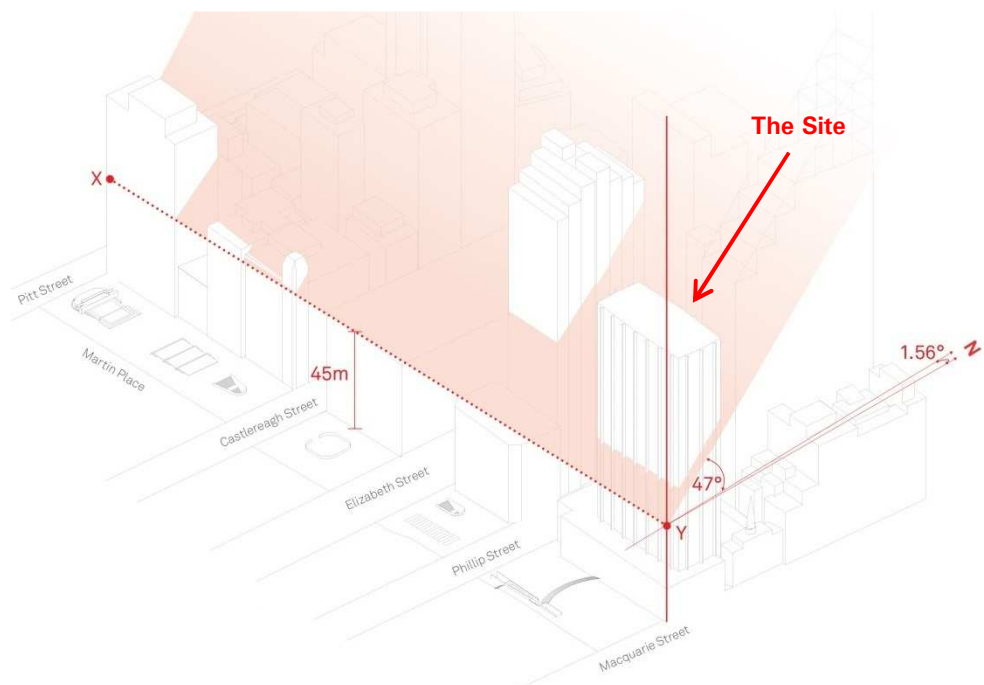


Figure 1 – Existing building above the Martin Place 5B Sun Access Plane
Source: Hassell

The controls of SLEP 2012 and the Sydney DCP 2012 have been informed by various studies of Martin Place (Gazzard and Partner 1984 and Denton Corker Marshall 1993). These studies were commissioned by Council, and were used to develop Design Principles for Martin Place which were adopted in 1993. These design principles were then translated into subsequent environmental planning instruments.

Daylight access was, and still is, considered important in Martin Place due to the high level of amenity provided to spaces which experience prolonged periods of sunlight. The controls developed from the above studies were focused primarily on enhancing sunlight access in future redevelopments, establishing uniformity in the built form of developments fronting Martin Place. These controls were essentially designed to maintain/enhance sunlight access to Martin Place and the façades of sandstone building on Martin Place.

The civic, cultural and commercial significance of Martin Place has been recognised in planning controls since the early 1990's, with these controls designed around maximising the opportunity for solar access. In particular, an omnipresent theme since the 1990's is the importance of daylight access between the time of 12:00pm and 2:00pm, principally during the lunchtime hours of surrounding Sydney Central Business District (CBD) employees.

Essentially the orientation of Martin Place, east to west, was identified as limiting in regards to daylight access. As such, it was also recognised as important that the shafts of light permitted through north-south streets and between buildings were maintained.

Not only has it been identified that daylight access into the plaza of Martin Place is important, but it is continually noted that sunlight onto the façades of significant sandstone buildings on the southern alignment of Martin Place further improve the amenity of the Precinct.

To ensure the amenity of Martin Place is maintained through the redevelopment of the site, the proposed amendment seeks to identify an appropriate maximum height which ensures that the impact on Martin Place is no worse than existing building. The proposed amendment to the Sydney DCP 2012 to facilitate a building envelope described in **Section 3.0** also embodies this intent. It is noted that the proposed amendment to SLEP 2012 and the Sydney DCP 2012 will not result in any additional overshadowing to Martin Place or the façades of buildings fronting Martin Place in the critical lunchtime hours on the control date of 14 April. Further details on the criteria for assessing daylight access are discussed in **Section 1.4** below and in the Shadow Impact Analysis prepared by Hassell (refer to **Appendix B**).

1.3 The Planning Process

1.3.1 Planning Proposal

This Planning Justification Report along with the appended supporting documentation (see **Table of Contents**) constitutes a formal submission to Council for their consideration to prepare a Planning Proposal to amend SLEP 2012. If supported by Council staff, a Planning Proposal will be prepared for formal consideration by the City of Sydney Council, and the Central Sydney Planning Committee (CSPC). A recommendation will then be provided with this Planning Proposal to forward the proposal to the DP&E for a Gateway Determination.

If the proposal is supported at the Gateway by the Minister for Planning (or delegate), the proposal will be publically exhibited for a minimum of 28 days. An assessment will then be undertaken of the proposal, considering any public submissions received throughout the exhibition period. Parliamentary Counsel will prepare a draft Local Environmental Plan to be forwarded to the Minister (or her delegate), for a decision.

If approval is granted, this draft plan will become law and be published on the NSW Legislation website, thereby amending SLEP 2012 and allowing for a further application to be lodged for the redevelopment of the site.

1.3.2 Development Control Plan

Clause 7.20 of SLEP 2012 establishes the need for a Development Control Plan (DCP) to be prepared prior to the granting of development consent for a new building on a site greater than 1,500 square metres or if the development will result in a building with a height greater than 55 metres above ground level (existing) in Central Sydney.

The future application for the redevelopment of the site will satisfy both of these criteria, as it is envisaged there will be a site area of in excess of 1,500m² and an effective building height in excess of 55 metres.

Section 83C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes that a staged development application will satisfy the obligation to prepare a development control plan.

As such, prior to a detailed development application (DA) being lodged for the redevelopment of the site, a 'Stage 1' development application may be prepared, or a site specific development control plan must be in place.

In light of the nature of this submission, with an objective of amending the provisions of SLEP 2012, it is considered appropriate that a concurrent amendment be undertaken to the Sydney DCP 2012. This amendment will establish key controls for the site, as required under Clause 7.20 of SLEP 2012. The location of where the key requirements for preparing a development control plan are addressed in this report is detailed in **Table 1**.

As a result of this amendment, the obligation to prepare a development control plan for the site will be satisfied and a detailed development application for the redevelopment of the site will be able to be lodged for consideration by Council.

It is noted that prior to the lodgement of a detailed development application for any redevelopment of the site, a competitive design process will be undertaken to ensure that the proposal exhibits design excellence, in accordance with Clause 6.21 of SLEP 2012.

Table 1 – Requirements of a development control plan

Requirement	Location in Report
Requirements as to the form and external appearance of proposed development so as to improve the quality and amenity of the public domain.	Section 5.2
Requirements to minimise the detrimental impact of proposed development on view corridors.	Section 7.5
How proposed development addresses the following matters:	
(i) the suitability of the land for development	Section 7.8
(ii) the existing and proposed uses and use mix	Section 2.2.2 and Section 0
(iii) any heritage issues and streetscape constraints	Section 7.2 and Section 7.4
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form	Section 3.6.1 and Section 5.2.2
(v) the bulk, massing and modulation of buildings	Section 3.6 and Section 5.2.2
(vi) street frontage heights	Section 3.6 and Section 5.2.2
(vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity	Section 7.0
(viii) the achievement of the principles of ecologically sustainable development	Section 6.2.1
(ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network	Section 7.3

Requirement	Location in Report
(x) the impact on, and any proposed improvements to, the public domain	Section 3.7 and Section 4.0
(xi) the impact on any special character area	Section 7.4
(xii) achieving appropriate interface at ground level between the building and the public domain	Section 3.7
(xiii) the excellence and integration of landscape design	Section 3.7
(xiv) the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access	Section 3.7

1.4 Stakeholder Involvement

The preparation of the Planning Proposal has included the ongoing active involvement of a number of stakeholders such as Council staff, Council's Design Advisory Panel, the Central Sydney Planning Committee (CSPC), RailCorp and adjoining landowners.

1.4.1 City of Sydney Council

Consultation has occurred with Council staff and an initial presentation was provided by the proponent to the Council's Design Advisory Panel (DAP), an independent panel of experts formed to improve the quality of development and urban design within the City of Sydney.

Initial correspondence was received on 30 October 2012 from the Council staff regarding the redevelopment of the site. This correspondence was prepared in consultation with the CSPC following a presentation by the proponent on the desire to redevelop the 60 Martin Place site and amend the current planning controls.

This initial correspondence confirmed Council's willingness to consider a submission requesting a Planning Proposal be progressed by the Council to amend the site's planning controls to allow for a new building rather than a refurbishment proposal. This correspondence established the framework and key considerations to be included in a formal submission. Each item requested within this correspondence has been included in this submission (refer **Table of Contents**).

Appended to this initial correspondence was advice from the DAP on the scheme which had been presented by the proponent. This advice, along with the considerations provided by Council in their correspondence, formed the basis of this formal submission. In particular the DAP provided the following criteria and comments for consideration in any redevelopment of the site:

- Any proposal should result in, at worst, a neutral impact to current levels of solar access to Martin Place, with increased levels of sunlight on the pavement and façades of Martin Place desirable.
- The amount of open sky currently viewed at the east end of Martin Place is considered a significant public amenity.
- The overall pattern of podium heights along the length of Martin Place needs to be considered.
- A formula for podium heights was established in the 1993 *"Martin Place Civic Design Study and Masterplan"* and formed the basis of the current Central Sydney planning controls.

The DAP also provided commentary on the presented scheme, noting their concern over elements such as a false corner to Macquarie Street and Martin Place and a courtyard adjacent to St Stephen's Church. Since this advice, the indicative scheme has been revised to remove these elements.

Following this initial correspondence, the proponent resolved to begin the preparation of a formal submission to Council for their consideration. To ensure the proposal addressed the criteria of Council and represented the best possible outcome for the site, ongoing meetings were held with Council staff in August 2012, November 2012, December 2012 and May 2013 respectively.

At the November 2012 meeting with Council staff, it was requested by the proponent that clarification be provided on the control time measurement of solar access to Martin Place and the façades of buildings fronting Martin Place. As noted above by the DAP, any redevelopment of the site is to *'result in, at worst, a neutral impact to current levels of solar access to Martin Place'*. No control time was provided, prompting a need for further guidance.

Secondary correspondence was then issued by Council staff on 27 February 2013 providing clarification on the solar access measurement. This correspondence clarified that the critical date and period for assessment would comprise the 14 April between 12:00pm and 2:00pm (see **Figure 2**). It was also advised in this letter that the height of any new building on the site must be no higher than the existing building.

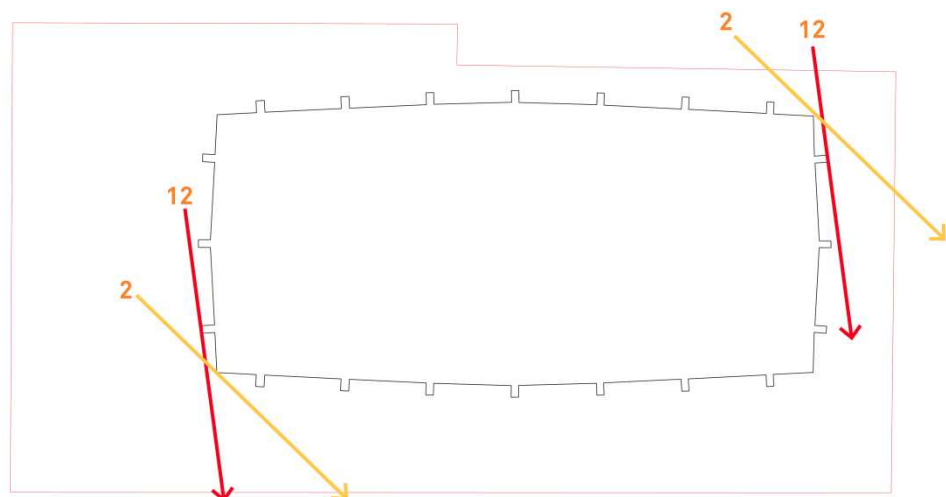


Figure 2 – Control time established for the critical date of 14 April

Source: Hassell

Since receiving this advice, a reassessment of the development was undertaken and it was identified that the reconstruction of the building to the same height would not yield a feasible development as the floor space increase will not account for the significant cost in undertaking a redevelopment.

Following this assessment, the proponent and Council continued to work collaboratively to determine a solution for the redevelopment of the site. A number of meetings were conducted since the original lodgement, most recently on 24 April 2014. Various options for amended building envelopes and corresponding shadow studies were undertaken following these discussions. These options have been presented to the Central Sydney Planning Committee (CSPC) by Council staff, and subsequently feedback has been provided. Following this collaborative process, it was confirmed by Council staff and the CSPC that a proposal should be progressed for further consideration. The following key considerations were prescribed by Council, some reflecting previous considerations and others new. These included:

- No additional overshadowing on Martin Place or buildings fronting Martin Place on 14 April between 12:00pm and 2:00pm; and
- Result in an acceptable level of overshadowing on the forecourt of Hyde Park Barracks.

A Shadow Impact Analysis has been prepared by Hassell to illustrate the appropriateness of the proposal in light of these considerations (refer to **Appendix B**).

1.4.2 RailCorp

A meeting with representatives of RailCorp and the proponent was held on 2 May 2013 to discuss the redevelopment of the site and submission requirements for the Planning Proposal. RailCorp requested that a structural engineer certify that the redevelopment of the site not impact on the existing railway operations. Whilst this Planning Proposal is not a formal DA submission, two structural reports, initially examining the design and then assessing the potential impact on the adjoining rail infrastructure, have been prepared by Enstruct and are provided at **Appendix C**. Enstruct has reviewed the amended design and has confirmed that the findings of these two reports remain relevant. These reports were presented to RailCorp in a meeting on 18 July 2013. It was advised at this meeting that Transport for NSW would review the structural reports and provide feedback. Once this feedback is received it will be forwarded to Council.

1.4.3 Adjoining Landowners

Due to the significance and prominence of the Martin Place Precinct, the proponent has taken due consideration of the need to consult with adjoining landowners. This consultation has been undertaken to ensure that any redevelopment of the site addresses the criteria and considerations which may be important to surrounding landowners.

Reserve Bank of Australia (RBA) Representatives

On 15 November 2012, the proponent of this Planning Proposal (Investa Nominees Pty Ltd ATF 60 Martin Place Trust) met with representatives of the Reserve Bank of Australia (RBA) to discuss the redevelopment of the site and the overall vision for the revitalisation and reinvigoration of the Martin Place Precinct. The RBA representatives provided support for the vision to recapture the significance of Martin Place.

Martin Place Owners Group

Wider consultation with landowners within the Martin Place Precinct has taken place in the form of participation by the proponent in a collaborative group made up of significant landowners in the Precinct. These landowners include GPT, Colonial First State Global Asset Management, Charter Hall, Cbus Property, Pembroke Real Estate, Abacus Property, Macquarie Bank, IPOH Management, QIC, Dexus, Investa Property (proponents) and Gwynvill (proponents). The RBA have been invited to participate in this group with a hope to bring together all significant landowners and stakeholders in the Precinct.

This group has been formed to investigate the reinvigoration of Martin Place in light of the current context of commercial and retail development in Central Sydney and due to the significant investment in recently approved and upcoming projects along Martin Place. The group is collaborative, consulting with each other and Council on ways in which Martin Place can be revitalised. The group has also met with Council staff on a number of occasions to present different visions of how Martin Place can be reinstated as the financial, commemorative and civic heart of Central Sydney.

During these discussions, the proponent of this Planning Proposal has presented their vision to the group on the potential to redevelop the 60 Martin Place site. The group has in principle offered support for this redevelopment, noting the significant benefits a new premium commercial development on such an important site will bring to the Precinct. The owners group is currently developing a vision for Martin Place and establishing what short and long term actions are required to achieve their collective vision.

1.5 Project Management and Team

Development of the Planning Proposal, detailed investigations and environmental assessment has been undertaken by a team of specialist consultants, listed below in **Table 2**.

Table 2 – Project Management and Team

Specialist Area	Consultant
Proponent/Owner	Investa Nominees Pty Ltd ATF 60 Martin Place Trust
Architecture and Urban Design	Hassell/Peter Webber
Wind Advice	ARUP
Visual Analysis	Hassell
Planning	JBA
Transport, Traffic, Pedestrian and Parking	Brown Consulting
Heritage	Graham Brooks and Associates
Structural	Enstruct
Mechanical, Fire, Acoustics, Hydraulics and Façade	ARUP
Services, Lifts and Electrical	NDY

2.0 Site Context

This chapter briefly describes the site. Further detail is provided in the sections describing the different elements of the existing environment. A detailed contextual analysis of the built form of Martin Place is provided in the Urban Design Analysis Report prepared by Hassell (see **Appendix A**).

2.1 Location

The site is located at part 58 - 60 Martin Place, Sydney and Part 197 Macquarie Street, near the centre of the Sydney CBD in the Sydney Local Government Area (LGA). The context of the site in Sydney is illustrated in **Figure 3**. The site is located on the corner of Martin Place and Macquarie Street and can be described as one of the most significant corners in Central Sydney.

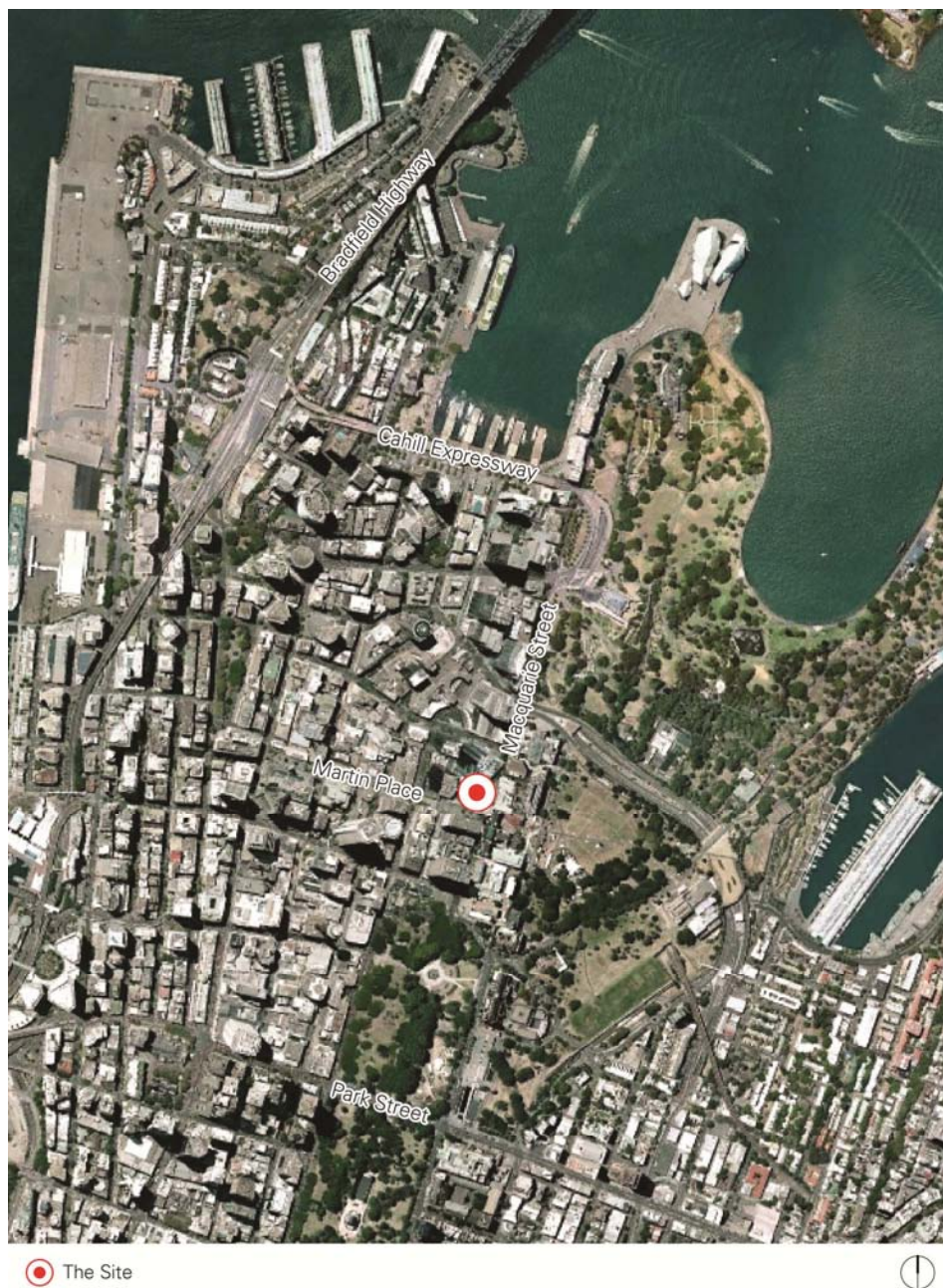


Figure 3 – Location of the site
Source: JBA

2.2 Site Description

2.2.1 Physical Description

The site is generally rectangular in shape. The 60 Martin Place site has two trafficable street frontages; one to Macquarie Street to the east (34 metres) and another to Phillip Street to the west (38 metres). The 60 Martin Place site also has an approximate 71 metre frontage to Martin Place along its southern boundary. The part 197 Macquarie Street (St Stephen's Church) site has a single frontage to Macquarie Street. The site to which this proposal relates overhangs the St Stephen's Church site (197 Macquarie Street) by 8 metres.

The 60 Martin Place site slopes from east to west, with a general change in level of 4.95 metres. The boundary of the site is shown at **Figure 4**.

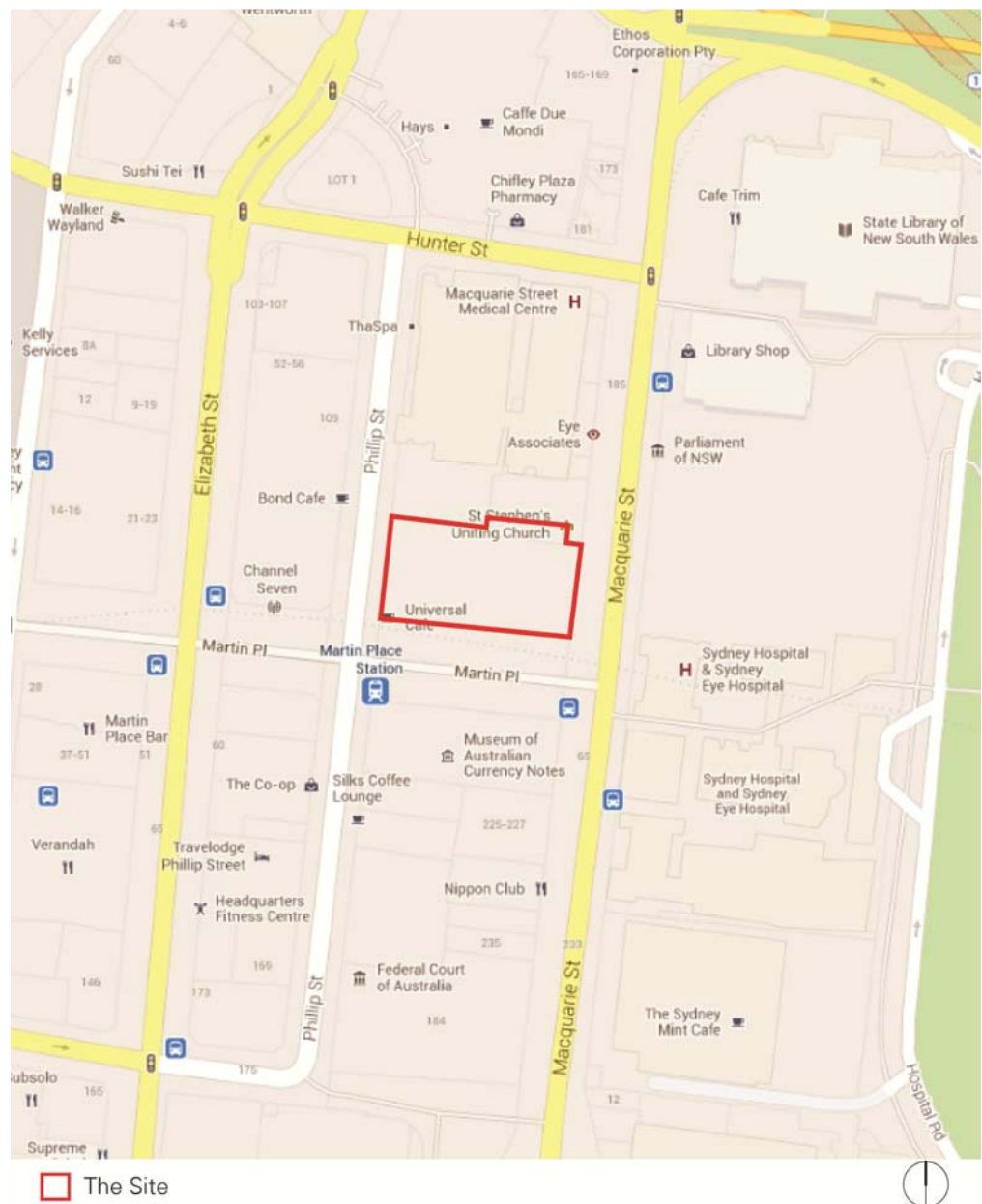


Figure 4 – Site boundary
Source: JBA

2.2.2 Existing Development

Built Form – 60 Martin Place

Currently a 33 storey building is located on the 60 Martin Place site with a maximum height ranging from 113m to 118m (RL148.145 as surveyed). The existing building on the site was first completed in 1971 as a tower development designed by architectural firm Peddle Thorp and Walker (PTW) (**Figure 5** and **Figure 6**). It is noted that during the design of the redevelopment and throughout the preparation of the detailed DA, consultation will occur with PTW as the original architects in accordance with the *Copyright Act 1968*.

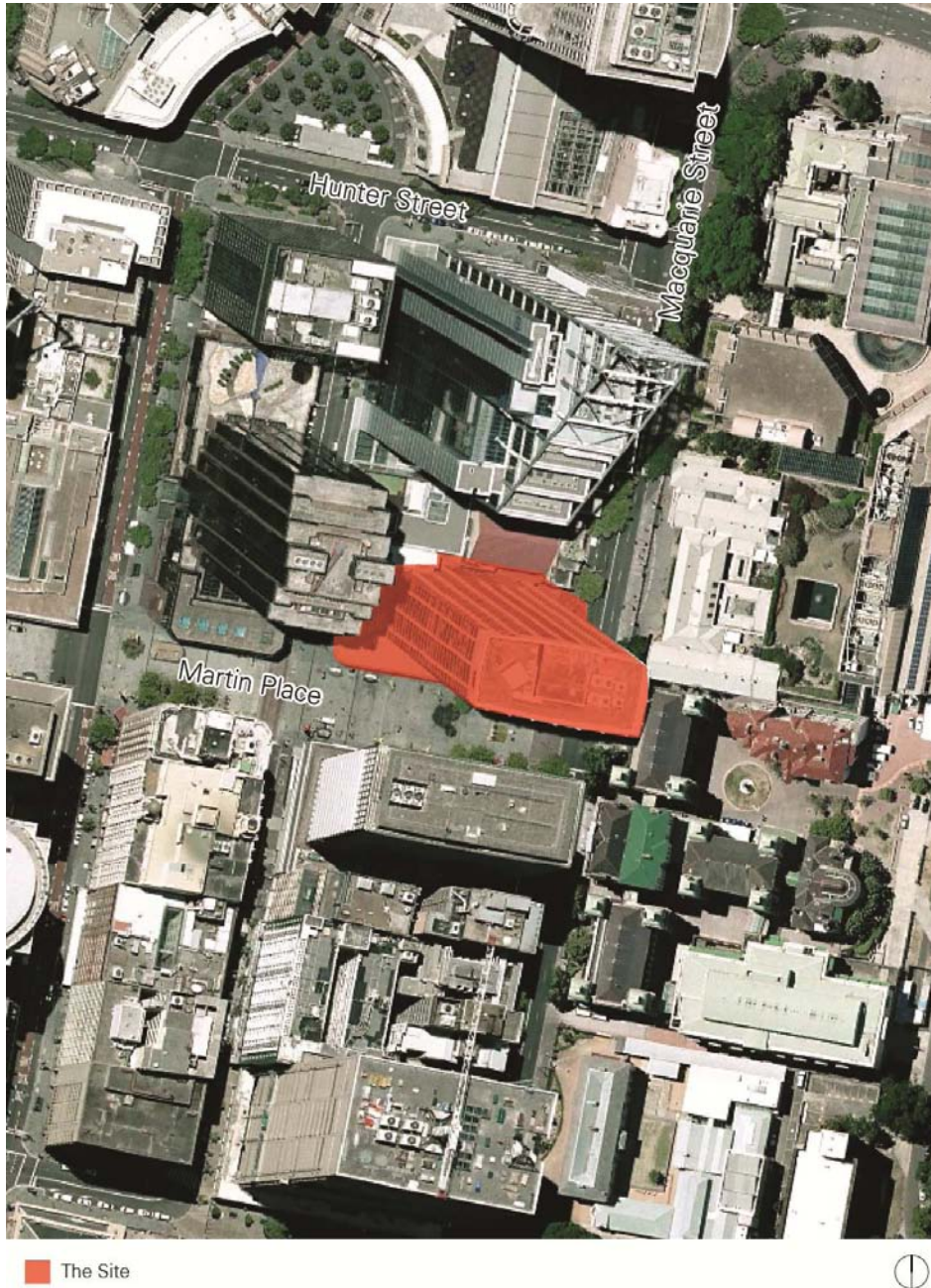


Figure 5 – Existing development on the 60 Martin Place portion of the site
Source: JBA



Figure 6 – Existing building viewed from Macquarie Street
Source: JBA

In 1998 a podium addition was added to the site, also designed by Peddle Thorp and Walker. This podium addition covers the lower portion of the site reaching a height of 16 metres at Macquarie Street and 20 metres at Phillip Street. The current podium height is consistent with the surrounding built form such as the height of St Stephen's Church to the north on Macquarie Street and the Reserve Bank of Australia Building (see **Figure 7**).

In 2004, retail and cosmetic upgrades within the podium were undertaken to better respond to the site's location on Martin Place, increasing the attractiveness of the site for retail tenancies.

The original tower element above the podium is currently setback 8.5m from the Martin Place frontage, 4.85m from the Macquarie Street frontage and 11.8m from the Phillip Street frontage. The ground level of the current building on the site responds poorly to Martin Place with large areas of blank façade and significant unresolved level changes.

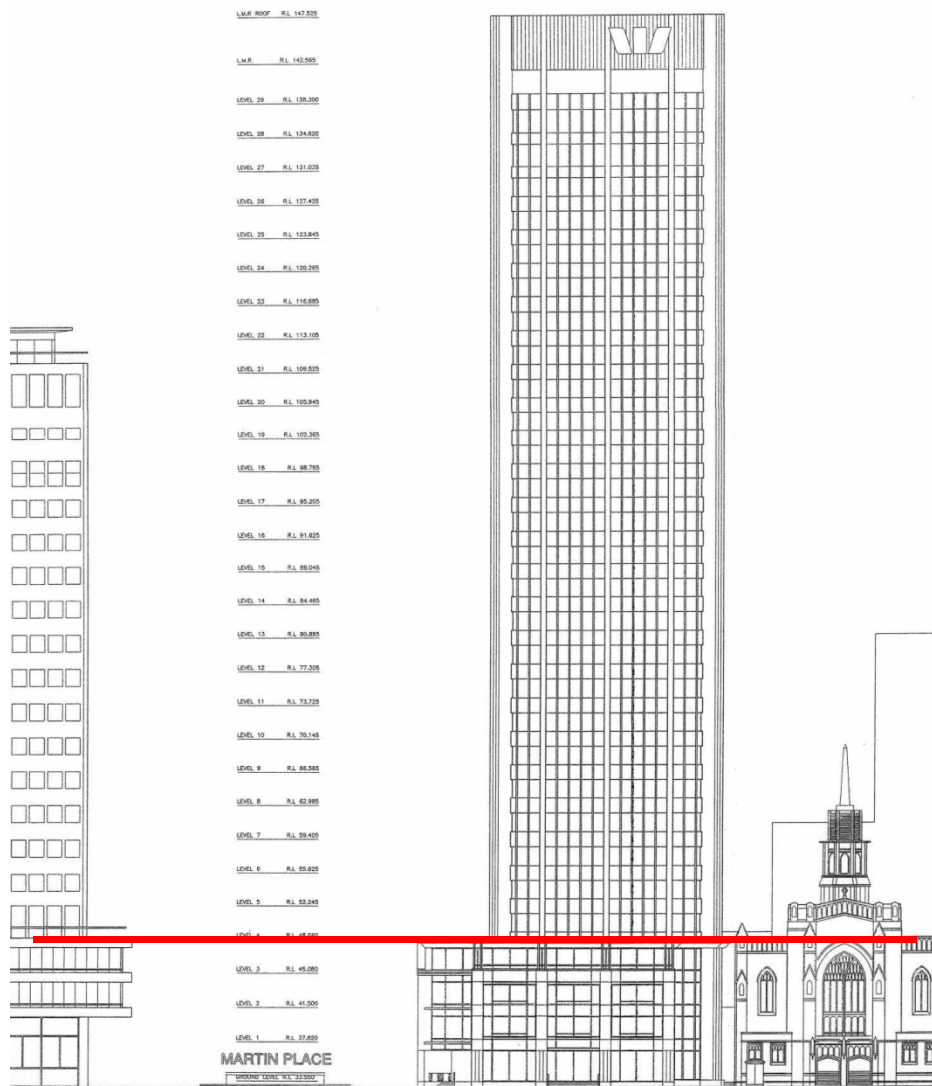


Figure 7 – Eastern elevation of the existing building and podium
Source: Peddle Thorp and Walker podium expansion drawings

Built Form – St Stephen's Church

St Stephen's Uniting Church was constructed in 1935 and is a Presbyterian church (see **Figure 8**). The church is listed as a heritage item on the State Heritage Register. The church is predominately sandstone apart from a central spire. The design of the church can be described as inter-war Gothic style.

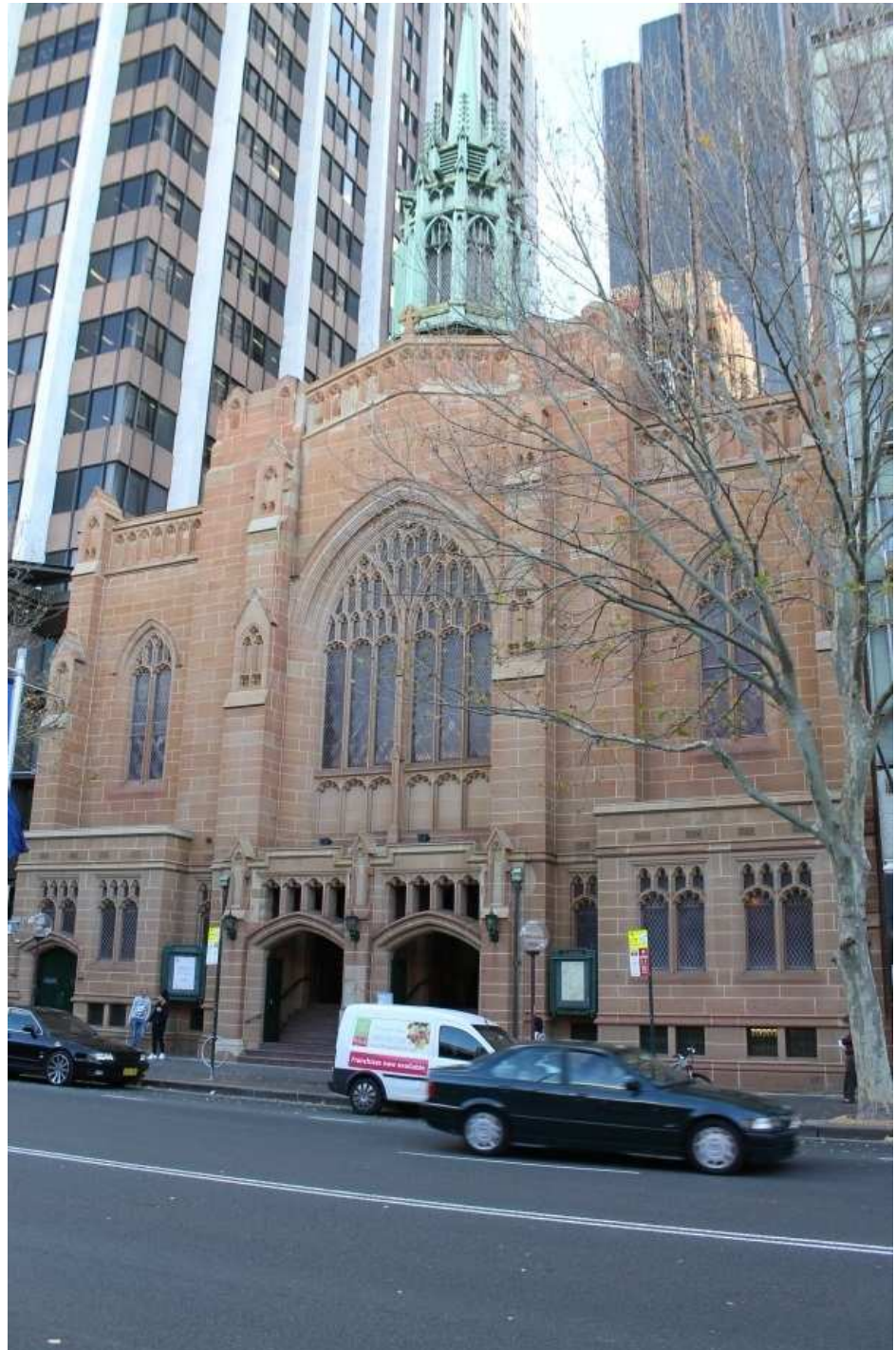


Figure 8 – St Stephens Church
Source: JBA

Building Use – 60 Martin Place

The current A-grade building on the 60 Martin Place site has a NABERS rating of five stars and contains a total net lettable area of 27,855m². The commercial office component of the building is currently 100% tenanted.

The lower ground and ground level of the current podium are characterised by a retail bank tenancy fronting Phillip Street, commercial foyer fronting Martin Place and a retail tenancy fronting Macquarie Street (see **Figure 9**). The upper podium levels and the tower then consist of commercial office uses.



Figure 9 – Existing podium viewed from Phillip Street and Martin Place
Source: JBA

Building Use – St Stephen’s Church

St Stephen’s Church is currently used as a Presbyterian church with worship generally held on Sunday.

Access

St Stephen’s Church does not have any parking associated with the building and therefore there is no vehicular access. Pedestrian access to the church is directly from Macquarie Street. Currently there are two vehicular access points providing ingress and egress to the basement levels of the building. The first is from Macquarie Street at the ground level and the second from Phillip Street at the lower ground level.

Pedestrian access is available into the lower ground level from the Phillip Street and Martin Place corner of the building. Along the Martin Place frontage, external escalators then provide access from the lower level of Martin Place to the upper terrace, where a building entry opens to the main commercial lobby. Individual access to the retail tenancies is provided off Macquarie Street.

2.2.3 Legal Description

The site is legally described as:

- 58-60 Martin Place, Sydney – Lot 1 in DP 221322 (owned by Investa Nominees Pty Ltd ATF 60 Martin Place Trust); and
- Part 197 Macquarie Street, Sydney – Part Lot 1 in DP 185400 (owned by Uniting Church Property Trust).

2.3 Surrounding Development

2.3.1 Martin Place

Martin Place is a pedestrianised plaza running east-west through the centre of Sydney's CBD from George Street to Macquarie Street. The plaza has been fully pedestrianised since 1980, with the link between Phillip Street and Macquarie Street the final stage of the pedestrianisation.

Martin Place is recognised as one of Central Sydney's great public, civic and commemorative spaces, as well as being a historically valued commercial and finance location of Sydney's CBD. A description of the important elements, such as the cenotaph (**Figure 10**) and the various water features (**Figure 11**) surrounding the site is detailed below and the history of Martin Place is explored in the Heritage Impact Report prepared by Graham Brookes and Associates (GBA) (**Appendix D**).

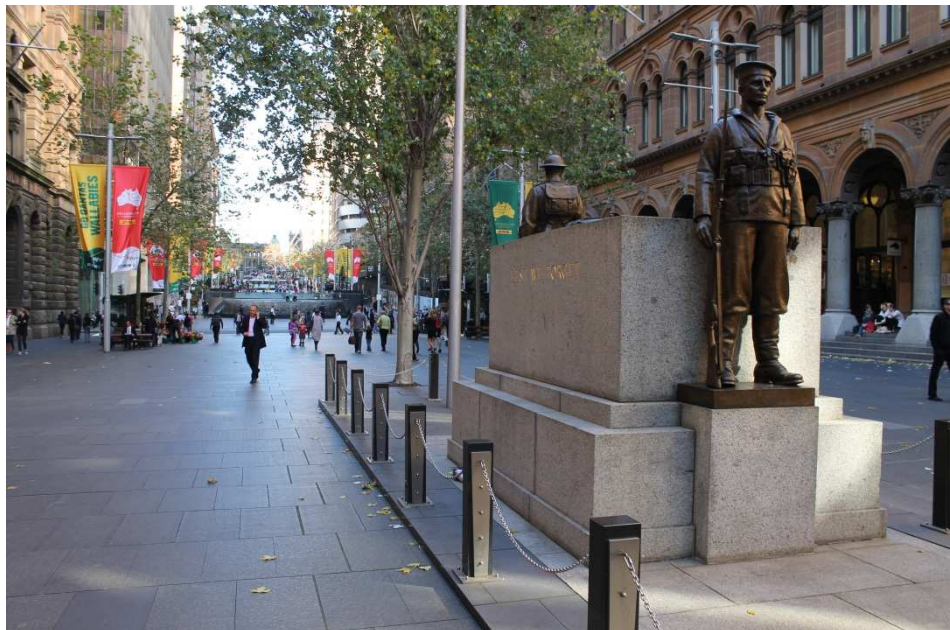


Figure 10 – Cenotaph war memorial
Source: JBA



Figure 11 – Lloyd Rees fountain in Martin Place looking east
Source: JBA

There are a number of existing tower buildings in Martin Place that do not comply with the current planning controls with respect to building heights, setbacks and street wall heights.

High rise towers along Martin Place include the MLC Centre at 228 metres, the Colonial Mutual Life Building at 88 metres, the GPO at 120 metres, the Reserve Bank building at 82 metres and the Colonial State Bank building at 147 metres. The height of key surrounding buildings is illustrated in **Figure 12**.



Figure 12 – Height of surrounding buildings
Source: Hassell

A number of significant banking buildings (including the subject site) define the edges of Martin Place, although the presence of banking related uses has in recent years been in decline due to the demand for larger, better quality and environmentally sustainable floor space, as is evidenced in the relocation of the current tenant from the site. In response to this, there have been a number of redevelopment and refurbishment proposals in recent years to improve existing assets and recapture their premium commercial status (e.g. 5 Martin Place, 48 Martin Place, 20 Martin Place and upgrades of the MLC Centre).

The architecture varies considerably along Martin Place, particularly from Pitt Street through to Macquarie Street. Details of the various components of development immediately adjoining the site are provided below, with the general character of the eastern end of Martin Place illustrated in **Figure 13**.



Figure 13 – Martin Place in front of the site
Source: JBA

To the east

Opposite Macquarie Street to the east is the Sydney Hospital group of buildings, listed locally under the SLEP 2012, and Parliament House, listed as a heritage item on the State Heritage Register (**Figure 14**). These buildings are generally sandstone in character and represent significant buildings in the history of Sydney. Beyond these buildings to the east are the parklands of The Domain and Royal Botanic Gardens, also listed as a heritage item on the State Heritage Register.



Sydney Hospital group of buildings



Parliament House

Figure 14 – Development to the east
Source: JBA

To the north

Adjoining the site to the north on Macquarie Street is Deutsche Bank Place at 126 Phillip Street, Sydney (**Figure 15**). This is an award winning premium grade commercial tower in Sydney designed by Foster and Partners/Hassell.



Figure 15 – 126 Phillip Street
Source: JBA

To the south

Opposite Martin Place to the south of the site is 65 Martin Place, which is the head office of the Reserve Bank of Australia (**Figure 16**). This building (the RBA Building) is heritage listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as it is considered to contain cultural significance for Australia.



Figure 16 – The RBA Building to the south
Source: JBA

To the west

To the west of the site on the opposite side of Phillip Street is 52 Martin Place, known as the Colonial Centre (**Figure 17**). This is a podium and tower style building, currently tenanted by Channel 7. Further to the west is the full swathe of other buildings fronting Martin Place. Notably is the state heritage listed 48-50 Martin Place (currently subject to internal refurbishments and a rooftop addition) and the MLC Building (38-46 Martin Place) which is also heritage listed and currently subject to façade refurbishments (**Figure 17**).



The Colonial Centre



MLC Centre

Figure 17 – Development to the west
Source: JBA

2.4 Heritage Context

The 197 Macquarie Street (St Stephen's Church) portion of the site is listed as a state heritage item. The plaza component of Martin Place which adjoins the site is identified as a Heritage Item (I1889) under Schedule 5 of SLEP 2012 (see **Figure 18**). The 60 Martin Place portion of the site is not listed as a heritage item under any register.

It is noted that a number of SLEP 2012, Stage Heritage Register and EPBC Act listed heritage items are located in close proximity to the site, including:

Commonwealth heritage listing

- Reserve Bank of Australia (65 Martin Place).

State heritage listing

- No.1 Martin Place (former General Post Office Building);
- Challis House (4-10 Martin Place);
- Former MLC Building (38-46 Martin Place);
- Commonwealth Bank Building (48-50 Martin Place);
- the APA Building (53-63 Martin Place);
- Martin Place Railway Station;
- Westpac Bank Building (341 George Street);
- Former National Bank Building (343 George Street);
- Former Bank of Australasia (354–360 George Street); and
- Parliament House (6 Macquarie Street).

Local heritage listing

- Martin Place;
- 108-120 Pitt Street (Commonwealth Bank building);
- Former Colonial Mutual Life Building (10A-16 Martin Place);
- Commercial Chambers "Hengrove Hall" (193 Macquarie Street);
- Sydney Hospital group (8 Macquarie Street).

As well as being locally heritage listed, Martin Place itself is classified as an Urban Conservation Area under the Register of the National Estate¹.

¹ Generally the whole of Martin Place and the buildings fronting it, together with buildings and streetscape in George and Macquarie Street at each end of Martin Place.



Figure 18 – Heritage items surrounding the site
 Source: SLEP 2012 adapted by JBA

2.5 Current Key Planning Controls

2.5.1 Sydney Local Environmental Plan 2012

The *Sydney Local Environmental Plan 2012* (SLEP 2012) is the principal environmental planning instrument applying to the site. The SLEP 2012 was gazetted on 14 December 2012. The provisions of the SLEP 2012 and key development controls are outlined below.

Zoning

The site is currently zoned B8 Metropolitan Centre under SLEP 2012 (see **Figure 19**). All types of development are permissible with consent in the B8 Metropolitan Centre with no prohibited development specified. The commercial/retail uses which are envisaged for the future redevelopment are permissible with consent in the B8 Metropolitan Centre zone.

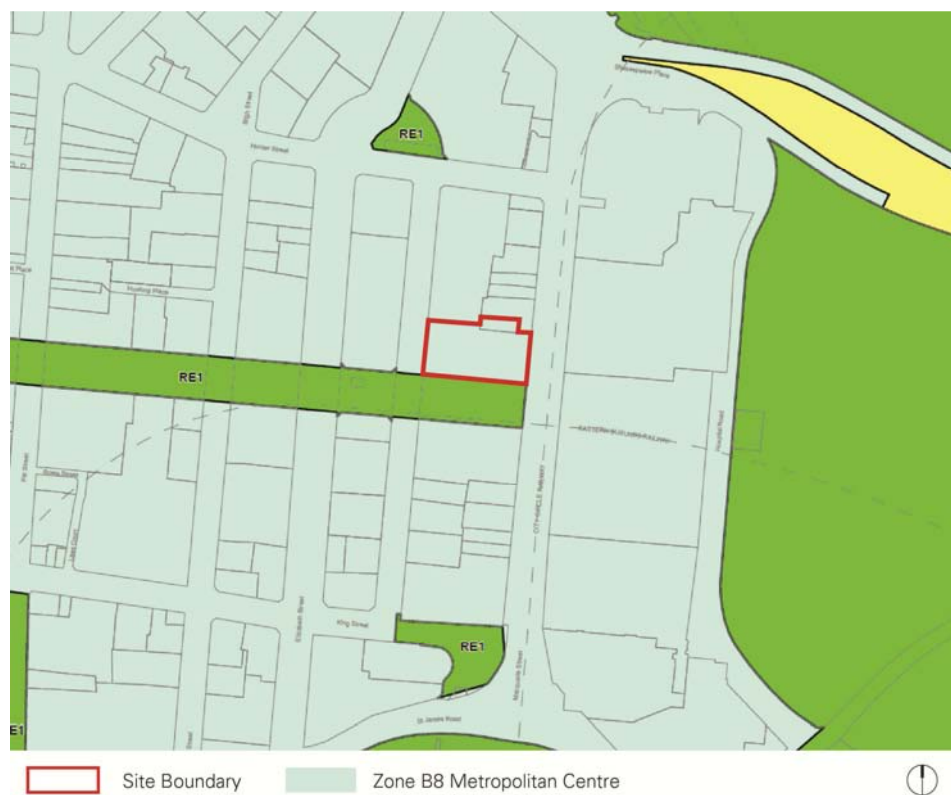


Figure 19 – Zoning extract
Source: SLEP 2012 adapted by JBA

Building Height

Under the SLEP 2012 a maximum building height of 55 metres is applied to the St Stephen's Church site and the majority of the 60 Martin Place site fronting Martin Place and Macquarie Street (see **Figure 20**). Despite this, the whole of the site is affected by the Martin Place sun access plane (**Figure 21**). This sun access plane seeks to reduce the height of existing development on the site to protect solar access to Martin Place. Clause 6.17 of SLEP 2012 establishes the sun access planes applying to the site. The current building on the 60 Martin Place site does not comply with either the 55 metre height control, or the sun access planes. The St Stephen's Church building complies with (is in fact below) the 55 metre limit.



Figure 20 – Maximum height under the SLEP 2012
Source: SLEP 2012 adapted by JBA



Figure 21 – Martin Place Sun Access Plane
Source: SLEP 2012 adapted by JBA

Floor Space Ratio

The base Floor Space Ratio (FSR) permissible over the site is 8:1 (see **Figure 22**). Under 'Clause 6.4 Accommodation floor space' of the SLEP 2012 an additional 4.5:1 FSR is permitted on the site if the floor space is to be used for office premises, business premises or retail premises.



Figure 22 – FSR map under SLEP 2012

Source: SLEP 2012 adapted by JBA

It is also noted that under Clause 6.21 Design excellence, a proposed development may be eligible for an additional 10% bonus floor space if the proposal is a winner of a competitive design process and the consent authority is satisfied that the proposal exhibits design excellence.

In effect, the maximum permissible FSR over the site would be 13.75:1 for a commercial redevelopment.

2.5.2 Sydney Development Control Plan 2012

The Sydney Development Control Plan 2012 (Sydney DCP 2012) builds upon and provides more detailed provisions than SLEP 2012. Under the Sydney DCP the 60 Martin Place site falls within the 'Martin Place Special Character Area'.

Martin Place is classified as a special character area due to its social, cultural and historic significance, featuring a number of important sites and being the place of historical events which have resulted in it being defined as the civic and ceremonial heart of Sydney.

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

- (a) *Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.*

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

The St Stephen's Church portion of the site is located within the 'Macquarie Street Special Character Area' which contains a collection of highly significant buildings forming the western boundary of the city centre. The relationship of the site and future building with this special character area is outlined in the Urban Design Analysis Report prepared by Hassell (**Appendix A**).

In addition to the principles of the Martin Place Special Character Area, a variety of specific development controls apply to the 60 Martin Place site. As the future redevelopment will predominately relate to the 60 Martin Place site, the controls which are of most relevance are described in further detail below.

Street frontage height

Both a maximum and minimum street frontage height is established for Martin Place under the Sydney DCP 2012. As the 60 Martin Place site does not contain a heritage item, it has a maximum street frontage height of 55 metres. This height is reflected in Clause 4.3 of the SLEP 2012 as discussed in **Section 2.5.1** above, with a 55 metre height limit applying to the majority of the site.

A minimum street frontage height of 45 metres is also applicable on the site. Specifically for the site, the Sydney DCP 2012 specifies that any development should extend to create a building with a zero setback to Martin Place for the minimum street frontage height.

Setback above street frontage height

The Sydney DCP specifies site specific above street frontage height setbacks within the Martin Place Special Character Area. As shown in **Figure 23**, the majority of the site is classified as a setback zone and generally no development would be permitted above the street frontage height.

Section 5.1.3 of the Sydney DCP 2012 also specifies for sites adjoining a Special Character Area with a maximum building height of 55 metres that the street frontage height is to be 45 metres with a setback to the maximum building height.

In effect, any above podium floor plate on the site would be constrained to the North West corner of the site. A floor plate of only 611m² (13m x 47m) above the podium would be permitted, which is not desirable from an urban design perspective, nor is it feasible from a commercial perspective. It is noted that the current building on the 60 Martin Place site does not comply with these setback controls.



Figure 23 – Extent of setback above the street frontage height

Source: SLEP 2012 adapted by JBA

2.5.3 LEP and DCP Compliant Scheme

As a result of the key SLEP 2012 and Sydney DCP 2012 controls the 60 Martin Place site is severely limited in regards to its potential for redevelopment. In essence, there are three key envelope controls that restrict development of the site, including:

- the SLEP 2012 maximum height of 55m for the majority of the site fronting Martin Place and Macquarie Street;
- the SLEP 2012 Martin Place sun access plane; and
- the Sydney DCP 2012 required setbacks above the street frontage height.

Figure 24 illustrates a compliant development under the key SLEP 2012 height and Sydney DCP 2012 setback controls. It is evident from this depiction that the redevelopment of the site would result in an unfeasible building on the site with minimal design merit which in effect would result in a detrimental impact to the relationship of the site with the RBA Building, St Stephen's Church and the Sydney Hospital group of buildings.

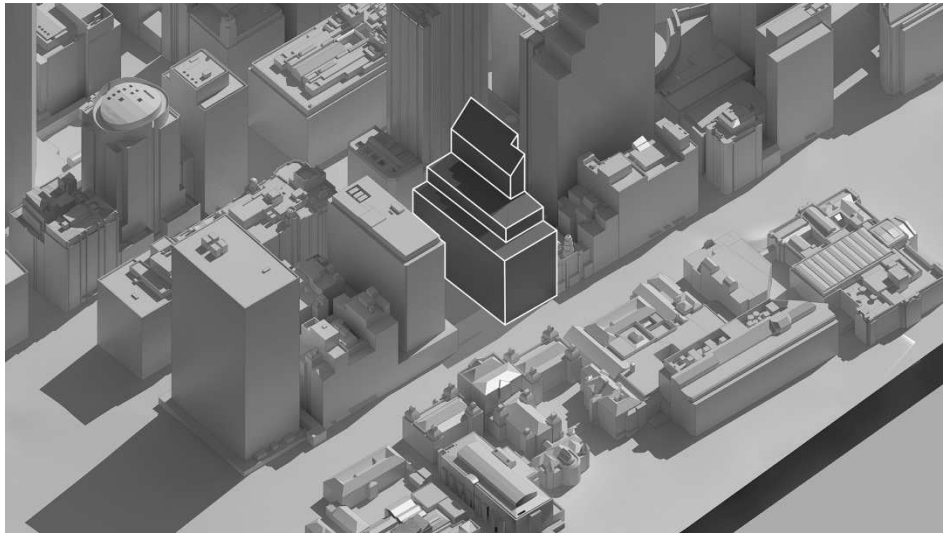


Figure 24 – LEP and DCP compliant scheme
Source: Hassell

As established in the presentation of the current planning controls in **Sections 2.5.1** and **2.5.2**, the SLEP 2012 and Sydney DCP 2012 place significant constraints on any feasible redevelopment of the site given the site's existing height, floor space and net lettable return. The planning controls do not only constrain the provision of floor space, they result in a building with poor functionality and extremely compromised internal amenity.

Another significant restriction on any compliant redevelopment would be the likely limitation on achieving design excellence through such a building envelope. The fundamental design of the building would not be that of a premium development in Central Sydney, which commonly comprises a building consisting of a podium and tower design. The awkward and unwieldy building envelope would unduly restrict design, resulting in a sub-optimal solution not only in regards to creating an iconic piece of architecture in a prominent location in Central Sydney, but also through a building that does not achieve premium grade office space befitting the prestigious location of Martin Place.

In light of the significant constraints contained within the existing planning controls, an amendment to SLEP 2012 and the Sydney DCP 2012 have been progressed to realise the opportunities available to the site as outlined in **Section 4.0**.

3.0 The Planning Proposal

This chapter of the report describes the Planning Proposal and the urban design principles that set the foundation for its structure. Further detail is provided throughout the environmental assessment in the following chapters.

3.1 Options explored

Prior to consultation with Council, the proponent explored a variety of options for the redevelopment of the site, noting their commercial viability, as well as the benefit which each option would bring the Martin Place Precinct, and more widely, Central Sydney. These options are discussed briefly below.

3.1.1 Building Refurbishment

An option to refurbish the existing building on the site was explored initially. This option would involve the internal refurbishment of the building to improve design and efficiency within each level, increasing the attractiveness of the building for future commercial tenants. This option is permissible under the current planning controls as refurbishments above the sun access plane are permitted.

This option was identified as less preferable for a number of reasons, primarily consisting of the limitations of the current structure on the site. Key elements of the building, comprising the façade and building services are nearing the end of their life cycle. The façade design is not optimal, with poorly located columns disrupting views and solar access.

The achievement of premium grade commercial space would be constrained by the existing steel framework with the existing floor to floor heights of 3580mm, whilst 3,850mm is sought for premium space.

The appearance of the existing building on the site is not considered commensurate with the prominence of the site in Martin Place. Whilst the internal refurbishment of the building would extend the life cycle of the building and enable its continued operation, and entire redevelopment would offer a greater opportunity to capture the significance of the site in a new iconic building.

In light of these reasons, a complete redevelopment of the site was progressed as the preferred option, with a strategy of demolishing the existing building and constructing a new premium grade commercial office development.

3.1.2 Demolish and Rebuild

With the idea of demolishing and constructing a new building on the site noted as the preferred redevelopment option, there are two different ways in which this rebuild can be carried out; either through a LEP/DCP compliant scheme, or a scheme which extends to the existing height limit.

Rebuild a LEP/DCP compliant building

The option of rebuilding to a LEP/DCP building was considered firstly to explore the benefits this option may achieve. Primarily, this option would increase the level of daylight access above the existing situation to the façades of buildings fronting Martin Place. This increase in daylight access would come at a cost, however, with no other perceivable public benefits offered by the anomalous envelope design, and an increase in shadowing to Martin Place itself due to a large podium envelope. Additional overshadowing to Martin Place is not considered an acceptable outcome as this will compromise the direct amenity of the public space.

This option would not allow for a premium commercial development, and would result in a substantial decrease in the amount of floor space, resulting in the option being commercially unviable, and therefore not a feasible option for the proponents. Refurbishment of the existing building would be the preferred option over a LEP/DCP compliant scheme.

Another significant restriction on this option would be the likely limitation on achieving design excellence through such an awkward and unwieldy building envelope. The fundamental design of the building would not be that of a premium development in Central Sydney, and would be unbefitting of the prestigious location of Martin Place.

Rebuild to the existing height

It has been identified that the reconstruction of the building to the same height will not yield a feasible development as the floor space increase will not account for the significant cost in undertaking a redevelopment. As such, this option was discounted as unviable by the proponent and could not proceed.

Rebuild to an acceptable height/mass

In light of discounting the above options, the proponent has undertaken considerable consultation with Council staff to identify an acceptable envelope. The underlying theme in establishing this envelope has been the protection of public amenity originally accepted by Council in the 'rebuild to the same height' option.

As such, this option proposes to rebuild the current building within an envelope which is acceptable from a public amenity perspective. In effect, the new building must not cause any additional overshadowing to Martin Place between 12:00pm and 2:00pm on the critical control date of 14 April. Furthermore, the new building must not result in adverse overshadowing of the Hyde Park Barracks forecourt which has been identified by Council staff as an important public place.

The proposed building envelope has been modelled around these two important criteria. The maximum envelope sought within this proposal will maintain the level of public amenity previously proposed in the 'rebuild to the same height' option. As such, this option is considered to be the most suitable as it achieves the criteria of Council staff and is a feasible development which will enable a redevelopment to occur on this important site.

In addition to the above, this option would enable a significant number of public benefits to be provided through the redevelopment. The benefits resulting from this option are outlined in **Section 4.0** below.

3.2 Objectives and Intended Outcomes

The Planning Proposal is a site specific amendment to SLEP 2012 to amend the maximum building height on the site and an amendment to the Sydney DCP 2012 to provide maximum building envelope controls on the site. The requested amendments to the SLEP 2012 and Sydney DCP 2012 are outlined in **Section 5.0**.

The main objective of the Planning Proposal is to facilitate the future development of the site. The proposed amendments will have the effect of 'unlocking' the site and enabling a commercially viable and responsive commercial office tower to be developed. The amendments under this Planning Proposal will ensure that the final form of development on the site is more appropriately tailored to the site's characteristics and opportunities, whilst not detrimentally impacting on the amenity of the surrounding public areas.

Ultimately, the Planning Proposal will proactively facilitate development on a premium site in Central Sydney which will improve and reaffirm the legacy of Martin Place as a public, civic and commemorative space in Sydney.

3.3 Urban Design Principles

The urban design principles for the site have been informed by consultation with Council, the Design Advisory Panel and the CSPC. The purpose of this proposal is to facilitate the redevelopment of the site to provide a high quality premium commercial office development, commensurate to the site's significant location within the Martin Place Precinct. The following principles have been applied in establishing the built form on the site:

- The total area of shadow on both the ground plane of Martin Place and the adjacent building façades fronting Martin Place must each be less than or equal to the existing shadow²;
- Shadow cast onto the forecourt of Hyde Park Barracks should be limited to an acceptable amount to maintain a high level of public amenity;
- Provide a building envelope which enables the redevelopment of the site to create a new iconic building in the Martin Place Precinct, contributing to the revitalisation of Martin Place as the commercial, civic and commemorative heart of Sydney;
- The street alignment of Martin Place, Macquarie Street and Phillip Street is to be maintained and emphasised in the redevelopment of the podium;
- The orthogonal grain of the Martin Place Precinct should be maintained through providing a podium element which responds to the existing built form of significant buildings within Martin Place and also that of Macquarie Street;
- The setbacks above the podium must reflect and respect the civic scale of the site and respond to the adjacent RBA Building and St Stephen's Church;
- The floor plate of the tower element should be configured to maximise internal amenity, with flexibility in the final layout and the capturing of views to the east, south and west;
- The cantilever element should be designed as an integrated element with the entire redevelopment and must be sympathetic to St Stephen's Church;
- Unity and simplicity should be achieved through connecting the podium and tower element into a single readable piece of architecture;
- Manage potential wind effects and enhance pedestrian comfort in active areas of the redevelopment;
- Provide the opportunity to activate a majority of the Martin Place, Macquarie Street and Phillip Street frontages;
- Achieve high levels of sustainability through adopting market leading practices into any redevelopment; and
- Enhance the appearance and ambience of St Stephen's Church where possible.

² Measured on the critical date of 14 April between 12:00pm and 2:00pm.

3.4 Establishment of Building Envelope

In considering the above urban design principles and in light of the relevant solar access controls established by Council and the CSPC, there are clear factors which shape the envelope for the redevelopment on the site. The key solar access controls which form this envelope include:

- The control of no additional overshadowing on Martin Place or buildings fronting Martin Place on 14 April between 12:00pm and 2:00pm;
- The need to maintain an acceptable level of sunlight to the forecourt of the Hyde Park Barracks; and
- The Domain Sun Access Plan as defined under the SLEP 2012, which protects sunlight to The Domain.

Figure 25 illustrates the solar access controls which have been established for the site and have largely determined the building envelope. These solar access controls are shown as planes where no portion of the building should protrude above to ensure no additional overshadowing occurs. A further explanation of the building envelope is provided below.

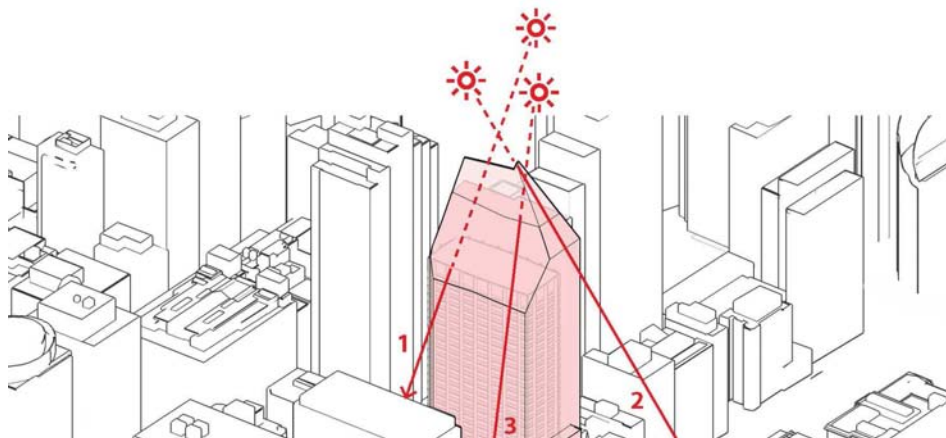


Figure 25 – Solar access controls shaping the building envelope (1 = Martin Place, 2 = The Domain, 3 = Hyde Park Barracks forecourt)

Source: Hassell

3.5 Overview Description of Proposal

The amended planning framework proposed in this application will allow for the development of a 32 storey commercial office podium and tower development with three levels of basement (subject to a detail development application). The potential future redevelopment also envisages refurbishment works being undertaken to St Stephen's Church. The various components which could be included in a redevelopment of the site are discussed below along with the maximum proposed building envelope.

3.6 Built Form

3.6.1 Building Envelope

The proposal will facilitate the redevelopment of the site to accommodate a podium and tower style building, reflective of a number of existing buildings fronting Martin Place and the desired form enabled by the Central Sydney controls generally. The existing three levels of basement are intended to be rebuilt in any redevelopment of the site.

The podium is proposed to be built to boundary, covering the entire site and mirroring the same height of the existing podium on the site. This will result in a maximum height of RL49, consisting of a height of 20 Metres at the corner of Philip Street and Martin Place and 16 metres at the corner of Martin Place and Macquarie Street (see **Figure 26**).

Above the podium will be a tower element, reaching a maximum height of RL167.1. The tower will be chamfered to avoid overshadowing on both Martin Place and the forecourt of Hyde Park Barracks during important control dates. This tower element will be located in a similar location to the existing tower on the site, positioned generally on the north eastern portion of the podium. **Table 3** lists the proposed setbacks.

Table 3 – Proposed setbacks (above podium)

Street Frontage	Proposed Setback (minimum)
Macquarie Street	4.85 metres (same as existing)
Martin Place	4.8 metres (matching RBA)
Philip Street	11.83 metres (slightly forward to Phillip Street)

A cantilever element partially over St Stephen's Church is proposed for the eastern portion of the northern façade. The cantilever will cover approximately 27 metres of the northern façade, and will extend 8 metres from the tower envelope. This element will be setback 8 metres from Macquarie Street, and will commence at a height of approximately 22 metres above the St Stephen's Church building, clear of the spire of the Church. The cantilever element will continue up the northern façade to the full height of the tower.

A roof plant zone is also proposed at the top of the tower. This zone will be setback appropriately from Martin Place and Macquarie Street to not cause any overshadowing on Martin Place or the buildings fronting Martin Place on the critical assessment date of 14 April. This zone for an architectural roof feature is proposed to screen any plant, allowing for future architectural expression to be exhibited, in turn providing a crown to the tower. The maximum proposed building envelope is illustrated in **Figure 26**.

The architectural roof feature zone is not designed to be prescriptive, but is a maximum zone that does not cause additional shadowing to Martin Place in the critical assessment period of 14 April.

It is anticipated that the plant allowance will be concealed in the roof feature zone and that the design credentials/design will be explored in the competitive design process within the maximum zone that does not result in any additional shadowing.

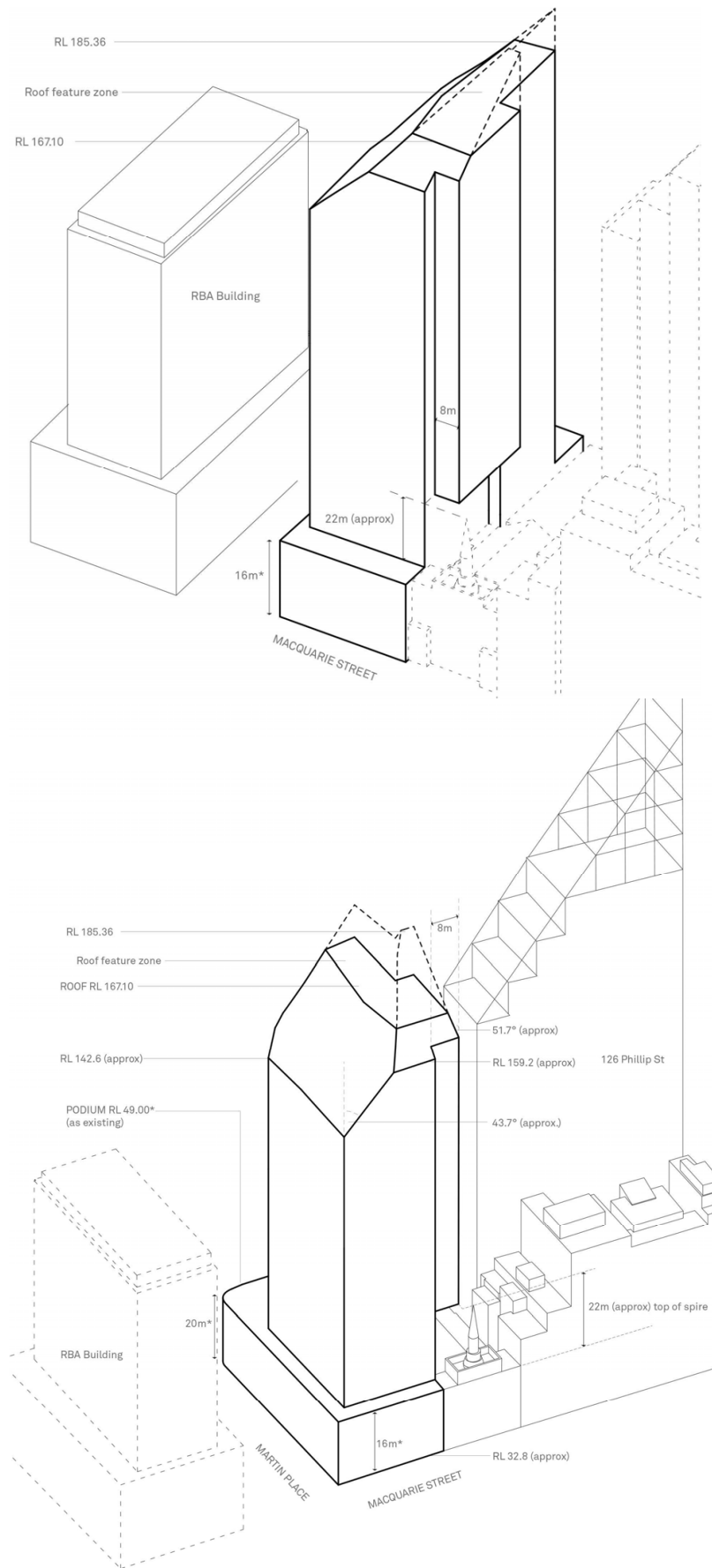


Figure 26 – Maximum building envelope (proposed DCP controls)
Source: Hassell

3.7 Public Domain

There are significant opportunities in a future redevelopment to provide privately owned areas which essentially act as 'public domain'. These areas would be classified as 'private spaces' as they would be contained within the development, yet they would in principal act as public spaces due to their scale and character. The aim of these spaces would be to aid in the reinvigoration of Martin Place as a destination and a place with an '18 hour day' (i.e. activation beyond normal business hours). The exploration of the architectural and any landscape design of these areas would be during the competitive design process and detailed DA.

The focus of these 'public domain' spaces would be in the podium element of any redevelopment of the site. Hassell has noted that the lower levels provide an opportunity to create an inviting and open environment into the building. At the ground level, double height retail spaces fronting Martin Place could flank an entrance into the building which opens into further retail spaces. The atmosphere of this space would be that of a plaza, with people freely moving in and out of the building from Martin Place. Double height retail spaces could also be provided along Phillip Street, activating the majority of the frontage (see **Figure 27**).



Figure 27 – Indicative tenancies on Phillip Street
Source: Hassell

The provision of retail uses at the lower levels with direct access from Martin Place could provide opportunities for extending the ordinary '12 hour working day' into the evening. A variety of retail uses in these tenancies may provide the opportunity for an '18 hour day' to be established on the site, in turn enhancing the activity of Martin Place beyond the ordinary working day.

The large open nature of a lobby to Macquarie Street and extensive glazing will ensure that the internal and external environments are blended into one. Any public art strategies to be incorporated into this space will be determined in the detailed DA through the competitive design process.

In addition to the internal spaces within the podium, there is potential for a terrace area on the roof of the podium to be used as an alfresco space with opportunities for outdoor dining and break out areas (see **Figure 28**). This space would benefit from views over Martin Place, and would add an additional layer of activation to the Precinct. This space could potentially be accessible to the public.

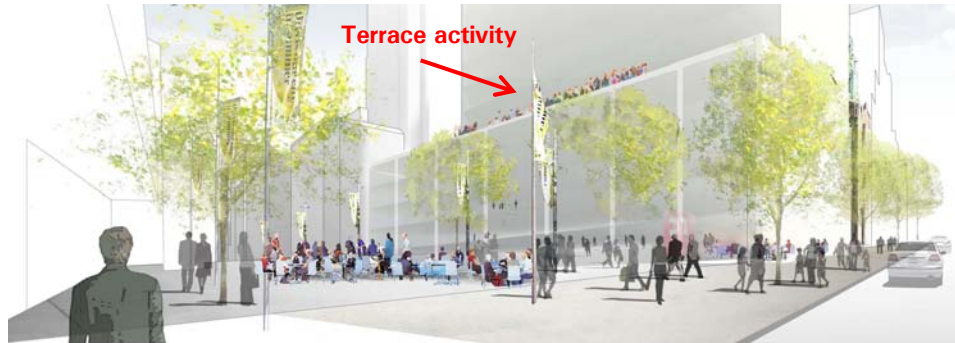


Figure 28 – Indicative design of the podium with terrace activity and renewed activity in Martin Place

Source: Hassell

3.8 Access and Transport

Vehicular Access

The vehicle access on the site is proposed to be rationalised from two driveways to a single access point on Phillip Street. This will consist of a single ingress and egress point onto Phillip Street providing access to the basement parking levels. The provision of a single access point on Phillip Street is considered appropriate to enable more active uses be provided along Macquarie Street. This will ensure the redevelopment of the site capitalises on the qualities of the Macquarie Street Special Character Area.

Public Transport

The site is well serviced by public transport, with an access point to Martin Place Railway Station located within the curtilage of the site. This access point is proposed to be retained, with any redevelopment of the site resulting in a clearer entry to that currently provided.

Surrounding bus and ferry routes will not be affected by the redevelopment of the site. This is addressed in further detail in **Section 7.3** below.

Pedestrian and Bicycle Facilities

The proposal will facilitate the potential to significantly improve the pedestrian experience along Martin Place. A new podium will be designed to engage pedestrians along the majority of the Martin Place frontage. It is envisaged that the current issues of inactive frontages and poor pedestrian connectivity from Phillip Street to Macquarie Street will be resolved through the redevelopment. The frontages of any new podium may be enhanced through flush entries and level access to Martin Place, improving the pedestrian experience.

The redevelopment of the site will enable the provision of improved bicycle facilities. These facilities will encourage more cycling to the site, with the site benefited by access to the wider cycle network of Sydney.

3.9 Commercial Floor space

The redevelopment of the site will enable the realisation of uncaptured development potential on the site within the maximum FSR control allowable for commercial in the CBD. The existing building on the site has an estimated GFA of 30,022m² (unsurveyed). The derived GFA figure is based on a calculation of the approved plans by Hassell. The existing GFA on the site results in an FSR of approximately 11.72:1, which is slightly below the current 'general' CBD control for commercial (8:1 base + 4.5:1 = 12.5:1).

The redevelopment proposal does not seek to amend Council's general CBD FSR controls. Hence a base FSR of 12.5:1 is sought and applicable, with the potential to extend to 13.75:1 subject to a competitive design process and attainment of design excellence. There is therefore a minor uplift of FSR on the site from the existing of 11.72:1 to the 'base' of 12.5:1.

The commercial benefit from the uplift to a development that complies with the CBD FSR controls is not considered excessive in light of the significant public benefits which will be provided through the redevelopment of the site and the site's compliance with the CBD's general FSR control for commercial development.

Furthermore, this increase in floor space cannot be viewed in isolation as a sole commercial benefit. The redevelopment of the site will enable the provision of premium grade commercial floor space, which will contribute to the reinvigoration of Martin Place as the commercial heart of Sydney. The provision of premium commercial floor space in such a prominent site in Central Sydney will also contribute to several of the strategic directions of Sydney 2030, namely the direction of ensuring Sydney is a globally competitive and innovative city.

The proposal seeks a notional increase in floor space above the existing situation, in a reinvigorated premium grade building. The urban design and ecologically sustainable development benefits of the new building are self-evident. However, the public benefits arising from the proposal to the Martin Place Precinct and the CBD generally also assist in better justifying the planning merits of the Planning Proposal. These are outlined in detail in the following section.

4.0 Public Benefits of a Redevelopment of the Site

As evidenced in the preceding three sections, the proposal contains a number of significant public benefits. These benefits are not limited to the redevelopment site itself, but will extend to the Martin Place Precinct and beyond. These benefits include:

- Contributing to the revitalisation and reinvigoration of the historical role of Martin Place as the civic, cultural and commercial heart of Sydney, in turn reinforcing Sydney's Global status and competitiveness;
- A new iconic building that provides premium grade commercial floor space with no additional overshadowing on Martin Place or the façades of buildings on the southern alignment of Martin Place at the critical assessment period on 14 April and acceptable shadowing to the forecourt of the Hyde Park Barracks;
- Creating a culturally renewed Martin Place with greater diversity in uses that will attract new business and lead the resurgence of the Martin Place economy, creating a focus for local businesses as well as a destination for global investment;
- Enabling the opportunity to create a vibrant, accessible place to meet, shop, eat and interact throughout the day and night, making a meaningful contribution to the public realm, supporting the local business community and enhancing the distinctive character of Martin Place;
- Provision of a new and innovative landmark building which offers premium grade commercial floor space built to the highest ESD standards, enhancing the attractiveness of Sydney for global business;
- Creating a new arrival point and destination at the eastern end of Martin Place, reinforcing the entry into the Precinct;
- Facilitating future opportunities to provide a clearer and improved pedestrian entry into Martin Place Station;
- Greatly improved and activated frontage to Martin Place, increasing the vitality and liveliness of Martin Place and the liveable green network with an aim to achieve 80% active frontages over multiple levels;
- Opportunity to significantly improve cyclist facilities within the new building to support riding/working to work as well as recreational activities throughout the day;
- A new development that enhances and responds sensitively to the rich heritage setting, creating spaces that reflect the civic scale and significance of the immediate precinct; and
- Directly improving the heritage qualities and appearance of St Stephen's Church through future refurbishment works.

The above public benefits are considered highly desirable and will only be realised through a redevelopment of the site which requires the proposed amendments to the SLEP2012 and Sydney DCP 2012. Whilst the proposed redevelopment will be contained wholly within the site, the benefits of the proposal will extend beyond the sites boundaries, importantly contributing to the reinvigoration of the significance of Martin Place.

When the public benefits of this proposal are viewed comparatively to the private benefits which will be gained from the redevelopment, it is evident that the proposal has as much public significance as private. This is evidenced in a number of ways through particular elements of the development.

Integration into Martin Place

There is an intent for the redevelopment to significantly improve activation along each of the street frontages, and adopt a strategy of merging the internal and external spaces of the podium and Martin Place. There is a desire for the redevelopment to connect the new podium to Martin Place and provide a civic 'square' feel to the eastern end of Martin Place. Through creating a destination at the eastern end of Martin Place and responding better to the varying levels in this area, the redevelopment of the site should enliven the area.

The recapturing of the civic feeling in the space in front of the site in Martin Place will significantly enhance the overall reinvigoration of the Precinct. This 'square' at the eastern end of Martin Place was originally envisaged in primarily studies of Martin Place, anchoring the eastern end of the plaza whilst the Cenotaph and its surrounds anchor the western end. The redevelopment of the site will provide the catalyst for further changes to Martin Place itself, envisaged to be undertaken as part of the collaborative work between the Council and the Martin Place Owners Group.

The integration of Martin Place with the future redevelopment will be an important consideration in the competitive design process to be undertaken.

Public Space within the Redevelopment

Due to the location of the proposal and the intent of the redevelopment to reinvigorate Martin Place, there are a number of opportunities for public spaces within the new building. These spaces may include areas within the podium or areas on the top of the podium.

Heritage

The St Stephen's Church part portion of the site (197 Macquarie Street) is identified as a heritage item under the State Heritage Register. The site is also located in close proximity to a number of heritage items, as discussed in **Section 2.4** above. The redevelopment of the site will provide the opportunity to develop a built form which responds to surrounding heritage items, ensuring consistency in the street wall podium height of surrounding items such as the RBA Building and the Sydney Hospital Group. Adequate separation distances provided through the new tower setbacks will help maintain views to key heritage items and ensure the significance of St Stephen's Church is not compromised.

A redesign of the podium element of the building will enable a stronger relationship to the predominant street frontage height of Macquarie Street. The materiality of the redeveloped podium (subject to a Stage 2 DA) will also allow for a more sympathetic building on the site to all surrounding heritage items.

It is envisaged that refurbishment works to St Stephen's Church will be undertaken as part of a future Stage 2 DA. These works will enhance the appearance of the Church and continue the conservation of the heritage significance of the Church.

Martin Place Precinct

The redevelopment of 60 Martin Place will significantly contribute to the enhancement of the Martin Place Precinct. Currently a number of improvements are being undertaken in Martin Place to existing buildings with upgrades to 20 Martin Place, the significant restoration, refurbishment and additions to 48 Martin Place, façade upgrades being undertaken to the MLC Centre, and the refurbishment and additions to 5 Martin Place "The Money Box".

A co-ordinated vision to fully realise the opportunities of the Martin Place Precinct is seen through the Martin Place Owners Group, which comprises different owners of buildings along the plaza who are working with the City of Sydney to develop a strategy for the regeneration of the Precinct (see discussion in **Section 1.4.1**).

The redevelopment of 60 Martin Place, along with the other various improvements being carried out within the Precinct, will enable the historical role of Martin Place as the financial and commercial centre in Sydney to be reinvigorated. The reinvigoration of this role and world class development of this Precinct is important in light of current development patterns in Sydney, with significant commercial developments currently underway on the fringe of Sydney.

Sustainability

Through environmental stewardship and design innovation, the site presents an opportunity for a redevelopment which can demonstrate a high achievement of sustainable development in the commercial office sector. Currently the building on the site has a NABERS Energy rating of 5 stars, achieving Australian excellence, yet there is the opportunity to provide a market leading building on the site.

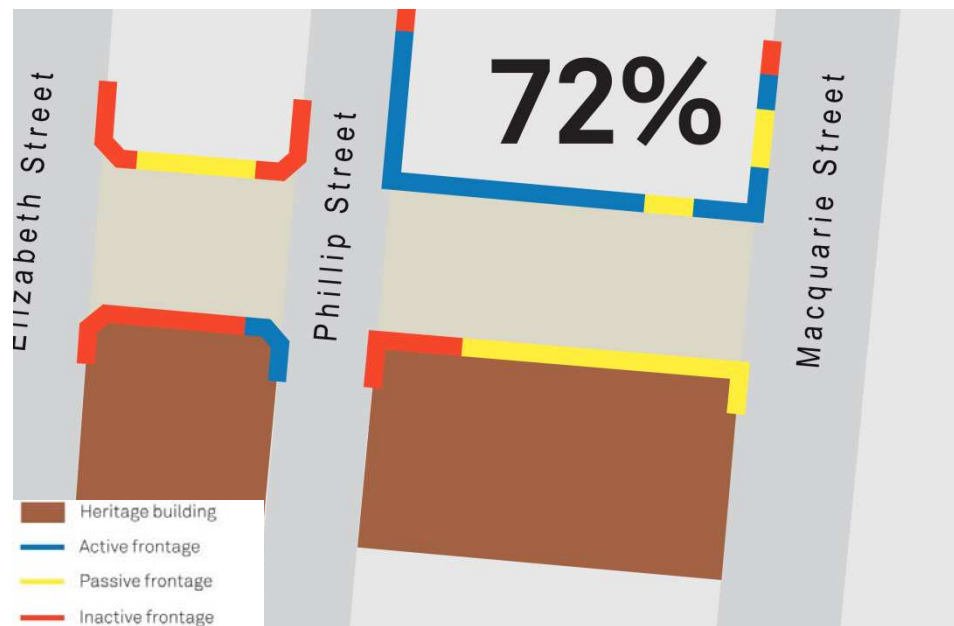
The second strategic direction in the City of Sydney strategic plan 'Sustainable Sydney 2030' seeks to ensure Sydney is 'a leading environmental performer'.

The renewal of the site has the potential to be a new benchmark and example for the sustainable adaptation and significant upgrade to modern standards of a key site in the Sydney CBD, contributing to the aim of ensuring Sydney is 'a leading environmental performer'. Integral to its commercial sustainability, is the need to significantly improve the internal workplace amenity with better natural light, outlook and ventilation.

Ground Plane Activation

Despite its recognition as the civic and commemorative heart of Sydney, the ground plane of Martin Place is currently fragmented by active, passive and blank uses. The frontages of the site are currently only 19% active (**Figure 29**). An important opportunity offered by the redevelopment of the site will be the improvement of the ground plane through an inviting and activated ground plane, with Hassell suggesting up to 72% of the frontage could be activated (see **Figure 29**).





Indicative Scheme

Figure 29 – Ground plane activation

Source: Hassell

The pedestrianised plaza of Martin Place is marked by key public domain elements, such as the Cenotaph War Memorial in front of the Sydney GPO Building and several sculptures and fountains. These elements create interest along the plaza and provide landmarks for visitors to the Precinct.

The potential for an increased percentage of active frontages on the site will not only improve the attractiveness of the site and general atmosphere at the ground plane, it will have significant flow on benefits to the Martin Place Precinct. Through providing a variety of uses at the ground plane, visitors will be drawn into the Precinct. Through activating the ground plane, the site will contribute to the achievement of one of the objectives of the Martin Place Owners Group to reinvigorate Martin Place as a place with a '18 hour day' (i.e. activation beyond normal business hours).

Iconic site within Sydney

60 Martin Place represents a prominent and important site within Sydney, offering an opportunity to establish an iconic building representing the vitality and economic prosperity of the city. The building is dated in style, and critically there is little relationship between the podium and tower element, a reflection of their staged development as two separate components of the building.

A redevelopment of the site will enable an improved modern building to be constructed; one which can be read as a single development, which responds more appropriately to the significance of Martin Place, and importantly fulfils the potential of the site as one of the most iconic in Sydney.

Martin Place itself is a prominent area within Central Sydney, and the 60 Martin Place site represents one of the most important sites in this civic heart of the city. The site stands on one of the highest points in Martin Place, at the entry to the civic plaza, adjacent to important heritage items such as the Sydney Hospital group, NSW Parliament and the Reserve Bank of Australia. The redevelopment of an iconic building will not only frame these surrounding heritages items, it will act as a symbol for the rebirth of Martin Place as the financial, commemorative and civic heart of Sydney.

5.0 Proposed Amendments to SLEP 2012 and Sydney DCP 2012

This chapter of the report describes the proposed amendments to the *Sydney Local Environmental Plan 2012* (SLEP 2012) and Sydney Development Control Plan 2012 (Sydney DCP 2012) to facilitate the proposed redevelopment of the site.

5.1 Amendments to SLEP 2012

Principally, a new standalone clause is proposed to be inserted into the SLEP 2012 to govern the redevelopment of the site. This clause is proposed to be included in Division 5 Site specific provisions of Part 6 in the SLEP 2012. This approach is reflective of other recent LEP amendments.

5.1.1 Land Use

The zoning of the site is not proposed to be amended from the current Zone B8 Metropolitan Centre which applies to the site. As detailed in **Section 3.0** above, the redevelopment of the site is intended to comprise of commercial and retail uses.

5.1.2 Floor Space

No amendment is proposed to the floor space controls applicable to the site under the SLEP 2012. A redevelopment of the site would seek to achieve an FSR of 13.75:1, comprising the base FSR (8:1), any additional accommodation floor space for retail/commercial development (4.5:1) and bonuses available at the time (10% for design excellence).

It is further noted that a redevelopment of the site would be required to undergo a competitive design process to achieve design excellence, as set out in Clause 6.21 of the SLEP 2012.

5.1.3 Height

It is proposed to amend the maximum height on the site to allow for a redevelopment to a height of RL167.1. It is proposed that an amended RL be placed on the site in the SLEP 2012 Height of Buildings map. This approach is consistent with past site specific amendments to Sydney local environmental plans. This new RL height limit will cover the entire 60 Martin Place site and the area within which the cantilever element will be located in the St Stephen's Church site. An indicative representation of the amendment to the Height of Buildings Map is provided at **Figure 30**.



Figure 30 – Proposed maximum building height map
Source: Hassell

The SLEP 2012 Sun Access Protection Map is not proposed to be amended. Rather, the proposal seeks to establish a standalone clause which allows for a building that projects higher than the Martin Place Sun Access Plane 5B. This clause is set out in **Section 5.1.4** below.

It is acknowledged that further refinement of the maximum height of any redevelopment on the site is required to ensure adverse overshadowing impacts are avoided. A set of criteria are proposed to be included to establish a framework for assessing whether a redevelopment is acceptable. These criteria will relate to the shadow cast on Martin Place and the forecourt of Hyde Park Barracks at critical control dates and times. **Section 5.1.4** below sets out these criteria.

Plant and Lift overrun provision

To ensure the efficient use of the maximum building envelope it is proposed to allow for the addition of plant and lift overruns above the maximum height limit permitted they are appropriately screened. This screening is proposed to be in the form of an architectural roof feature, which will be subject to competitive design processes in order to achieve design excellence.

Clause 5.6 of the SLEP 2012 specifies that architectural roof features may exceed the maximum height limit specified under the LEP. It is also noted that equipment for servicing the building (such as plant, lift motor rooms and the like) is able to be contained within an architectural roof feature (refer to Clause 5.6 of the SLEP 2012), therefore suggesting that this equipment is also able to be located above the maximum height limit if screened appropriately.

Despite the allowance for plant material to be included above the maximum height limit when contained in an architectural roof feature, certainty of this approach is considered appropriate for the site considering its prominence and the desire to provide the maximum quantity of commercial floor space within a building envelope which does not result in any adverse impacts, namely no additional overshadowing in the critical assessment period on 14 April.

As such, it is proposed to include a new subclause in the standalone clause to allow plant material to exceed the maximum height limit of the building if appropriately screened.

5.1.4 Proposed Standalone Clause

The following sets out the proposed standalone clause to be known as Clause 6.27 in Part 6 Division 5 Site specific provisions. Words proposed to be included are shown in ***bold italics***.

6.27 60 Martin Place Redevelopment

(1) This clause applies to the land identified as Area 5 on the Height of Buildings Map, being Lot 1, DP 221322 and part Lot 1, DP 185400.

Note. Land currently known as 58-60 Martin Place and Part 197 Macquarie Street, Sydney.

(2) The objective of this clause is to provide for a redevelopment of the existing commercial tower on Lot 1, DP 221322 and part Lot 1, DP 185400 by determining a maximum height appropriate to the condition of the site and its context.

(3) The consent authority may grant development consent to a building that projects higher than the Martin Place Sun Access Plane 5B, but only if the consent authority is satisfied that:

(a) the building height does not exceed the maximum height shown for the land on the Height of Buildings Map,

(b) the overshadowing caused by the building between 12.00 and 14.00 on 14 April in any year will be no greater on Martin Place or buildings fronting Martin Place after the development is carried out than it would be if the development were not carried out,

(c) the overshadowing caused by the building at 12.00 on 21 June in any year will be no greater on the forecourt of the Hyde Park Barracks after the development is carried out than it would be if the development were not carried out.

(4) Despite subclause (3), the maximum height of any building resulting from the carrying out of development on land to which this clause applies may exceed RL167.1 for plant and lift overruns, but only if the consent authority is satisfied that:

(a) no GFA is proposed above the height of RL167.1; and

(b) all structures above a height of RL167.1 are appropriately screened and incorporated into an architectural roof feature.

5.2 Amendments to Sydney DCP 2012

In light of the nature of this proposal to amend the SLEP 2012, and the significant urban design and associated analysis which has been undertaken to justify this amendment, it is considered appropriate that a concurrent site specific amendment be undertaken to the Sydney DCP 2012.

It is proposed for this amendment to be included in 'Section 6: Specific sites' of the Sydney DCP 2012. The site specific controls proposed to be included as **Section 6.3.3** of the Sydney DCP 2012 include key objectives for the redevelopment of the site and principal development controls to guide the built form.

It is proposed that 'Figure 6.1: Specific Sites Map' in the Sydney DCP 2012 be amended to include the site and building envelope diagrams be provided, similar to the existing diagrams relating to other significant sites. These diagrams and the environmental assessment in this report address all of the requirements for DCPs as outlined in Clause 7.20 of the SLEP 2012.

5.2.1 Objectives for Development

Development on the site is to achieve the following objectives:

- The total area of shadow on both the ground plane of Martin Place and the adjacent building façades fronting Martin Place must each be less than or equal to the existing shadow³;
- Overshadowing to the forecourt of the Hyde Park Barracks must be limited to an acceptable amount to maintain a high level of public amenity;
- Provide a building envelope which enables the redevelopment of the site to create a new iconic building in the Martin Place Precinct, contributing to the revitalisation of Martin Place as the commercial, civic and commemorative heart of Sydney;
- The street alignment of Martin Place, Macquarie Street and Phillip Street is to be maintained and emphasised in the redevelopment of the podium;
- The orthogonal grain of the Martin Place Precinct should be maintained through providing a podium element which responds to the existing built form of significant buildings within Martin Place and along Macquarie Street;
- The setbacks above the podium must reflect and respect the civic scale of the site and respond to the adjacent RBA Building and St Stephen's Church;
- The floor plate of the tower element should be configured to maximise internal amenity, with flexibility in the final layout and the capturing of views to the east, south and west;
- Unity and simplicity should be achieved through connecting the podium and tower element into a single readable piece of architecture;
- Manage potential wind effects and enhance pedestrian comfort in active areas of the redevelopment;
- Provide the opportunity to activate a majority of the Martin Place, Macquarie Street and Phillip Street frontages; and
- Achieve high levels of sustainability through adopting market leading practices into any redevelopment.

5.2.2 Provisions

The primary development of the 60 Martin Place site is to be within the maximum building envelope illustrated in Figure 6.64 (**Figure 31** of this report), Figure 6.65 (**Figure 32** of this report) and Figure 6.66 (**Figure 33** of this report) minimum tower setbacks.

³ Measured on the critical date of 14 April between 12:00pm and 2:00pm.

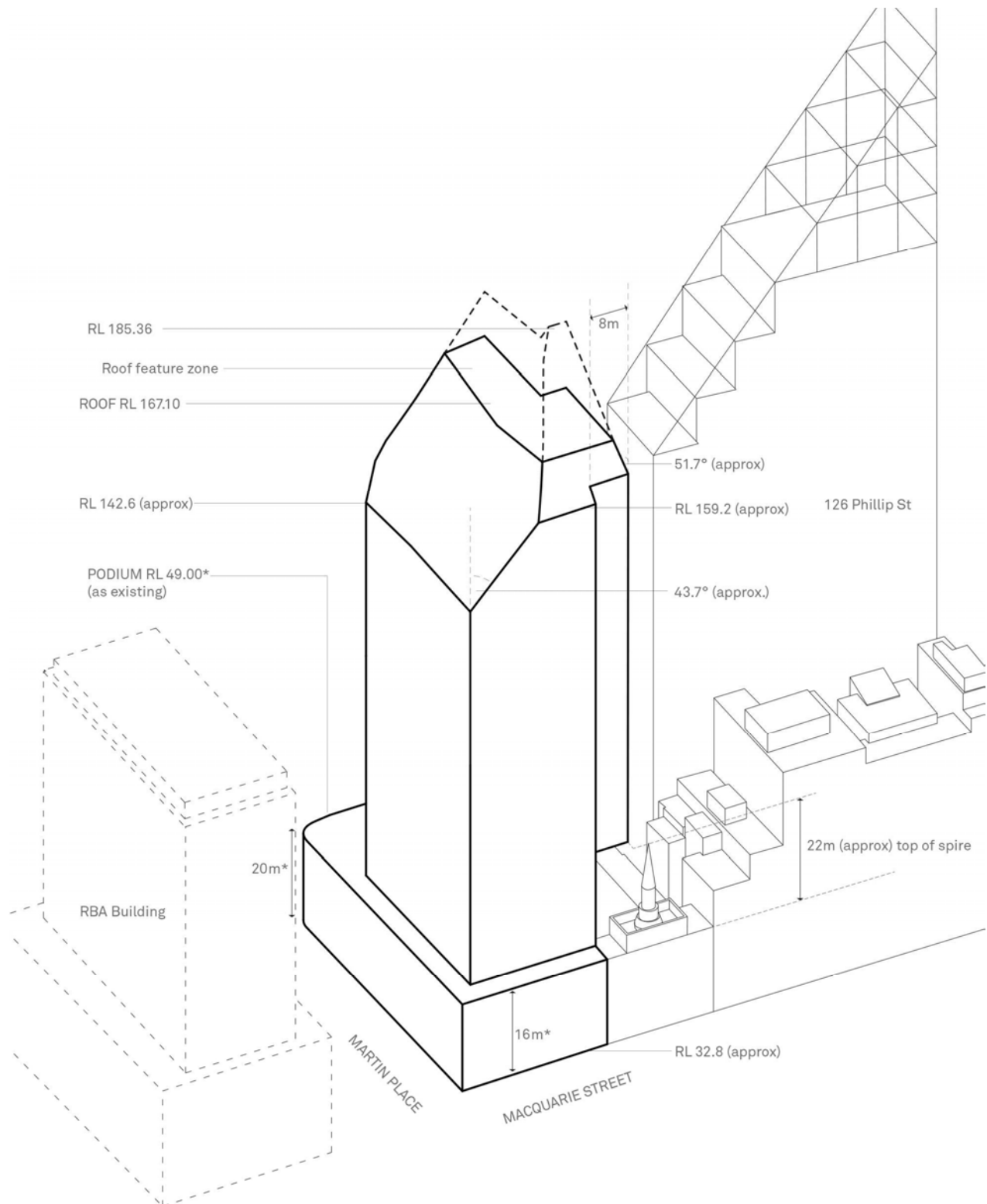


Figure 31 – Maximum building envelope, DCP controls south-eastern view
Source: Hassell

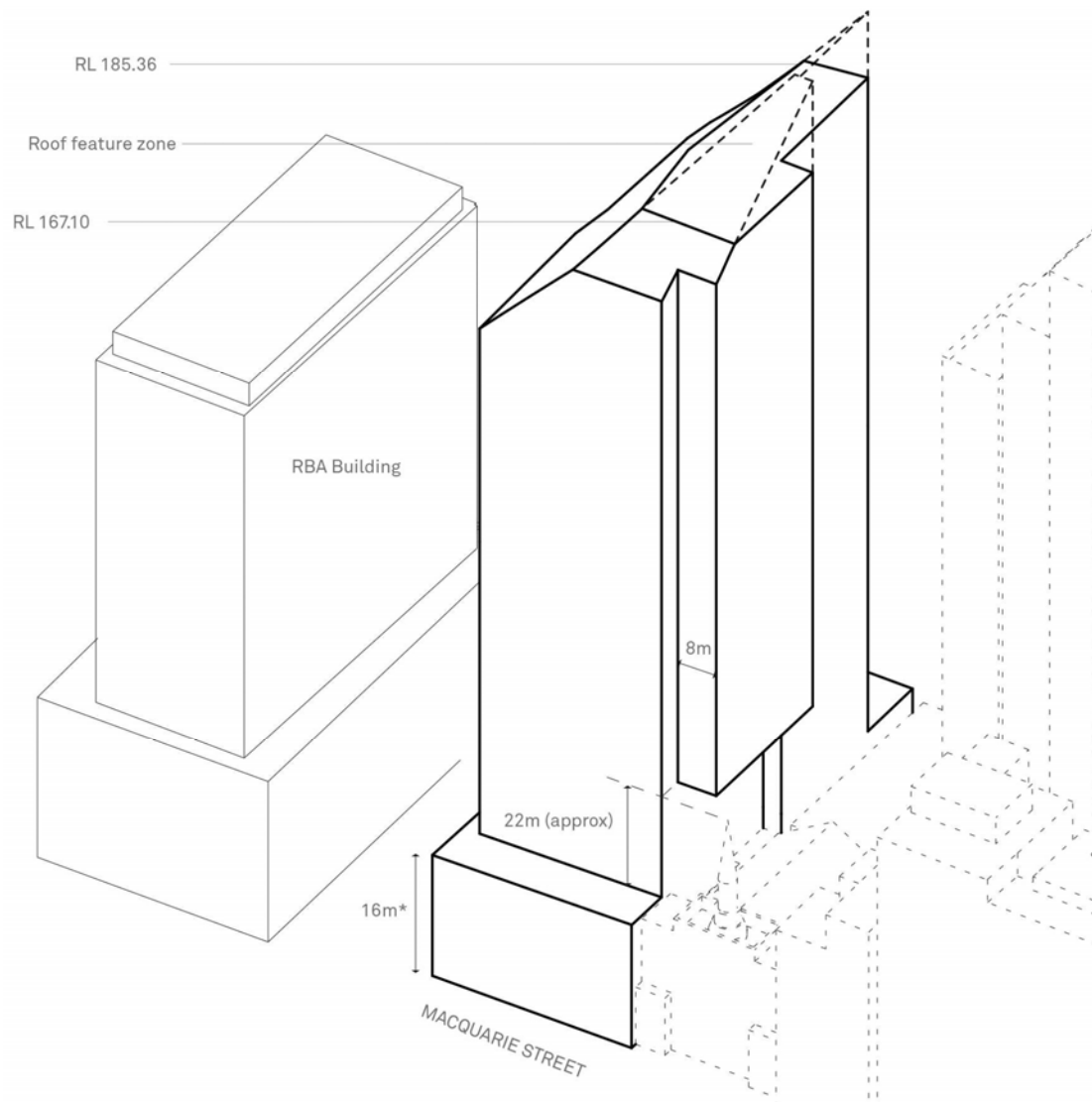


Figure 32 – Maximum building envelope, DCP controls north-eastern view
Source: Hassell

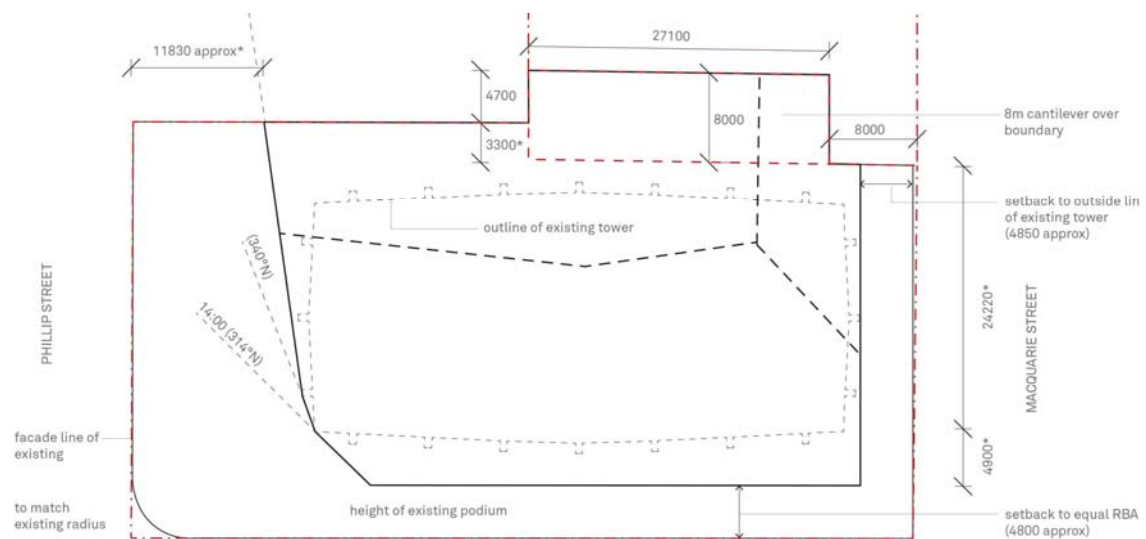


Figure 33 – Minimum tower floor plate setbacks, DCP controls
Source: Hassell

6.0 Strategic and Statutory Framework

This chapter of the report examines the current strategic and statutory documents which apply to the site. The proposals consistency with the relevant aspects of the strategic and statutory framework is explored below.

6.1 State and Regional Strategic Framework

6.1.1 White Paper: A New Planning System for NSW

In April 2013, the NSW Government released the *White Paper: A New Planning System for NSW* (White Paper). The White Paper was accompanied by a Draft Planning Bill which broadly set out a new planning system for NSW.

The White Paper sought to set out the framework for how the planning system will be structured, and did not include any specific spatial planning information.

The intent of the White Paper was to facilitate more upfront strategic planning to provide more certainty on how particular areas would be developed, and to accommodate community participation in the strategic planning process.

In late 2013 a bill for the new planning act was tabled in parliament. A number of changes were proposed to the bill and it was therefore later withdrawn by the Government to undergo further consideration. Since this time no amended planning bill has been released.

This Planning Proposal is made under the current NSW planning system of the *Environmental Planning and Assessment Act 1979* (EP&A Act). However, it embodies some of the principles outlined in the original planning White Paper. The intention of this Planning Proposal is to set out the planning framework and spatial arrangements for the development of the site. A detailed development application will be submitted which will conform to the framework set out in this Planning Proposal.

6.1.2 New South Wales 2021: A Plan to Make NSW Number One

NSW 2021: A Plan to Make NSW Number One is a long-term plan to deliver services in NSW, and sets clear priorities to guide government decision-making and resource allocation.

NSW 2021 is based around five strategies to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. NSW 2021 includes numerous goals that are relevant to the site, such as the need to '*Improve the performance of the NSW economy*' and '*Increase the competitiveness of doing business in NSW*'.

In particular the proposed redevelopment of the site would be consistent with the strategy in that it will:

- Improve the performance of the NSW economy through providing a market leading building with premium commercial floor space;
- Increase competitiveness of doing business in NSW by providing attractive new commercial floor space within the heart of Sydney's CBD; and
- Contribute to the retention and enhancement of Sydney's position as a regional financial services centre and a leader in creative and professional industries.

6.1.3 Metropolitan Strategy

Metropolitan Plan for Sydney to 2036

The Metropolitan Plan for Sydney aims to provide an integrated planning framework to manage Sydney's growth to 2036. Since its release in December 2010, the strategy has been reviewed and a Draft Metropolitan Strategy for Sydney to 2031 has been released. This Draft Strategy establishes the most up-to-date strategic framework for Sydney, and is addressed further below.

Draft Metropolitan Strategy for Sydney to 2031

Since March 2013 a Draft Metropolitan Strategy for Sydney to 2031 has been on public exhibition, with an aim of establishing a framework for Sydney's growth and prosperity to 2031. Under this strategy, the Sydney CBD is referred to as 'Global Sydney', noting the global importance of the city (see **Figure 34**).

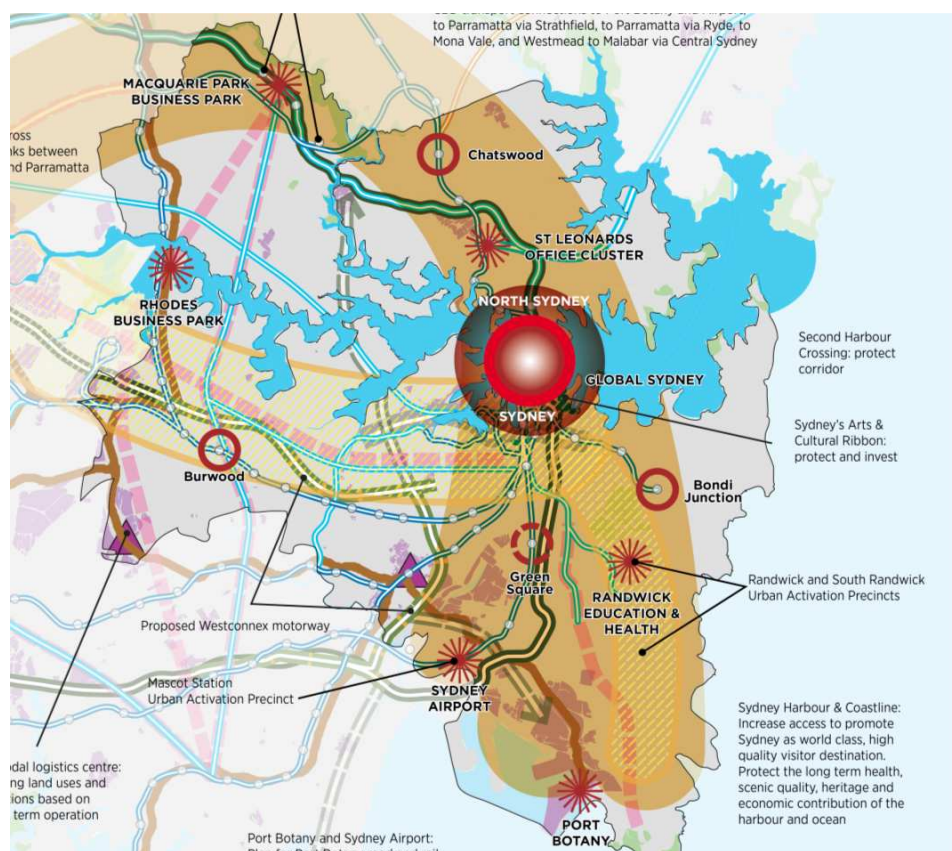


Figure 34 – Extract of Draft Metropolitan Strategy for Sydney to 2031

Source: *Draft Metropolitan Strategy for Sydney to 2031*

The site the subject of this proposal is located in Global Sydney and the redevelopment of the site will be generally consistent with the overarching objectives of the Draft Metropolitan Strategy for Sydney to 2031 in that it will:

- Contribute to the strengthening of Sydney as Australia's pre-eminent city;
- Integrate infrastructure, transport and land use, with the provision of a new premium development above an existing railway station;
- Enhance the role of the Central subregion as Sydney's global economic driver, providing a world class building which will act as a city shaper;
- Recognise the importance of Sydney Harbour, capitalising on the natural features of the harbour to improve the amenity of the future building;

- Contribute to the provision of capacity for at least 114,000 additional new jobs to 2031; and
- Offer premium and upgraded commercial floor space to support Sydney's global economic activities, providing an attractive location for national and international business.

An assessment of the proposals consistency with each of the objectives of the Draft Metropolitan Strategy for Sydney to 2031 is outlined in **Table 4**.

Table 4 – Consistency with Sydney 2031 objectives

Objective	Proposals Consistency
Balanced Growth	
Develop a new Land Release Policy and make new areas available for housing and jobs	The proposal does not relate to a new land release policy. Despite this, the proposal will ensure that land within Central Sydney is secured for employment.
Strengthen and grow Sydney's centres	The proposal will contribute to the achievement of this objective by providing new and improved premium grade floor space in Central Sydney. It will also support the focus of this objective by improving the quality and amenity of the Martin Place Precinct.
Make Sydney connected	The proposal will maintain urban growth in proximity to existing transport infrastructure links. The site is accessible from an extensive range of locations within Greater Sydney and regional places. It will uphold this objectives aims for improved land use and transport integration.
Deliver strategic outcomes - nine city shapers	Located within Global Sydney, the proposal will contribute to the achievement of the job growth targets through renewed and refreshed available floor space. It will also support the aim of clustering from the commercial offices in Martin Place.
A Liveable City	
Deliver new housing to meet Sydney's growth	The proposal relates to an amendment to the Sydney LEP 2012 and Sydney DCP 2012 to facilitate the redevelopment of the site for commercial office purposes. As such, no residential uses are proposed.
Deliver a mix of well-designed housing that meets the needs of Sydney's population	The proposal relates to an amendment to the Sydney LEP 2012 and Sydney DCP 2012 to facilitate the redevelopment of the site for commercial office purposes. As such, no residential uses are proposed.
Deliver well-designed and active centres that attract investment and growth	The proposal will facilitate the redevelopment of the site, improving the quality of the urban environment in Central Sydney. The proposed maximum building envelope is capable of delivering a market leading environmentally sustainable building.
Create socially inclusive places that promote social, cultural and recreational opportunities	The provision of retail space at the lower levels of the podium will provide the opportunity for social, cultural and recreational opportunities subject to future tenant interest.
Deliver accessible and adaptable recreation and open space	Whilst no specific recreation and open spaces are proposed, the proposal will facilitate the redevelopment of the site to improve the overall Martin Place Precinct.
Productivity and Prosperity	
Provide capacity for jobs growth and diversity across Sydney	The proposal will help achieve a robust economy within Sydney. With opportunity for improved commercial floor space, this proposal will also contribute to the achievement of the strategies job targets for Central Sydney.
Support the land use requirements of industries with high potential	The redevelopment facilitated through this proposal will ensure the provision exists to attract high-end performance businesses. This feature will contribute to this objectives requirement for businesses that are creative and dynamic, and attract offshore business relations.

Improve economic flows between Sydney and regional NSW	The proposal does not directly improve economic flows between Sydney and regional NSW. Despite this, the proposal offers the opportunity for the accommodation of a high-end national or international business in Central Sydney.
Provide a well located supply of industrial lands	The proposal does not directly provide the supply of industrial lands. Despite this, the proposal does provide the appropriate allocation of commercial space which will attract high-end businesses.
Provide a good supply of office space	The proposal will directly contribute to the achievement of this objective, improving on the existing stock on the site.
Provide for a good supply of retail space	Opportunity for retail development will be provided in the lower levels of the podium, with an improved interface to Martin Place.
Achieve productivity outcomes through investment in critical and enabling infrastructure	The proposal relates to the land well serviced by existing infrastructure.
Balance the development of mineral resources and construction materials with the protection of other land uses	N/A
Healthy and Resilient Environment	
Use energy, water and resources efficiently	The proposal will facilitate the redevelopment of the site to provide a market leading environmental sustainable building.
Build resilience to natural hazards	Any development of the site will be carried out to high construction standards.
Minimise impacts of climate change in local communities	The proposal will minimize energy demand through an efficient and sustainable design, improving the existing building stock.
Improve air quality	The site is benefited by high public transport accessibility. As such, the proposal will concentrate employment in a location with minimal car use.
Achieve a healthy water environment	The proposal will facilitate a redevelopment which aims to reduce potable water demand and use.
Protect, enhance and rehabilitate our biodiversity	The site is located in a highly modified urban environment.
Accessibility and Connectivity	
Plan and deliver transport and land use that are integrated and promote sustainable transport choices	The proposal will achieve this objective by providing premium commercial floor space in proximity to existing public transport links, therefore maximising the investments made to this system. Car use to the site will not be increased.
Improve access to major employment hubs and global gateways	The proposal will reinforce employment in a major employment hub, maintaining the viability of existing infrastructure.
Improve accessibility and connectivity for centres and for new urban areas	The proposal relates to the renewal of a site in a well-established centre which has existing links through prioritised economic corridors. The proposal contributes to the achievement of this objective by supporting high accessibility and connectivity to Greater Sydney through providing commercial floor space in a centre with existing links.
Deliver efficient freight connections	N/A
Protect corridors and sites for our long-term transport needs	N/A
Improve transport connections with regional NSW	N/A

6.1.4 Sydney City Draft Subregional Strategy

The Sydney City Draft Subregional Strategy is applicable to the City of Sydney LGA and sets actions for the subregion to ensure local delivery of the objectives set out within the Metropolitan Plan for Sydney to 2036. The consistency of the proposal with the Draft Subregional Strategy is summarised in **Table 5** below.

Table 5 – Consistency with Sydney City Draft Subregional Strategy

Key Direction	Proposals Consistency
Reinforce global competitiveness and strengthen links to the regional economy	The proposal will contribute to the achievement of this direction by providing new premium grade floor space in Central Sydney, thereby improving on the existing building stock on the site.
Ensure adequate capacity for new office and hotel developments	The proposal directly ensures that additional capacity is provided for office floor space in Central Sydney through providing a useable building envelope and an improved floor plate.
Plan for sustainable development of major urban renewal projects	Whilst the proposal is not a major urban renewal project, it will facilitate the renewal of a significant site within Central Sydney, with a building envelope which is capable of containing a market leading environmentally sustainable building.
Plan for housing choice	The proposal involves the establishment of building envelope parameters for the redevelopment of the site for a commercial office development. As such, this direction is not relevant to the proposal.
Develop an improved and increasingly integrated transport system that meets the subregion's multiple transport needs	The proposal does not directly involve the provision of additional transport, yet it will facilitate the redevelopment of a site centrally located in the vicinity of Martin Place railway station. The ground plane improvements the proposal will offer also have the potential to facilitate improved access to Martin Place station, connecting into any future planned improvements.
Improve the quality of the built and natural environment while decreasing the subregion's ecological footprint	The proposal will facilitate the redevelopment of the site, significantly improving the quality of the urban environment in Central Sydney. The proposed building envelope parameters are also capable of delivering a market leading environmentally sustainable building.
Enhance the subregion's prominence as a diverse global cultural centre	The provision of a diverse range of uses in the lower podium will contribute to enhancing Sydney's prominence as a diverse global centre.

6.2 Local Strategic Framework

6.2.1 Sustainable Sydney 2030

The principal strategic plan applying to land within the City of Sydney LGA is Sustainable Sydney 2030 which contains ten strategic directions designed to make Sydney a green, global and connected city. These ten strategic directions comprise:

1. A globally competitive and innovative City
2. A leading environmental performer
3. Integrated transport for a connected City
4. A City for pedestrians and cyclists
5. A lively, engaging City Centre
6. Vibrant local communities and economies
7. A cultural and creative City
8. Housing for a diverse population
9. Sustainable development, renewal and design
10. Implementation through effective partnerships

A detailed response to each of the strategic directions of the strategy is provided at **Appendix E**. The proposals consistency with the most relevant strategic directions is explored below.

A Globally Competitive and Innovative City

The redevelopment of the site will offer an important contribution to the achievement of this aim, aiding in strengthening Sydney's global competitiveness and high levels of innovation.

This is an important aim as the city centre is noted as the heart of global Sydney. The global competitiveness of this centre is critical in Australia's economic prosperity, instigating growth and expanding opportunities for residents, businesses and workers.

The chance to redevelop the site is a once in a life time opportunity, and it is important that innovation is not hindered by the limitation of current planning controls applicable to the site. The amended maximum height control sought through this proposal, as well as the built form envelope, will facilitate a new building which can provide premium grade commercial floor space, contributing additional capacity of premium floor space into the city centre. A new premium commercial building on the site will increase the attractiveness of Sydney for global companies, positioning Sydney as a global economic centre.

A Leading Environmental Performer

The current building on the 60 Martin Place site achieves a NABERS Energy rating of 5 stars which is the second highest rating achievable. Despite this, there is scope to improve this rating in a redevelopment of the site to provide a market leading environmentally sustainable building.

Due to the prominence of the site within Martin Place, this new market leading building would act as a showcase for the changing quality of buildings in Sydney to incorporate leading market practices in regards to lower energy and water consumption.

Sustainable development, renewal and design

The three components of this objective; sustainability, renewal and design are critical elements of the proposal. The proposal seeks to provide a more sustainable building than that currently occupying the site, as set out above. This will involve the significant renewal of the site to develop a new building which is commensurate with the important status of the site at the top of the eastern entry to Martin Place.

The demolition and rebuild strategy adopted for the redevelopment of the site embodies the second component of this direction. The renewal of the site in this manner will ensure that both sustainability and the upmost design quality can be achieved in such as an important location within Sydney.

The maximum building envelope sought under this proposal is capable of accommodating a building which achieves design excellence. It is the intention for any redevelopment to be subject to a competitive design process to ensure design excellence is achieved.

Key Project Ideas

Within the Sustainable Sydney 2030 vision, there are ten key project ideas which have been conceived to deliver the ten principal strategic directions. The third idea based on the recommendations of urbanist Jan Gehl, is to protect the centre of Sydney, being the CBD. To protect the centre of Sydney, the vision notes that the city centre will need to be revitalised to be:

Lively, people-friendly and (a) premium business centre reconnected to the harbour.

The redevelopment of the 60 Martin Place site will contribute to the realisation of this vision through delivering a new high quality premium commercial building in a prominent location in the city centre. The redesign of the podium and ground plane in general will enable a more lively and active streetscape, further enabling the city centre, and Martin Place specifically, to not only be more people-friendly, but more of an attraction for visitors to the city.

This individual project to redevelop the site is critical in the achievement of the overall idea of protecting the centre of Sydney as a premium business location.

6.3 Commonwealth, State and Regional Statutory Framework

This section summarises the relevant Commonwealth, State and regional legislation and environmental planning instruments and policies that apply to the land. A full assessment of the proposals consistency with the State Environmental Planning Policies is provided at **Appendix F**.

Environment Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) is a Commonwealth Act which establishes the legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage. These 'matters of national significance' are protected under the EPBC Act to ensure their value is maintained and enhanced.

The RBA Building and Hyde Park Barracks are identified as matters of national significance, listed under the EPBC Act. The redevelopment of the site will not impact on the significance of these items, with the proposed maximum being envelope designed to enhance the relationship of the site with the RBA Building and create a stronger entry into Martin Place. GBA have undertaken an assessment of the proposal against the '*National Heritage Impact Guidelines*' which apply to matters of national significance. This assessment has identified that the proposal will not have a significant impact on these items and therefore the proposal does not constitute a Controlled Action under the National Heritage Management provisions of the *EPBC Act*.

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* set out, amongst other things, the:

- requirements for rezoning land;
- requirements regarding the preparation of a local environmental study as part of the rezoning process;
- matters for consideration when determining a development application; and
- approval permits and/or licences required from other authorities under other legislation.

Ministerial directions issued under Section 117(2) of the EP&A Act require Councils to address a range of matters when preparing a draft local environmental plan. In July 2009 the DP&I released a publication titled '*A guide to preparing local environmental plans* and *A guide to preparing planning proposals*' which provides clarity on how these directions and other matters should be addressed in a planning proposal. The publication '*A guide to preparing planning proposals*' was updated in October 2012.

A full assessment against the requirements of this publication and the proposals consistency with the relevant Section 117 directions is discussed in detail at **Appendix F**.

Heritage Act 1977

The *Heritage Act 1977* includes a range of provisions for identifying and protecting items of environmental heritage. The Act controls development of, or in the vicinity of, a State heritage item. The State Heritage Register (SHR), established under **Section 2.4**, contains a list of items which have been assessed as being of 'State' significance.

As set out in **Section 2.0**, the St Stephen's Church portion of the site is listed as a heritage item, and therefore the provisions of the *Heritage Act 1977* apply. Graham Brooks and Associates have undertaken an assessment of the proposal in light of this listing and its location in close proximity to other heritage listed items (see **Appendix D** and **Section 7.4**).

SEPP 55 – Remediation of Land

SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications, and requires that remediation work meets certain standards and notification requirements. The requirements of SEPP 55 have been considered during the planning of the proposed building envelope on the site, and will be further addressed during detailed design and development.

The site is zoned 'Metropolitan Centre' under the provisions of SLEP 2012 and has been zoned for the same, or similar, purposes for a number of decades. To our knowledge, the land has not, at any time, been specifically zoned for hazardous, agricultural or defence purposes.

The current state of the site does not suggest that the site may have been associated with any of the activities listed in Table 1 of the SEPP 55 Guidelines.

- The land is not currently, and has not in the past, been regulated through licensing or other mechanisms in relation to any activity listed in Table 1 of the SEPP 55 Guidelines; and
- There are no land use restrictions on the subject land relating to possible contamination, such as notices issued by DECC or another regulatory body.

The site has previously been deemed suitable for commercial uses and there is no reason to suggest that the status of the site has changed since the construction of the existing commercial building on the site in 1971. It is therefore considered that the site is suitable for its continued use for commercial purposes.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005) covers the entire Sydney Harbour catchment, establishing planning principles to be used in the preparation of planning instruments and identifying matters for consideration to be used when assessing development within the foreshores and waterway areas. The SREP 2005 is now a deemed State Environmental Planning Policy.

The site is located within the boundaries of the land to which the SREP 2005 applies and as such, the planning principles in Part 2 of the SREP 2005 must be addressed. The proposals consistency with the relevant planning principles of the SREP 2005 is addressed in **Table 6**.

Table 6 – Consistency with relevant planning principles of SREP 2005

Planning Principle	Proposals consistency
Development is to protect and, where practicable, improve the hydrological, ecological and geomorphological processes on which the health of the catchment depends.	The proposal will not adversely impact any hydrological, ecological and geomorphological processes on which the health of the catchment depends. Impacts will be suitably managed at DA stage.
The natural assets of the catchment are to be maintained and, where feasible, restored for their scenic and cultural values and their biodiversity and geodiversity.	The proposal will not impact any natural assets within the catchment.
Decisions with respect to the development of land are to take account of the cumulative environmental impact of development within the catchment.	Noted. The relationship of the proposal with surrounding development is discussed throughout this report, with the proposal considered to not result in any adverse environmental impacts which cannot be managed or mitigated.
Action is to be taken to achieve the targets set out in Water Quality and River Flow Interim Environmental Objectives: Guidelines for Water Management: Sydney Harbour and Parramatta River Catchment (published in October 1999 by the Environment Protection Authority), such action to be consistent with the guidelines set out in Australian Water Quality Guidelines for Fresh and Marine Waters (published in November 2000 by the Australian and New Zealand Environment and Conservation Council).	The proposal relates to highly modified land in Central Sydney and does not relate to any river flows. The redevelopment of the site will aim to ensure no adverse impacts occur to water quality.
Development in the Sydney Harbour Catchment is to protect the functioning of natural drainage systems on floodplains and comply with the guidelines set out in the document titled Floodplain Development Manual 2005 (published in April 2005 by the Department).	The proposal relates to land which has been highly modified. As such, a redevelopment of the site will not damage the functioning of existing natural drainage systems on floodplains.
Development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour.	The proposal will maintain, protect and enhance the unique visual qualities of Sydney Harbour as discussed in Section 7.5 below.
The number of publicly accessible vantage points for viewing Sydney Harbour should be increased.	The number of public vantage points will not be decreased by the proposal, and direct views from Sydney Harbour are only available from the upper levels of the tower element.
Development is to improve the water quality of urban run-off, reduce the quantity and frequency of urban run-off, prevent the risk of increased flooding and conserve water.	The redevelopment of the site will seek to ensure that adequate water management measures are included to not result in increased run off or quality impacts.
Action is to be taken to achieve the objectives and targets set out in the Sydney Harbour Catchment Blueprint, as published in February 2003 by the then Department of Land and Water Conservation.	The proposal is located in a highly modified urban environment and will not impact on the functionality of the Sydney Harbour Catchment.

Development is to protect and, if practicable, rehabilitate watercourses, wetlands, riparian corridors, remnant native vegetation and ecological connectivity within the catchment.	The land the subject of this proposal is highly modified in an urban environment and is not in the vicinity of any watercourses, wetlands, riparian corridors, remnant native vegetation or ecological communities.
Development is to protect and, if practicable, rehabilitate land from current and future urban salinity processes, and prevent or restore land degradation and reduced water quality resulting from urban salinity.	The site is not identified as containing a high level of salinity. The proposal does not seek to excavate below the existing basement levels and the proposed use is to continue as commercial/retail.
Development is to avoid or minimise disturbance of acid sulfate soils in accordance with the Acid Sulfate Soil Manual, as published in 1988 by the Acid Sulfate Soils Management Advisory Committee.	The proposal does not include any excavation below the existing basement levels. Acid sulphate soils will be addressed in the detailed DA.

6.4 Local Statutory Framework

This section summarises the relevant local legislation and environmental planning instruments and policies that apply to the land.

Sydney Local Environment Plan 2012

As set out above, the *Sydney Local Environmental Plan 2012* (SLEP 2012) is the principal environmental planning instrument applying to the site. The SLEP 2012 establishes the permissible uses on the site, as well as key development standards such as the maximum height and floor space ratio. This Planning Justification Report seeks to amend the SLEP 2012 to alter the maximum height permitted on the site.

City of Sydney Act 1988

The *City of Sydney Act 1988* (City of Sydney Act) contains a number of processes which apply to the City of Sydney LGA, including establishing a framework for development contributions. Section 61 of the City of Sydney Act allows Council to impose a condition of consent that the applicant must pay a levy of 1% of the estimated cost of development. It is noted that in the event of any development consent being issued for a detailed redevelopment of the site that a condition to this effect will be applied.

Sydney Development Control Plan 2012

The Sydney Development Control Plan 2012 (Sydney DCP 2012) has been prepared to supplement to the SLEP 2012 and provide more detailed provisions to guide development within the Sydney LGA. This Planning Justification Report seeks to amend 'Section 6: Specific site' of the Sydney DCP 2012 to provide specific controls to guide the redevelopment of the site.

The Central Sydney Archaeological Zoning Plan

The Central Sydney Archaeological Zoning Plan establishes sites within the Sydney LGA which may contain potential for archaeological significance. The site is not listed in the schedule of sites, and therefore this policy does not apply to the proposal.

7.0 Environmental Analysis

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

The management response to any issues and impacts identified in the environmental analysis is discussed below.

7.1 Overshadowing

Hassell have prepared a Shadow Impact Analysis to examine and assess the shadowing impact of the proposed building envelope outlined in Section 3 of this report (see **Appendix B**). This Shadow Impact Analysis has been prepared using 3D Studio Max and based on the city model provided by the City of Sydney, including all surrounding city buildings and topography. The modelling in the Shadow Impact Analysis illustrates both the proposed building envelope and a SLEP 2012 'compliant' sun access plane envelope against the shadow cast by the existing building envelope.

Modelling has been carried out at 10 minute intervals for Martin Place at 14 April between 12:00pm to 2:00pm and on June 21 at the forecourt of Hyde Park Barracks between 12:00pm to 2:00pm. Further modelling of one hour intervals has been undertaken for the following dates and time periods:

- 21 March – 9:00am to 5:00pm;
- 21 June– 9:00am to 5:00pm; and
- 21 December– 9:00am to 5:00pm.

The Shadow Impact Analysis has sought to determine the consistency of the proposal with the advice of Council staff relating to the critical overshadowing time period and date for Martin Place. As outlined in **Section 1.4.1**, the proposal is not to cause any additional overshadowing in the critical assessment period of 14 April between 12:00pm and 2:00pm on Martin Place or the façades of buildings fronting Martin Place. As such more detailed ten minute interval measurements have been provided in this critical assessment period.

Council staff have also highlighted the need to understand the shadow impacts of the proposal on the forecourt of Hyde Park Barracks. No control date or time was provided for this location and therefore a conservative assessment of the overshadowing on the worst day of the year (21 June) has been undertaken. In recognition of the critical time period of the lunch time hours, ten minute intervals have been modelled for 21 June between 12:00pm and 2:00pm.

Other relevant sun access protection controls in the SLEP 2012 such as The Domain sun access plane have been considered in the overshadowing analysis (see **Appendix B**). The proposal's consistency with The Domain sun access plane is outlined below.

In addition to this critical time period and date, the shadow cast by the proposal has been examined on other dates as listed above. An assessment of the proposals shadowing effects is outlined further below.

7.1.1 The Domain Sun Access Plane

Clause 6.17 of the SLEP 2012 prescribes the various sun access planes designed to protect sunlight to significant public places. The relevant sun access planes which are located in the vicinity of the site include the Hyde Park North, Martin Place and The Domain sun access planes. Although located in the vicinity of the site, the Hyde Park North sun access plane does not affect the proposed envelope. This Planning Proposal does seek to allow the future building on the site to project above the Martin Place sun access plane which is the specific purpose of the LEP amendment request. No projection above the Domain sun access plane is sought; therefore the building envelope has been chamfered in accordance with this sun access plane. **Figure 35** illustrates how the proposal is consistent with The Domain sun access plane in that no part of the building will project higher than the established plane. It is noted that the building envelope is further reduced when the overshadowing requirements established by Council in regard to Martin Place are included.



Figure 35 – Relationship to The Domain sun access plane (shown in light brown)
Source: Hassell

7.1.2 Martin Place Critical Assessment Date/Time

Proposed Building Envelope

Following an assessment of the proposed building envelope on the 14 April between 12:00pm and 2:00pm it has been determined that the maximum envelope will not result in any additional overshadowing on Martin Place or the façade of the RBA Building (see **Figure 36** and **Figure 37**).



Figure 36 – Proposed building envelope and existing building shadow cast on 14 April at 12.00pm
Source: Hassell



Figure 37 – Proposed building envelope and existing building shadow cast on RBA Building (14 April)
Source: Hassell

During this critical time period an additional portion of shadow will be cast onto Macquarie Street from 12:00pm to 12:20pm, before it shifts onto the Sydney Hospital Group Buildings from 12:30 to 2:00pm. In this time period, the shadow does not encroach on the internal courtyard area of the Sydney Hospital Group, ensuring the amenity of this space is not compromised by the proposal.

The additional shadow cast onto Macquarie Street is considered acceptable in light of the nature of the land use as a transport thoroughfare. Likewise the minor additional shadowing cast on the Sydney Hospital Group buildings is considered minor in light of the current overshadowing from the existing building and other buildings situated along Macquarie Street. The shadow cast in this time period falls largely on existing rooftops which are already subject to overshadowing.

SLEP 2012 Compliant Envelope

The modelling undertaken of a SLEP 2012 Sun Access Plane Compliant scheme (i.e. sun access plane and 55 metre height limit) during the critical assessment period has identified that there would be significant additional overshadowing of Martin Place (**Figure 38**), but less shadowing on the façade of the RBA Building (**Figure 39**). **Figure 38** and **Figure 39** illustrate the additional shadow being cast outside that of the existing building envelope. As such, it is considered that the proposed building envelope presents an improved outcome for the amenity of Martin Place at the critical assessment period opposed to a SLEP 2012 Sun Access Plane compliant scheme.

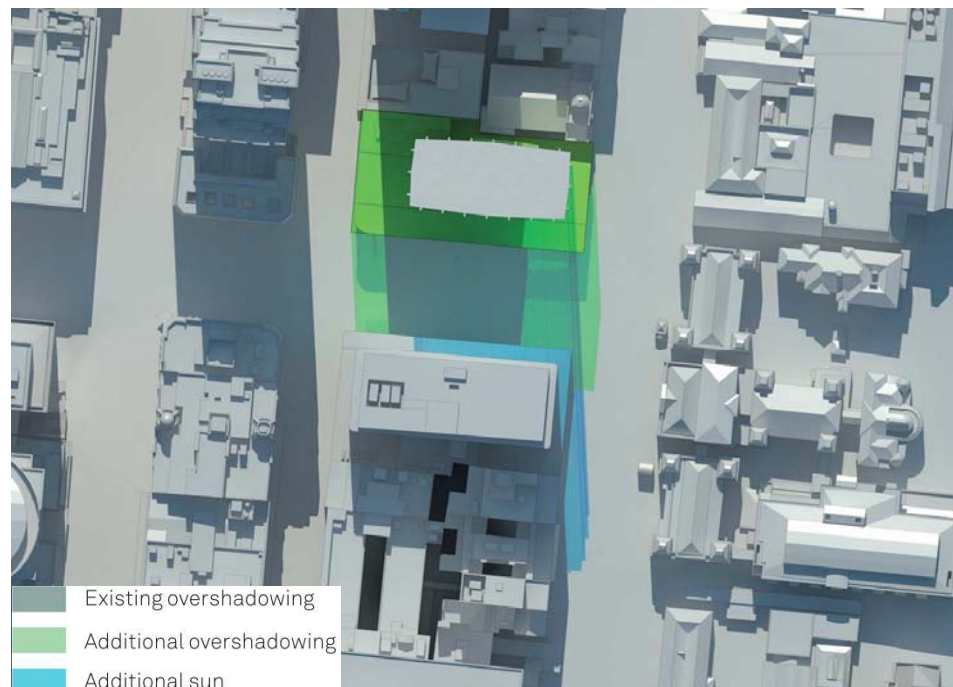
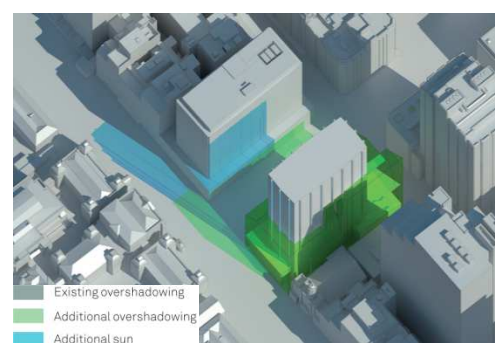


Figure 38 – SLEP 2012 compliant and existing building shadow cast on 14 April at 12:00pm
Source: Hassell



12:00 – SLEP2012 scheme



12:20 – SLEP2012 scheme

Figure 39 – SLEP 2012 compliant and existing building shadow cast on RBA Building (14 April)
Source: Hassell

7.1.3 Martin Place Times outside the Critical Assessment Date

Proposed Building Envelope

To ensure that all shadows cast by the proposal on other important dates are considered, Hassell has analysed the shadow of the proposed building envelope on 21 March, 21 June and 21 December between 9:00am and 5:00pm. This modelling has identified that a small portion of additional overshadowing will occur on either side of the shadow cast by the existing building, falling on Martin Place and the building façades on the southern alignment of Martin Place (see **Figure 40**).

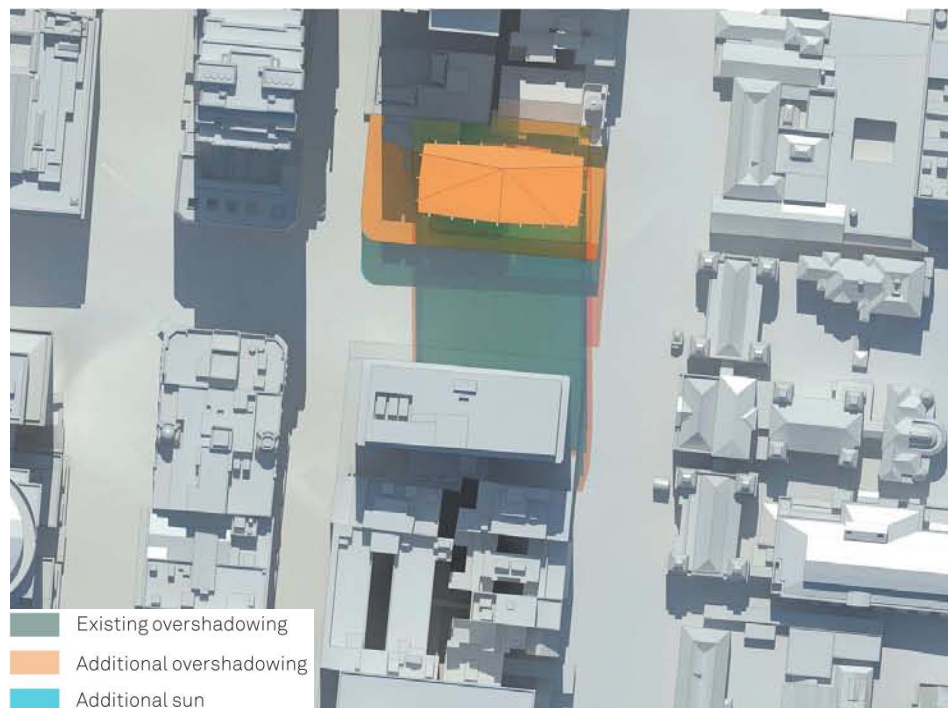


Figure 40 – Proposed building envelope and existing building shadow cast on 21 March at 1:00pm
Source: Hassell

On 21 March there will be a minor portion of additional shadow on the eastern side outside of the existing building shadow starting at 9:00am (**Figure 41**). A minor portion of shadow will then fall on both sides of the existing building envelope shadow until 3:00pm when the shadow will be past buildings fronting Martin Place (**Figure 41**).

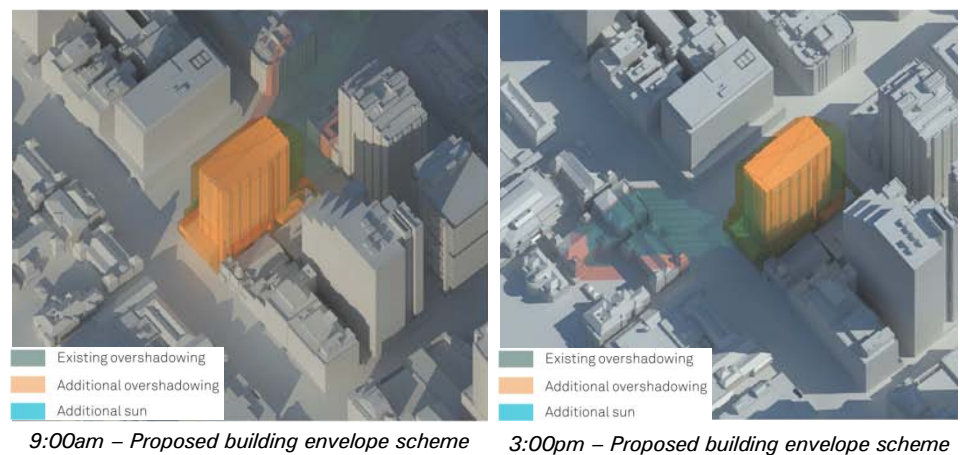


Figure 41 – Proposed building envelope and existing building shadow cast on RBA Building (21 March)

Source: Hassell

The shadow cast on the 21 June will minimally extend beyond the existing building envelope from 9:00am to 12:00am, before the shadow is reduced to the extent of the shadow cast in the envelope of the existing building and on top of the roof of the RBA Building (see **Figure 42**). This exceedance from the existing shadow cast is minimal both in regards to time and extent and is therefore considered acceptable.

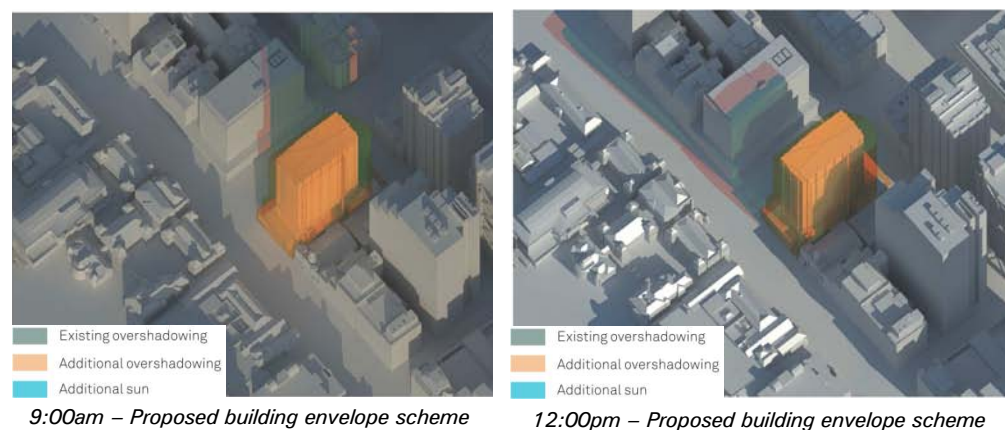


Figure 42 – Proposed building envelope and existing building shadow cast on RBA Building (21 June)

Source: Hassell

All additional shadow from the proposed maximum building envelope on Martin Place on 21 December will be limited to between 10:00am and 2:00pm inclusive (see **Figure 43**). The shadows in December are shorter than other months, and no additional shadow is cast on the façades of buildings on the southern alignment of Martin Place. The additional shadow from the proposed maximum envelope will be tightly drawn around the shadow cast by the existing building, and similar to the other important dates, is limited in duration.



Figure 43 – Proposed building envelope and existing building shadow cast on RBA Building (21 December)

Source: Hassell

The additional overshadowing on either side of the existing building shadow at these other times is considered acceptable in light of the location of the building in a dense urban environment. The proposal is located on a prominent site in Central Sydney, and the redevelopment of the site will result in significant public benefits. Other times of the year, in particular June, illustrate that there is a vast amount of overshadowing across Sydney's CBD (see Shadow Impact Analysis at **Appendix B**). The minor additional shadow cast beyond the shadow of the existing building is negligible in the dense urban context of Sydney, where it is noted that at certain periods the shadow of the existing building/proposed envelope is lost in shadow cast by buildings to the north.

Furthermore, the proposal has achieved no additional overshadowing in the critical date and time period specified by Council officers. The critical date and time period reflects the most important time in which sunlight to Martin Place results in the highest amenity benefits for users. The proposal has not resulted in any adverse impacts to this amenity, therefore ensuring that the amenity of Martin Place is maintained.

SLEP 2012 Compliant Envelope

An analysis of an SLEP 2012 compliant scheme (i.e. sun access plane and 55 metre height limit) on the site also indicates that additional overshadowing would occur on either side of the shadow cast by the existing building for these other dates throughout the year (see **Figure 44**). Similar to the proposed building envelope, this additional shadow will fall on Martin Place. The additional shadow cast on Martin Place would be greater under a SLEP 2012 Sun Access Plane Compliant scheme than under the proposed building envelope.

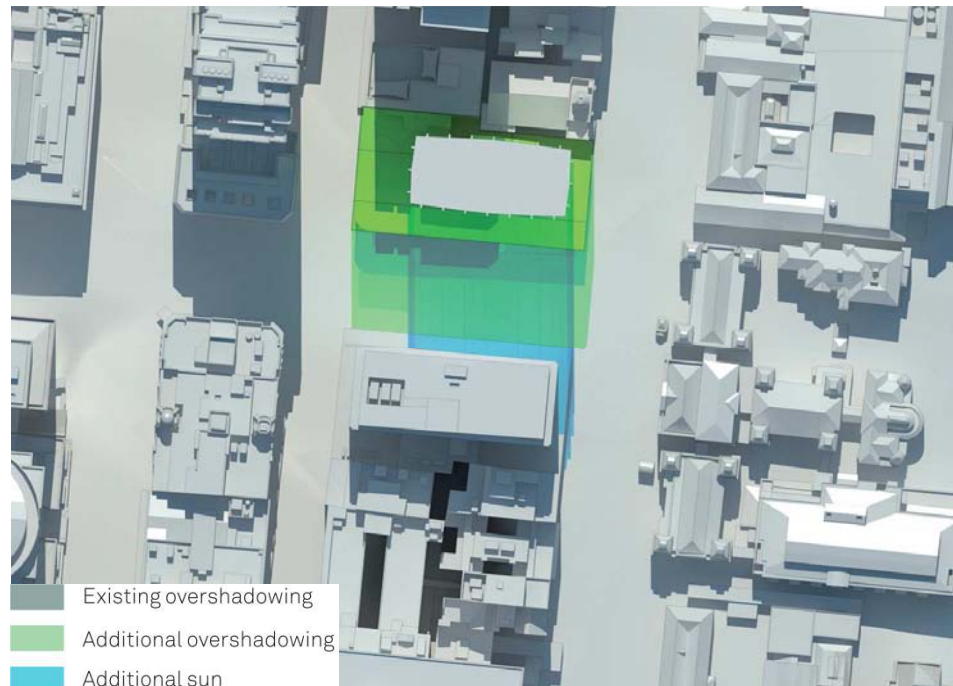


Figure 44 – SLEP 2012 compliant and existing building shadow cast on 21 March at 1:00pm
Source: Hassell

Whilst the shadow cast by the proposed building envelope is greater on the façades of buildings fronting Martin Place when compared to a SLEP 2012 Compliant scheme, the more desirable location for sunlight access is considered to be the plaza component of Martin Place.

Sunlight access to this plaza provides important amenity benefits to Martin Place, and it is considered preferable to minimise any overshadowing on this significant civic and commemorative plaza at the expense of minor additional overshadowing on building façades fronting the plaza. The proposed building envelope seeks to maximise sunlight reaching Martin Place while still facilitating a feasible redevelopment of the site.

7.1.4 Hyde Park Barracks Forecourt Critical Assessment Date and Time Period

A shadowing analysis by Hassell has identified that the first shadow from the proposed maximum building envelope on the forecourt of Hyde Park Barracks will be on approximately 6 June at 1:10pm. The final shadow from the proposed envelope will be on approximately 6 July at 2:20pm. Considering the limited timeframe of overshadowing, being only a single month, Hassell has decided to focus on the worst day of the year; the winter solstice (21 June). This ensures a conservative approach is undertaken to assess the overshadowing impact on the forecourt of the Hyde Park Barracks. Modelling has been carried out on 21 June at ten minute intervals between 12:00pm and 2:00pm (refer to **Appendix B**).

This analysis has identified that the first shadow on the forecourt will be at 12:50pm and a portion of shadow will remain on the forecourt until 2:00pm. The level of overshadowing on the forecourt during this time period is considered acceptable given the numerous locational factors such as the high density nature of central Sydney, the existing built and natural landscape (i.e. existing trees) immediately surrounding the forecourt and the location of the shadow within the forecourt. **Figure 45** illustrates the level of overshadowing which is expected to occur on 21 June.

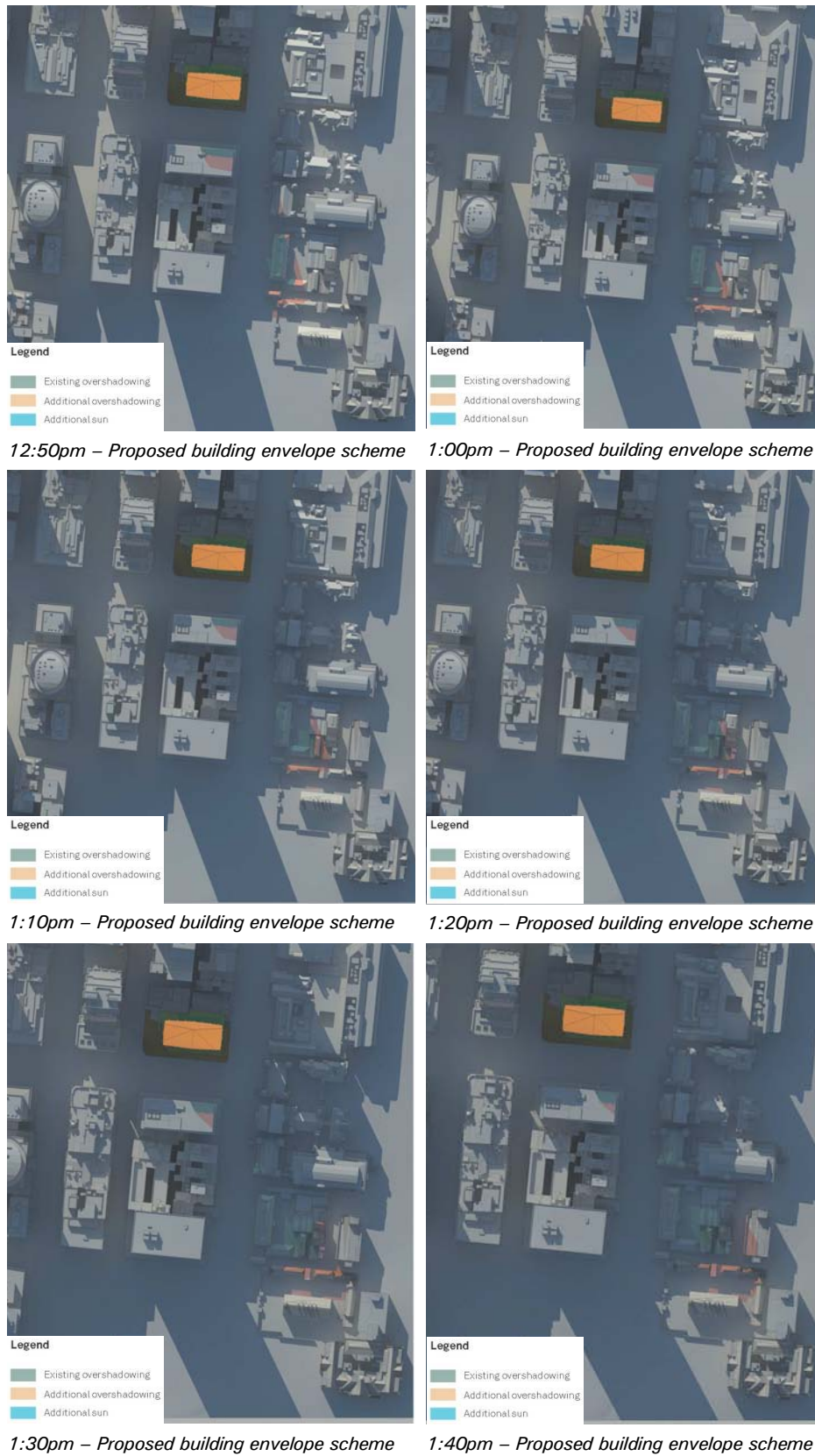


Figure 45 – Shadow to Hyde Park Barracks forecourt on 21 June
Source: Hassell

It is evidenced from **Figure 45** that the proposed envelope will not result in significant overshadowing of the forecourt during the winter solstice. The largest extent of overshadowing occurs in the north-eastern corner of the forecourt in an area which is not highly useable as it is located between two existing buildings and is further obstructed by an existing tree. The north-western area of the forecourt, which is currently used for outdoor dining, is already in shadow from the existing built form during the lunch time hours on June 21.

Whilst the shadow studies have identified the extent of shadowing caused by the existing built form in the vicinity of the site and the proposed building envelope, these have not included the existing trees which also contribute to the overshadowing of the forecourt. It is acknowledged that vegetation is not ordinarily a consideration in shadow studies, but in this case there is substantial overshadowing by two existing fig trees located to the north-west of the forecourt (see **Figure 46**) and an internal tree within the north-eastern portion of the forecourt.



Figure 46 – Existing fig trees to the north-west of the forecourt

Source: Hassell

The shadow cast by these trees is illustrated in **Figure 47** and **Figure 48**, which are aerial images taken on 12 June and 26 June respectively. An aerial image of the site on 21 June was not available, but it can be estimated that the shadow will be generally similar to that presented in these two images. These aerial images illustrate that the existing trees overshadow a significant portion of the forecourt area which is expected to be shadowed by the proposed maximum envelope.



Figure 47 – Existing tree shadow (red circle) on forecourt at 1:04pm on 12 June 2014
Source: Nearmap.com



Figure 48 – Existing tree shadow (red circle) on forecourt at 1:45pm on 26 June 2014
Source: Nearmap.com

The above aerial images demonstrate that the forecourt is subject to existing shadow during the lunchtime hours on 21 June. The potential impact of the proposal is therefore even further reduced. The largest extent of overshadowing posed by the maximum building envelope is where the existing trees are likely to shadow the forecourt. As such, the overall shadow cast by the proposed envelope is minimal as it will predominately fall on existing shadow.

The Shadow Impact Analysis and the above aerial images demonstrate that a significant area of the forecourt remains free of shadow in the lunchtime hours of mid-winter, predominately being the south-western quadrant of the forecourt. The proposed maximum envelope will result in additional overshadowing, but considering the extent of the shadow cast and the area on which this falls, the impact is considered negligible.

To ensure that the future redevelopment on the site does not result in adverse overshadowing impacts beyond the shadow assessed in this proposal, a control time and date has been defined for the forecourt of Hyde Park Barracks. This control date is 21 June at 12:00pm. This date/time has been assessed as a point where no additional shadow is cast on the forecourt of Hyde Park Barracks and is therefore considered appropriate to guide the future redevelopment.

Conclusion

In light of the above, it is considered that the proposed building envelope results in an improved outcome for the redevelopment of the site in that it results in no additional overshadowing from the existing building on the site on Martin Place or on the façades of buildings fronting Martin Place in the critical assessment period. The proposed envelope also maintains the amenity of the Hyde Park Barracks forecourt as it results in minimal overshadowing compared to the existing situation. At other times the minor additional overshadowing of the envelope is considered negligible in light of the significant benefits to be realised through a redevelopment, namely the provision of a premium grade commercial office building replacing a tired and out-of-date building in one of the most prominent locations at the terminus of Martin Place. This redevelopment will significantly contribute to Sydney's status as a globally competitive and innovative city.

7.2 Urban Design Context

An assessment of the various built form elements of the proposal and their relationship to the existing built form has been undertaken by Hassell to identify an optimal urban design outcome for the site (see **Appendix A**).

The bulk, massing and modulation of the building have been intently considered by the project team in regards to the existing built form and the opportunity to maximise the qualities of the site. The prevailing built form of the immediately surrounding heritage items has significantly influenced the design, particularly the podium height, with an overall intent to enhance the new buildings relationship with these buildings and maintain the current 'human scale' of the eastern end of Martin Place. The important design considerations behind the two key elements of the proposal, comprising the tower and podium design, are outlined below.

7.2.1 Podium Design

The design of the current podium on the site has been the scrutiny of a detailed planning and design development phase during the 1998 development application which sought to include this element to the existing tower building. The 60 Martin Place site was previously listed as an 'Opportunity site' in the Central Sydney Development Control Plan 1996 (Central Sydney DCP 1996).

Opportunity sites were identified as freestanding buildings which could accommodate infill development on the site to enhance the streetscape and improve pedestrian amenity. The subject site is discussed in the Central Sydney

Development Control Plan 1996 as an example of the application of the opportunity sites provision, with the podium capturing previously unrealised floor space and improving the relationship of the site with other buildings in Martin Place and along Macquarie Street (see **Figure 49**). The podium opportunity identified in the Central Sydney DCP 1996 has been realised on the site through the 1998 additions.



Original tower building



Indicative tower and podium development

Figure 49 – Tower compared to tower and podium development
Source: Central Sydney DCP 1996

The maximum height of the general podium at RL49 (16m to 20m) has been determined in consideration of the height of the built form surrounding the site and the height of the existing podium. The relationship of the podium to surrounding significant heritage buildings such as the Sydney Hospital Group, the RBA Building and St Stephen's Church was a determining factor in the maximum height of the podium, remaining generally the same in the new proposal.

The Sydney DCP 2012 provides a minimum street frontage height of 45 metres and a maximum street frontage height of 55 metres for Martin Place. These controls reflect the general street wall alignment of buildings in Martin Place to the west of the site. As such, the existing podium on the site is not consistent with the current Sydney DCP 2012 planning controls, or the majority of street wall building heights in Martin Place.

Regardless of this variation, replicating the current podium in part is considered to be the most optimal design outcome on the site. The height of the existing podium creates significant benefits to both Martin Place and Macquarie Street. Within Martin Place, the consistent height of the 60 Martin Place podium and the RBA Building podium contribute in identifying the space and framing the plaza at its eastern entry (see **Figure 50**). The location of the site on one of the highest points of Martin Place ensures that the lower scale podium is recessive to the significant heritage buildings to the west along Martin Place.

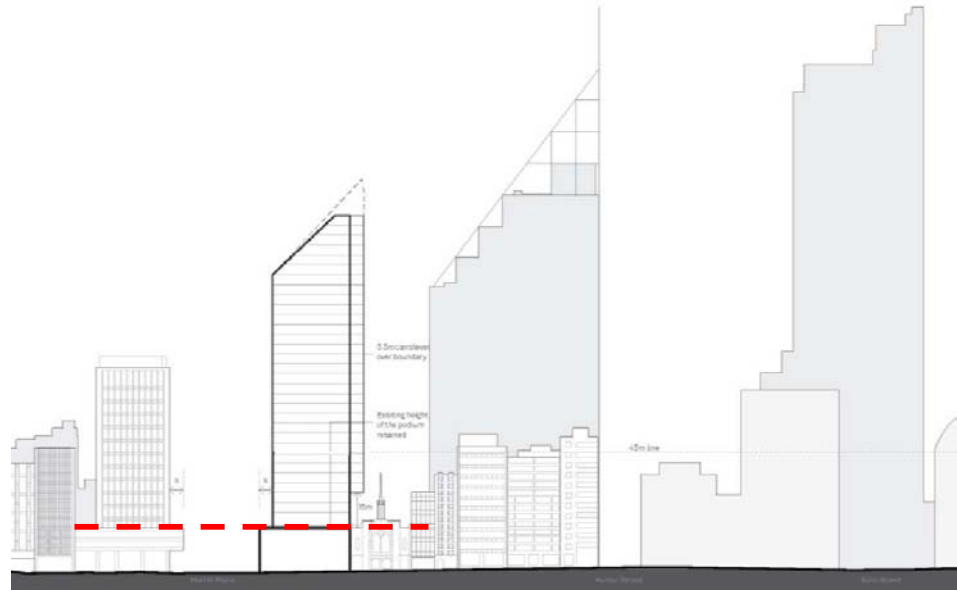


Figure 50 – Relationship of podium height with RBA Building

Source: Hassell

Due to the significant planning and design thought which has been applied to the original podium built form as part of its previous opportunities site status and in light of the significant public benefits the consistency in height brings, it is considered appropriate to maintain the proposed envelope in part, replicating the existing podium height in part. The potential to reinforce the predominant street wall height of Macquarie Street is also an opportunity which should be explored in the competitive design process. As such, it is proposed to include these varied podium heights in the site specific controls in the Sydney DCP 2012 amendment.

7.2.2 Tower Envelope

The tower element of the maximum building envelope has been dictated by a number of different factors. These factors primarily relate to the sun access date of 14 April and enhancing the relationship of a new building to existing development.

One of the most important considerations has been the sun access control measurement and the aim to not increase shadowing to Martin Place and façades fronting Martin Place in the critical assessment period (14 April 12:00pm-2:00pm). This measurement provided a maximum envelope which would allow for a tower element with no additional shadowing during the critical assessment period (see **Figure 51** illustrating the maximum configuration).

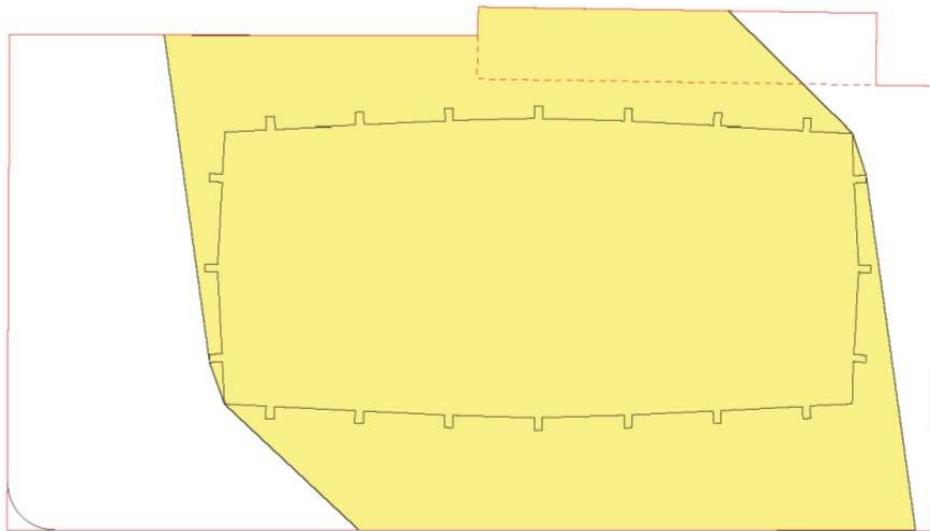


Figure 51 – Maximum envelope for 14 April sun access control (yellow)

Source: Hassell

Within this maximum envelope, Hassell has identified a proposed maximum tower floor plate envelope, which has taken into account other important considerations such as the relationship to surrounding towers, views to significant heritage items and a commercially viable floor plate (see **Figure 52**). The extension of this envelope to the east is acceptable as this will only result in overshadowing on the road reserve of Macquarie Street.

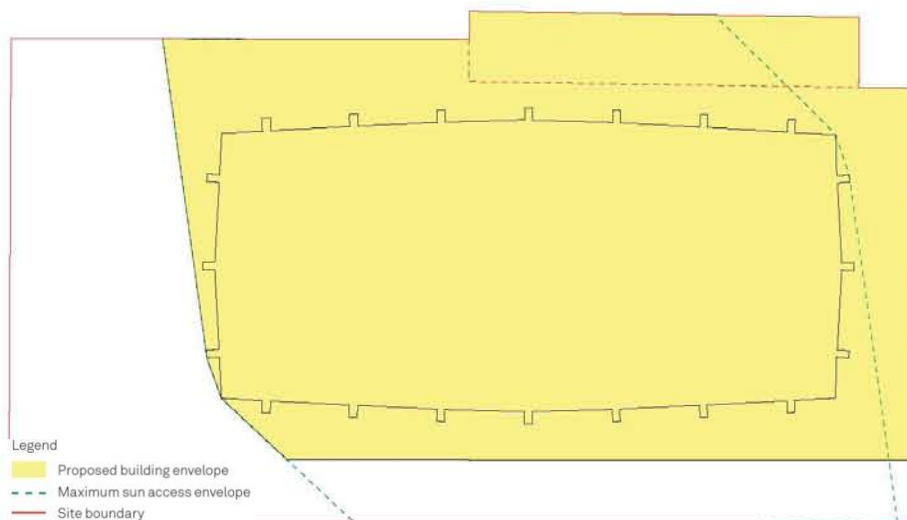


Figure 52 – Proposed tower floor place envelope in maximum solar access envelope

Source: Hassell

The proposed maximum tower floor plate envelope includes a setback to Martin Place (4.7m) and Macquarie Street (4.85m). These setbacks have been provided to enhance the relationship of the new building to the RBA Building on the opposite side of Martin Place. The minimum setback established to Martin Place in this envelope is identical to that of the RBA Building, resulting in a stronger framed entry being established into the Martin Place Precinct.

A cantilever element is included in the envelope extending over a portion of St Stephen's Church. These additional envelope elements do not cause any adverse overshadowing impacts and will allow for further design refinement in the competitive design process and detailed DA.

GBA have noted in the Heritage Impact Report (**Appendix D**) that the cantilever element over a portion of St Stephen's Church is acceptable subject to the consideration of certain guidelines developed for the future redevelopment. The consideration of these guidelines in the competitive design process will ensure that the future built form improves the relationship of the building on the site to surrounding heritage items and does not detract from the heritage significance of any surrounding items.

The minimum setback to Macquarie Street dictated by the proposed envelope also aligns with the setback of the RBA Building from Macquarie Street. This has been proposed to ensure a consistency in the language of built form along Macquarie Street, reinforcing the boundary effect of towers along Macquarie Street as the western edge of Central Sydney.

Overall, the proposed maximum building envelope is considered adequate to provide the opportunity to deliver a new iconic building to a prominent site in Sydney's CBD.

7.3 Transport and Pedestrian Impacts

A Transport, Traffic, Pedestrian and Parking Study has been prepared by Brown Consulting to identify the appropriateness of the proposed SLEP 2012 and Sydney DCP 2012 amendments (**Appendix G**).

This study has examined the existing conditions of the site, including current mode share and availability of transport, and then provided an assessment of the potential impact of the redevelopment of the site in accordance with the maximum proposed building envelope presented in the Urban Design Analysis Report (see **Appendix A**). The key components of this study are outlined below.

7.3.1 Existing Site Conditions

Brown Consulting has examined the locational attributes of the site, identifying how different modes currently access the site. It has been identified that both pedestrian and vehicular access is from either Phillip Street or Macquarie Street.

Pedestrian access is available into the respective tenancies on either street, whilst the main entry into the commercial component of the building fronting Martin Place is also accessed from pedestrians travelling from either street. Pedestrian access into St Stephen's Church is from Macquarie Street. A single ingress/egress vehicular point is contained on both Phillip Street and Macquarie Street to/from the basement parking levels of the 60 Martin Place building.

Due to the nature of the proposal, intersection counts have not been deemed necessary on Macquarie Street and Phillip Street to determine the existing traffic conditions. Brown Consulting has noted that the general nature of streets in Sydney's CBD is congestion most notably in peak periods, and that wider improvements to the current conditions is subject to a CBD wide strategic and microsimulation model being undertaken by the Roads and Maritime Services in consultation with the NSW State Government and Council.

7.3.2 Current Journey to Work and Transit Access Arrangements

Journey to Work Arrangements

The current travel behaviour on the site and in the surrounding precinct has been determined and analysed against the broader Sydney CBD behaviours. This travel behaviour has been gained through examining Australian Bureau of Statistics (ABS) data.

The area of the precinct containing the site is illustrated in **Figure 53**.

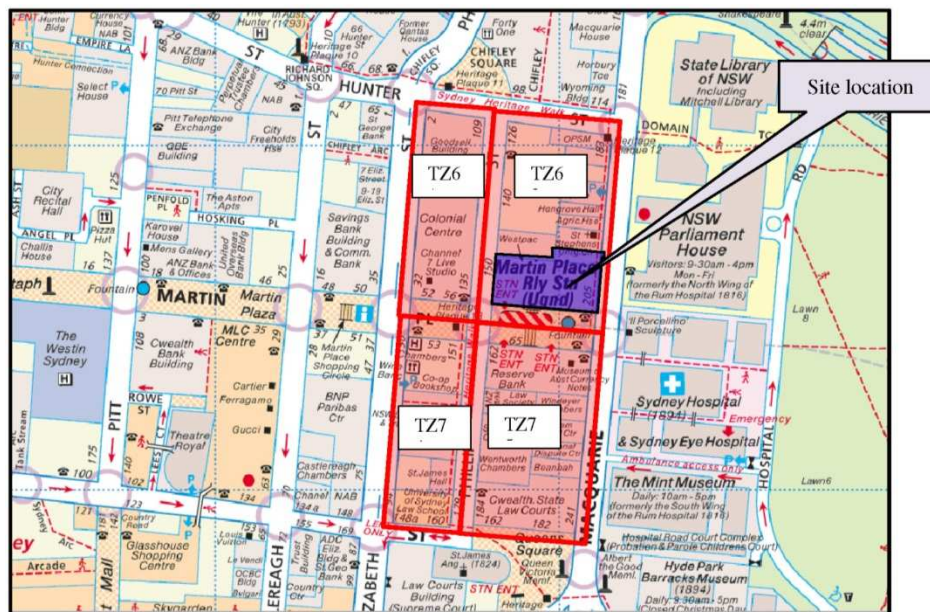


Figure 53 – Travel behaviour precinct

Source: Brown Consulting

Based on the ABS data for the precinct, it has been determined that the main mode of travel is rail (48%) followed by bus (23%). Only 17% of total commuter trips were made in a private vehicle (comprising of private car as driver and private car as passenger). This is compared to the Sydney CBD, where 19% of commuter trips are made in a private vehicle and the Greater Sydney statistical division where 72% of trips were made in a private vehicle.

This high level of public transport patronage is reflective of the variety of transport options available in the vicinity of the site. Brown Consulting has identified these various modes, with the following key locations and routes available:

Train

- Martin Place Station (access point within the curtilage of the site) – provides trains to the Eastern Suburbs and Illawarra Lines. Next stop to the south is Town Hall providing access to the majority of the City Rail network;
- St James Station (230m to the south) – provides access to City Circle and Airport and East Hills Line; and
- Wynyard Station (600m to the west) – provides access to the majority of the City Rail Network.

Bus

A significant number of bus services are located in close proximity to the site providing access to a wide variety of destinations within the greater Sydney Metropolitan area. Bus stops are located at a number of locations on George Street, Castlereagh Street, Elizabeth Street and at Wynyard. These services are operated by both Sydney buses and private bus operators.

Ferry

Located approximately 900m to the north of the site are the Circular Quay ferry wharves. Ferries operate from these wharves to a number of locations such as Parramatta, Neutral Bay, Mosman, Manly and Watson Bay.

Pedestrian Transit Access Arrangements

Noting the importance of pedestrian movements around the site, Brown Consulting has undertaken pedestrian counts at important locations including:

- Eastern side of Phillip Street immediately north of Martin Place;
- Entry/Exit stairwell to Martin Place Railway Station;
- Pedestrian pathway to Martin Place Railway Station;
- Main Entry to existing building;
- Elevated pedestrian pathway linking main entry to Macquarie Street; and
- Western side of Macquarie Street.

These key pedestrian access/egress points and routes are illustrated in **Figure 56**.

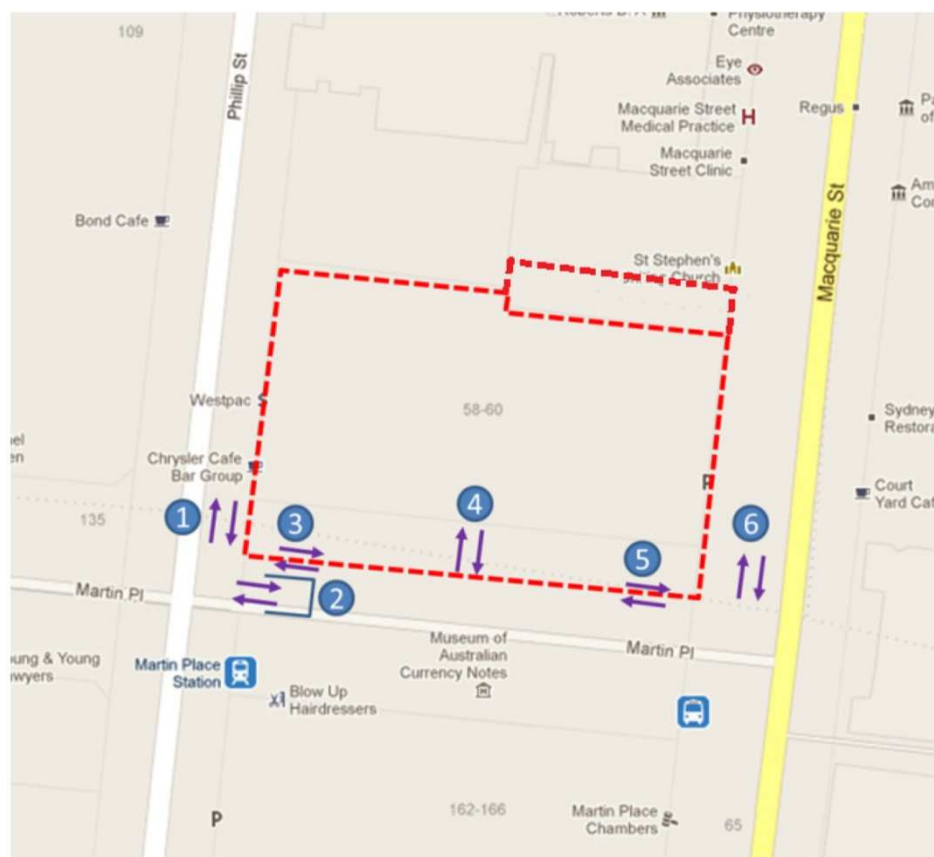


Figure 54 – Key pedestrian access / egress points and routes

Source: Brown Consulting

It has been identified from these counts that the existing 60 Martin Place building on the site generates approximately 800 pedestrian movements in/out of the building during the morning (8:00am-9:00am) and afternoon (5:00pm-6:00pm) peaks.

Based on the pedestrian counts attained by Brown Consulting and the current width of the surrounding pedestrian footpath network, a 'Level of Service' figure has been determined for each surrounding route to identify the existing capacity at peak times. The Level of Service (LoS) measurement ranges from A to F, representing 'free flowing movements' (A) to 'heavy crowding and shuffling' (F). It has been determined that both Macquarie Street and Phillip Street have a good level of service (LoS A).

7.3.3 Traffic and Parking Assessment

In light of the above conditions identified by Brown Consulting and the nature of the proposal, an assessment has been undertaken to determine if there will be any adverse impacts on the surrounding traffic network.

Brown Consulting has noted that the proposal will result in an increase in GFA from the existing GFA of 30,022m². This increase in GFA is considered negligible and unlikely to generate any significant increases in traffic generation. Furthermore, it is highlighted that the future redevelopment of the site will provide the same number of parking spaces contained in the existing basement levels. As such, no additional traffic generation will occur from the existing situation.

The current provision of car parking spaces on the site is considered appropriate by Brown Consulting, with the current provision not having any effect on the selection of other transport modes in the vicinity of the site.

The existing building contains a high number of workers using public transport, and this is not anticipated to change through the redevelopment of the site.

The provision of service vehicle, motorcycle and bicycle parking as set out in the Sydney DCP 2012 is anticipated to be achieved in the existing basement envelope. Achievement of the required number of spaces will be demonstrated in the detailed development application for the redevelopment of the site.

Brown Consulting have confirmed that the rationalisation of the vehicular access on the site to a single entry/exit point on Phillip Street is acceptable, and will result in an improved outcome for the site.

7.3.4 Pedestrian and Transit Environment

Following the identification of current capacity in the surrounding pedestrian network, Brown Consulting has undertaken an assessment of the proposal's impact on the pedestrian routes and access/egress points in the vicinity of the site.

The increase in floor space is considered to result in a marginal increase in the number of pedestrians in the vicinity of the site. The morning, midday and afternoon peak of pedestrians entering the building will increase by approximately 206 to 227 people, with these additional pedestrian trips being distributed proportionately across the various modes of public transport.

Based on the additional pedestrian movements in the vicinity of the site, Brown Consulting has identified that both Macquarie Street and Phillip Street will maintain a good level of services (LoS A).

To improve the pedestrian experience along both streets, Brown Consulting has identified an area where protective awnings could be provided. A potential awning location has been identified along Phillip Street, connecting to an existing awning to the north at 126 Phillip Street (see **Figure 55**). This awning would not only provide weather protection and shelter, but also improve the human scale of the street.

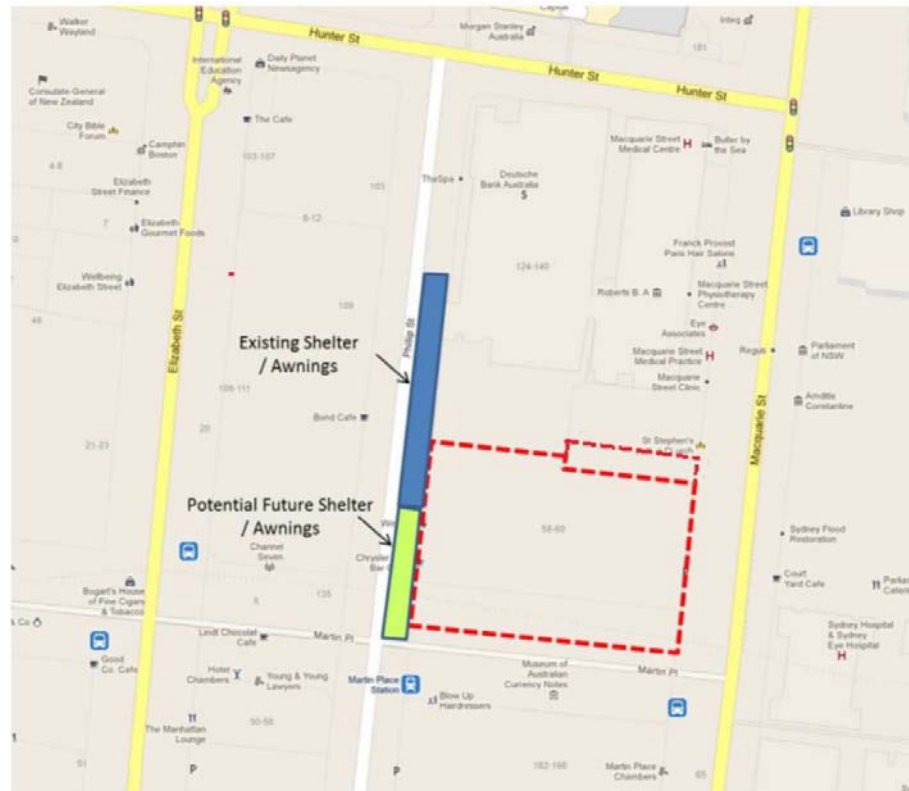


Figure 55 – Existing awning on Phillip Street (blue) and potential awning (green)
 Source: Brown Consulting

It is evident from the investigation of the existing conditions of the surrounding footpaths that there is sufficient capacity for the marginal increase in pedestrians which will result from the proposal. As discussed previously, it is also emphasised that the proposal will enhance the pedestrian experience along Martin Place, with a podium design which responds to the topography of Martin Place and provides an increased level of activity. This enhanced interface with Martin Place, as well as the provision of an awning on Phillip Street, will ensure the proposal significantly improves the pedestrian experience around the site.

7.4 Heritage Context

Graham Brookes and Associates (GBA) have prepared a Heritage Impact Report, examining the history of the site, the presence of a heritage item on the site, the context of the surrounding heritage items and overall an assessment of the proposal in light of its location in close proximity to a number of heritage items (see **Appendix D**).

It is identified by GBA that a portion of the site is listed as a state heritage item (St Stephen's Church), but the current building on the 60 Martin Place site, constructed in 1971, is not deserving of any heritage listing. GBA have undertaken a detailed analysis of the history of Martin Place and the heritage related issues and opportunities associated with the site.

7.4.1 Surrounding Heritage Items

As noted in **Section 2.4**, the Martin Place Precinct and the surrounding development on Macquarie Street is characterised by a number of heritage items. These established heritage items, ranging from Local to Commonwealth heritage listing, have been identified for use in the later assessment of the proposed maximum building envelope. GBA have identified important views to and from the site which include these heritage items.

7.4.2 GBA Heritage Related Development Guidelines

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

Whilst the proposal aligns with these objectives, it has been considered appropriate to develop more detailed 'Heritage related Development Guidelines' specific to the site. These have been crafted by GBA to establish key parameters for any future redevelopment. Key points of these guidelines are set out in Section 5.10 of the Heritage Impact Report, and cover areas including:

- Unity of Architectural Expression;
- Martin Place Streetscape;
- Macquarie Street Streetscape; and
- Phillip Street Streetscape and Podium.

These guidelines establish key heritage considerations for the two main elements of the redevelopment, comprising of the podium and tower. These considerations include:

- Podium – demolition and construction of a new podium to the existing podium height is acceptable.
- Tower – demolition of the existing tower is acceptable and construction of a new tower should consider adjoining buildings such as the RBA Building by providing appropriate setbacks above the podium.

7.4.3 Assessment of Potential Heritage Impacts

GBA have undertaken an assessment of the potential heritage impacts of the proposal in accordance with a range of guidelines, policies and statutory plans, including the SLEP 2012, Sydney DCP 2012 and the New South Wales Heritage Office 'Altering Heritage Assets and Statements of Heritage Impact' guideline.

An assessment of the proposal against the Heritage Related Development Guidelines prepared by GBA has also been undertaken to ensure the maximum building envelope proposed as part of this application does not result in any adverse impacts to adjoining heritage items. The key matters contained within these assessments are outlined below.

NSW Heritage Branch Guidelines

An assessment of the relevant questions to be answered from the NSW Heritage Manual 'Statements of Heritage Impact' regarding the proposal has been undertaken by GBA. A detailed assessment against each of these questions is provided in the Heritage Impact Report (**Appendix D**). In essence, it has been determined that the curtilage of surrounding heritage items is limited to their lot boundaries, and the redevelopment will only effect the curtilage of St Stephen's Church in part.

GBA has noted that further consideration will be required during the competitive design process to ensure that the relationship of the cantilever element to St Stephen's Church is positive.

The proposal has been well designed to respond to the heritage significance of the surrounding items, and even provides opportunities for the relationship of the new building on the site to celebrate the heritage significance of these surrounding items. The scale of the podium envelope and tower element setbacks within this proposed maximum building envelope are responsive to the surrounding heritage items.

Martin Place Special Character Area

GBA have undertaken an assessment of the proposal against the principles of the Martin Place Special Character area, as requested in Councils initial correspondence. This assessment is outlined in **Table 7** below.

Table 7 – Martin Place Special Character Area Objectives

Principle	Comment
Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.	The site is consistent with the Martin Place character statement and supporting principles as addressed below. The proposal will facilitate the redevelopment of the site to provide premium grade commercial office space, thereby reinforcing the role of Martin Place as the financial heart of the City. The maximum building envelope proposed as part of this application will allow for the future redevelopment of the site in line with the architectural features exhibited in buildings along the plaza. The proposal will enable a redevelopment of the site to maintain the strong vista, and ensure a terminus is provided at the eastern end of Martin Place.
Conserve and enhance the significance of Martin Place as one of Central Sydney's grand civic and ceremonial spaces, and as a valued business location.	The proposed building envelope will conserve and enhance the significance of Martin Place as one of Sydney's grand civic and ceremonial spaces and a valued business location. The opportunity for the increased activity from within the podium to Martin Place will complement the civic and ceremonial qualities of Martin Place. The commercial component within the tower will directly enhance the valued business location of Martin Place.
Retain and enhance the urban character, scale and strong linear enclosure of Martin Place by requiring new buildings to:	The podium is proposed to be built to the street alignment in any redevelopment.
i. be built to the street alignment;	
ii. have street frontage heights consistent with the prevailing form of buildings in the area; and	The podium height will be complementary to the podium height of the RBA Building and the Sydney Hospital Buildings. The podium will remain subservient in height to the building line created by the building heights to the west along Martin Place.
iii. to have building setbacks above those street frontage heights	The setback of the tower is proposed to complement the tower setback from the podium on the RBA building. The setback of the tower has also been dictated through the sun access controls during the critical date of 14 April.
Protect and extend sun access and reflected sunlight to Martin Place during lunchtime hours from mid-April to the end of August.	The building envelope has been designed to not increase any shadowing occurring from the building on 14 April between 12:00pm-2:00pm. The extent of shadowing of the proposed maximum building envelope is illustrated in the Shadow Analysis Study prepared by Hassell (Appendix B).
Provide sun access to significant sandstone buildings in Martin Place to improve the ground level quality of the public space.	It is noted the RBA building to the south does not contain any sandstone. The maximum building envelope does not decrease sun access to Martin Place on 14 April between 12:00pm and 2:00pm. As such the amenity of Martin Place will not be altered by the proposal.
Protect existing significant vistas to the east and west and ensure new development will not detrimentally affect the silhouette of the GPO clock tower.	The design of the proposed maximum building envelope will protect the significant vista to the east. This has been ensured by the retention of the existing podium height and general setback. The proposed footprint of the tower will be located further to the south to complement the setback of the tower on the RBA Building. It is considered the proposal will protect the eastern vista of Martin Place, in conjunction with the Sydney Hospital and the RBA building. The proposal will have no effect on the silhouette of the GPO clock tower.

Retain human scale at street level, while respecting and positively responding to the monumental nature of the place.	The retention of the podium envelope and general tower form of the proposed maximum building envelope will ensure the building will retain the human scale at street level and positively respond to the monumental nature of the place. In addition, the proposed building envelope recognises the opportunity to increase pedestrian activity at the podium level which will provide additional opportunity to retain human scale.
Conserve and enhance the heritage significance of the nineteenth and twentieth century institutional and commercial buildings and their settings	The proposed maximum building envelope will not impact upon the heritage significance of the nineteenth and twentieth century institutional and commercial buildings and their settings. Further consideration has been given to the definition of the building envelope than the existing building, especially in respect of St Stephen's Church, the Sydney Hospital and the RBA building.

Macquarie Street Special Character Area

GBA have undertaken an assessment of the proposal against the principles of the Macquarie Street Special Character area in light of the proposed cantilever element over St Stephen's Church. This assessment is outlined in **Table 8** below.

Table 8 – Macquarie Street Special Character Area Objectives

Principle	Comment
Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.	The proposal is generally consistent with the character statement and supporting principles as outlined below.
Recognise Macquarie Street as one of Sydney's pre-eminent public spaces flanked by heritage items which house activities of State and national significance.	The proposal recognises Macquarie Street as one of Sydney's pre-eminent public spaces, improving the standard of architecture and building stock within the locality. The proposal will not have an unacceptable impact on heritage items.
Maintain and reinforce the urban character and scale of Macquarie Street and sense of built edge definition to the western side of the Royal Botanic Gardens by requiring new buildings to: i. be built to the street alignment; and	The podium is proposed to be built to the street alignment in any redevelopment.
ii. have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale, form and character of buildings nearby.	The proposed building envelope adopts a street frontage height and setbacks consistent with the predominant built form along Macquarie Street.
Emphasise Macquarie Street as the eastern built edge of the City and maintain the stepped building form from it westwards towards the north-south ridge of the City centre.	The proposed building envelope reinforces Macquarie Street as the eastern built edge of the City and offers an opportunity to maintain the stepped building form prevalent along the street.
Conserve and enhance the heritage significance of the area including the nineteenth and twentieth century public, institutional, religious and commercial buildings and their settings.	The proposal seeks to improve the relationship of the site with surrounding heritage items. The proposal provides opportunities to increase views to surrounding heritage items.
Ensure new development is designed and sited to protect the heritage significance of heritage items within the area, with special consideration given to the heritage curtilage of heritage items established by an approved Conservation Management Plan.	The proposal seeks to improve the relationship of the site with surrounding heritage items. Given the proposed cantilever element is over St Stephen's Church, the 2004 Conservation Plan for the Church may be required to be updated as part of the future Stage 2 DA.

GBA Heritage Related Development Guidelines

An assessment against the Heritage Related Development Guidelines prepared by GBA has determined that the proposed maximum building envelope is acceptable in light of the surrounding heritage context. It has been noted by GBA that the maximum building envelope will offer the opportunity for architectural unity in the redevelopment of the site. The tower setbacks of the building are sufficient to enable views to the RBA and other surrounding heritage items.

The proposed maximum building envelope has considered the Martin Place, Macquarie Street and Phillip Street Streetscape/Podium components of the guidelines. GBA has determined that the proposal is consistent with the principles of these components.

Protection of Views

Graham Brooks and Associates have identified a number of important views which should be considered during the competitive design process. These views relate to the adjoining heritage item St Stephen's Uniting Church. View lines to and from the site include, but are not limited to, Martin Place, Macquarie Street, Phillip Street, the Sydney Hospital, Parliament House and The Domain. The significance of these views needs to be considered and maintained as part of the competitive design process.

The views can be characterised in the following way:

- Longer distance views tend to concentrate on the tower within the skyline of the city;
- Martin Place views focus on the lower sections of the building; and
- Macquarie Street views take in the relationship of the building and the future project in context of the adjoining historic St Stephen's Uniting Church.

Opportunities to retain existing views to the spire at St Stephen's Uniting Church from within nearby sections of Macquarie Street should be explored and considered as part of the competitive design process. Views from the veranda of Parliament House, opposite the site also need to be considered, particularly with regard to the effect of the cantilever element on the symmetry of St Stephen's Uniting Church and its spire.

The proposed building envelope will frame the view of the skyline at the eastern end of Martin Place in conjunction with the Sydney Hospital and the RBA building. This view will need to be retained in any redevelopment scheme.

7.4.4 Heritage Conclusions

GBA have concluded that the proposal will result in a building that provides a strong corner presence and improves the surrounding connection to the public domain of Martin Place and Macquarie Street. The proposal will not significantly disrupt views to any heritage items, with improvements noted to the availability of views to St Stephen's Church from within the redevelopment. The existing building does not warrant individual listing, and although demolition is not proposed as part of this application, the demolition of the existing building would be acceptable from a heritage perspective.

It has been determined by GBA that the proposed maximum building envelope is acceptable from a heritage perspective as:

- The building envelope is consistent with the built development in the area, particularly Martin Place and the street wall of Macquarie Street.

- The proposed height of the podium will be the same as existing to Martin Place ensuring continuity between the Sydney Hospital and the podium of the RBA building.
- The proposed setback of the tower from Martin Place will be the same as the RBA tower from its podium providing symmetry at the eastern end of Martin Place.
- The proposed height and setbacks associated with the podium and tower will ensure the building frames the skyline above at the eastern end of Martin Place, in conjunction with the Sydney Hospital and the RBA building.
- The opportunity to provide views to the side of St Stephen's Church from within the foyer of the new development at 60 Martin Place will improve existing views to the church. This will be a significant public benefit with the increased views to the adjoining heritage item.
- The retention of the existing podium height to Martin Place will ensure the podium remains recessive to the building line created by the podium heights to the west along Martin Place.
- The opportunity to design the podium will result in public benefit through increasing pedestrian activity from Martin Place and Macquarie Street.

GBA has noted that whilst the maximum building envelope is acceptable from a heritage perspective, a considered design approach is required to ensure a positive and sympathetic relationship with St Stephen's Church. In particular, GBA have noted the following requirements:

- Opportunities to reinforce the height of St Stephen's Church should be explored in the podium design to achieve consistency in the street wall height.
- The setback of the proposed cantilever from Macquarie Street and above St Stephen's Church will need to be treated sensitively to ensure there are no adverse impacts to the heritage significance of the Church.

These requirements will be further explored in the competitive design process for the redevelopment. In addition to the above benefits of the proposal and requirements, GBA note that the proposed maximum building envelope will not have any adverse impact on the heritage significance of key surrounding heritage items and is therefore supportable from a heritage perspective.

7.5 Views and Visual Impact

Hassell has prepared a Views and Visual Impact Assessment to examine the appropriateness of the proposed maximum built form envelope sought as part of this proposal (see **Appendix H**). Nine key public view locations have been selected by Hassell in consultation with Council staff. These locations have been selected due to their role as key public spaces within Sydney. **Figure 56** illustrates the key view locations.

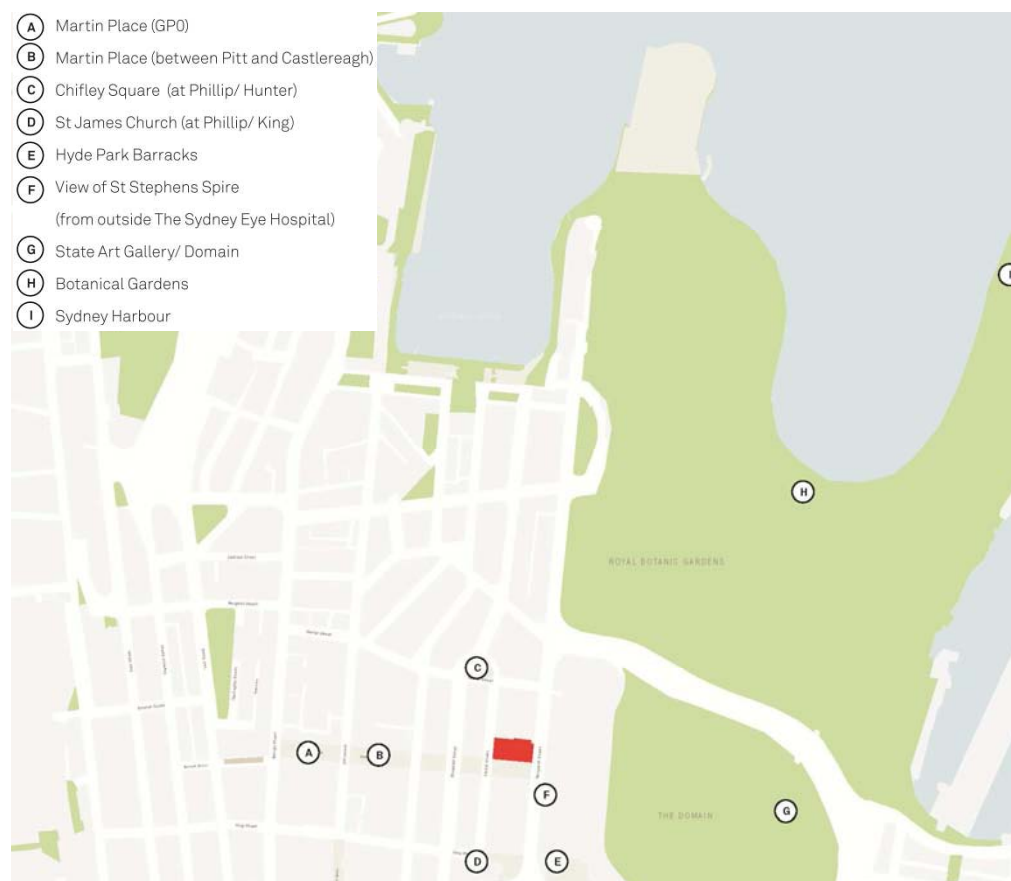


Figure 56 – Key public view locations

Source: Hassell

7.5.1 Existing Context

In an analysis of each of the above views, Hassell have presented the existing view against the situation of the proposed maximum envelope. The existing views are characterised by the current building on the site, accompanied by the surrounding development. There is no instance in any of the above views where the building is viewed in isolation, with each view largely occupied by the surrounding buildings.

7.5.2 View Assessment

Section 3.2.1.2 of the Sydney DCP 2012 establishes guidelines for private developments and their relationship to public views:

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

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

The proposal is consistent with these two guidelines in that it will not unacceptably impede views from the public domain to highly utilised public places, parks, heritage buildings and monuments. Importantly, the proposal does not in any way adversely impact views to Sydney Harbour, The Domain or significant heritage buildings in Martin Place.

The View and Visual Impact Analysis (**Appendix H**) illustrates that the proposed maximum building envelope will only marginally protrude beyond the existing tower building, and it is noted that refinement and articulation of a maximum building envelope generally occurs when a competitive design process and detailed DA is undertaken.

In a number of views, the additional area of the maximum proposed building envelope will appear nestled within the surrounding built form (See **Figure 57**). These views illustrate that the proposal will not have any impact as the potential additional building mass is contained wholly within the existing built environment.



Figure 57 – Views of building envelope in existing built form
Source: Hassell

Other views assessed by Hassell illustrate that the proposal will occupy a minor portion of the skyline beyond the current building on the site (see **Figure 58**). The increase in area potentially occupied by the future building is considered minor and negligible as it does not encroach or interrupt any significant views.



Figure 58 – Views of building envelope in skyline
Source: Hassell

Furthermore, the proposal will improve low level views of the sky from a number of locations opposed to a SLEP 2012 compliant scheme which would include a significantly higher podium element (up to 55 metres).

Clause 26 of the SREP 2005 requires that all new development within the Sydney Harbour catchment maintains, protects and enhances views to and from Sydney Harbour. The proposal is consistent with this clause in that it will not adversely affect any views to and from Sydney Harbour. The proposal will result in a significant improvement of views to Sydney Harbour from the site, with the new building able to capitalise on this outlook.

The proposal does not obstruct any existing views or vistas to and from public places, landmarks and heritage items. This is reaffirmed in the Heritage Impact Report prepared by GBA (**Appendix D**), with an analysis of important views to and from heritage items identifying that the proposal will in fact enhance views to surrounding heritage items (subject to a competitive design process and detailed DA).

Figure 59 illustrates the proposed maximum building envelope when viewed from Sydney Harbour. It is evident that the proposal will not result in an adverse impact on the view of Sydney's skyline from Sydney Harbour. The proposal is seen to fit within the existing built form, not obstructing any clear view of existing buildings.

The proposal will result in a minor loss in views of the RBA Building façade (on the east), yet the majority of the RBA Building will remain visible, therefore ensuring that the minor additional area of the proposed building envelope is acceptable.

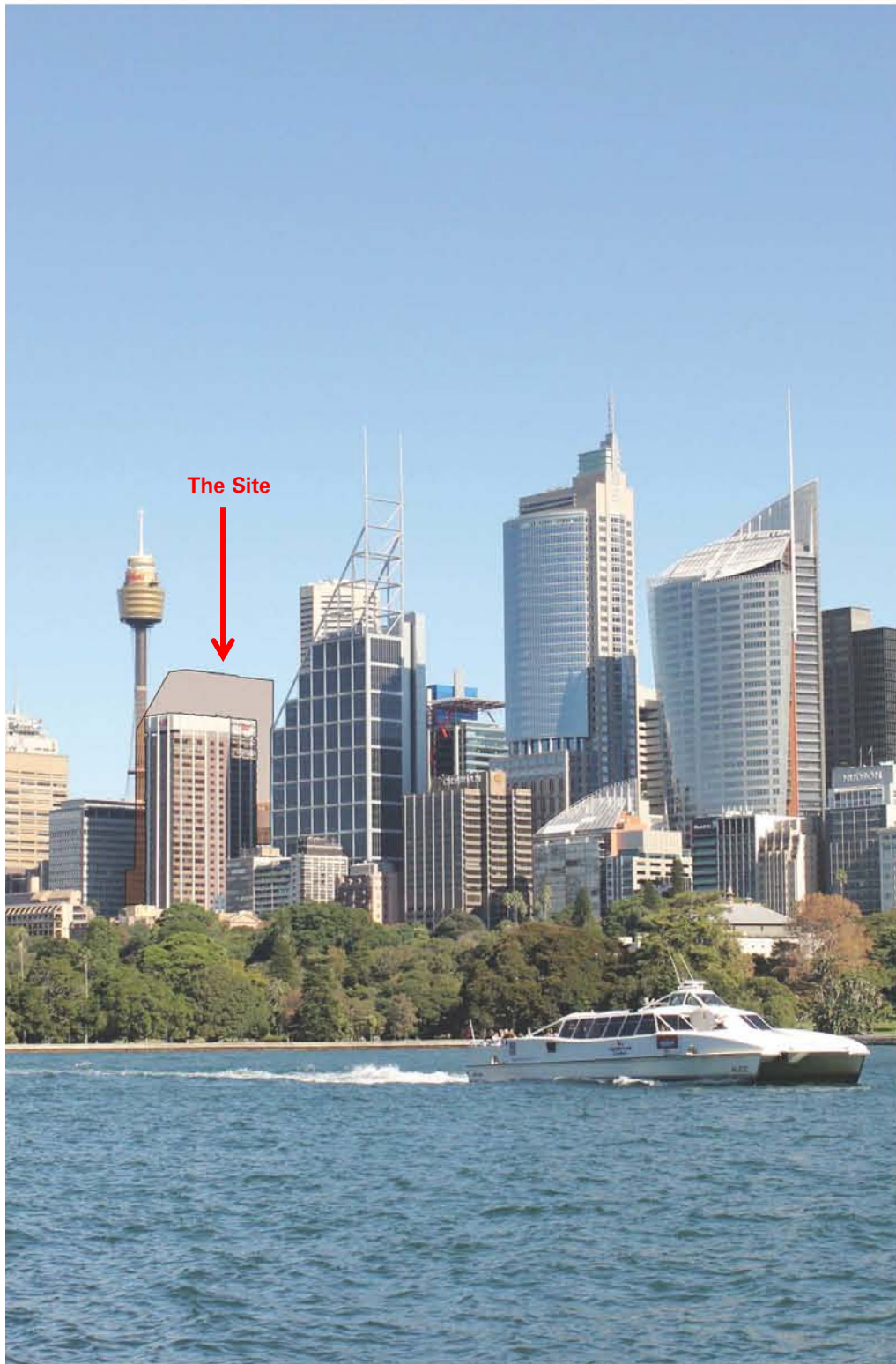


Figure 59 – View of building envelope from Sydney Harbour
Source: Hassell

Following the above assessment, it is considered that the proposal will not adversely impact on the amenity of any existing views to and from important locations within Sydney. Due to the nature of this proposal as a maximum envelope, it is emphasised that the proposal will be refined during a competitive design process, therefore further decreasing the additional area over that of the existing building envelope.

7.6 Structural Adequacy

Two structural reports were originally prepared by Enstruct on the original proposal and are provided at **Appendix C**. An update letter has been prepared by Enstruct confirming that the findings of these original reports are still relevant for the amended proposal (refer to **Appendix C**).

The original reports assess the structural requirements and adequacy of the future redevelopment of the site. The preparation of the initial structural design report was carried out following a request by RailCorp at an initial meeting on 2 May 2013. This report and a second report addressing the potential impact on the adjoining rail infrastructure were provided to RailCorp at a second meeting on 18 July 2013 and Transport for NSW will be providing a response to the proposal. When a response is received from Transport for NSW it will be provided to Council. No response has been received to date.

Enstruct have identified that the proposal will be developed in accordance with the relevant Australian Standards and designed to provide adequate performance for a minimum period of 50 years. It is noted that further assessment of the structural adequacy of a new building on the site would be provided with the detailed DA.

An important consideration in assessing the structural appropriateness of the redevelopment on the site is the foundations of a new building and their relationship to Martin Place railway station and other adjoining rail infrastructure. Enstruct has noted that the key to protecting the existing rail infrastructure is maintaining the current level of excavation. Furthermore, it is recommended that the existing basement retention walls are retained to minimise any potential impacts.

An indicative construction methodology has been provided by Enstruct with an ultimate aim of minimising any impact on the adjoining rail infrastructure. This methodology and the design of the proposed structure will continue to be refined throughout the competitive design process and detailed DA.

7.7 Wind Environment

The potential environmental wind impacts of the proposed maximum envelope have been considered by ARUP and are detailed in the Environmental Wind Analysis Report (refer to **Appendix I**). ARUP have used CFD modelling to determine the wind environment in both the existing situation and with the maximum building envelope. A comparison of these results has been undertaken, and mitigation measures suggested by ARUP to ensure that the wind environment, at a minimum, remains consistent with the existing situation for any redevelopment.

7.7.1 Potential Impacts

ARUP has identified that the maximum building envelope will result in altered wind environment conditions. These changes have been attributed to the larger eastern and western façades and the reduced setback of the tower from Martin Place.

Increased wind speeds are expected at the south-eastern and south-western corners of the tower and further north along Macquarie Street. Other locations are expected to remain generally consistent to the existing situation.

7.7.2 Recommended Mitigation Measures

ARUP have determined that the maximum envelope is acceptable as long as wind mitigation measures are implemented into the future redevelopment. It is acknowledged by ARUP that the maximum building envelope does not provide any articulation and represents a larger envelope than that which will be provided in any redevelopment.

Recommended measures to be considered in the redevelopment include:

- Introducing articulation and corner cut-outs for the tower and podium massing in strategic locations, such as the south-east and south-west corners.
- Recessing the building at the base of the tower where it intersects with the podium.
- Introducing canopies at street level and substantial parapet screens around the podium to prevent wind downdrafts from reaching ground level.
- Introducing planting and/or screens at pedestrian level to reduce local wind speeds.

ARUP has also recommended that the future redevelopment undergo wind tunnel testing to ensure that the wind environment meets established wind speed criteria. This wind tunnel testing will be undertaken during the preparation of the Stage 2 DA.

7.8 Land Suitability

In regards to the characteristics of the site and its location in the Sydney CBD, the site is considered highly suitable for the proposal. No amendment to the permissible land uses allowed under the SLEP 2012 are sought as part of this proposal, and the proposed maximum height amendment is reflective of the important location of the site, facilitating a feasible redevelopment. The land is suitable for the proposal as:

- It is located in a prominent location in Central Sydney within the commercial precinct of Martin Place;
- It currently contains a commercial office development which is in need of revitalisation to ensure the ongoing commercial viability of the site into the future decades;
- It will enable the provision of premium grade commercial floor space in a location with no significant impacts;
- It benefits from significant views to Sydney Harbour and The Domain and Royal Botanic Gardens; and
- It is afforded a high level of access to existing infrastructure such as regional roads, rail and bus networks and ferry services.

7.9 The Public Interest

The proposed amendments to the SLEP 2012 and Sydney DCP 2012 will facilitate the redevelopment of the site, allowing a competitive design process and detailed development application to proceed as permissible development with development controls that reflect the surrounding context of the site.

This will result in the development of a commercial office building commensurate with the importance of Martin Place, revitalising the Precinct in light of competition from the expanding Sydney CBD, in particular the western fringe.

It is in the public interest to reinforce the importance of this location with new iconic development, increasing the attractiveness of Sydney as a place to do business.

It is also in the public interest to improve the quality of development on a site that is so well served by public transport, thereby assisting to attract quality tenants. The future redevelopment will provide new premium commercial office space in a location which does not require upgrades to the surrounding infrastructure.

The current controls on the site limit its redevelopment, constraining the building to a refurbishment option which is less likely to meet the demands of commercial tenants who are highly sought after in global cities. The redevelopment will improve the attractiveness of Sydney for global business, injecting both human and monetary capital and investment into the NSW economy, thereby benefiting the wider population.

8.0 Conclusion

The purpose of this Planning Justification Report is to support a Planning Proposal to amend the maximum building height on the site permitted under the *Sydney Local Environmental Plan 2012*. This report has documented and integrated the environmental, social and economic analysis undertaken to select the most optimal built form for the site.

The objectives determined for any redevelopment of the site, and the corresponding planning controls, has informed a proposed amendment to the *Sydney Development Control Plan 2012*. This amendment seeks to establish site specific controls in Section 6 'Specific Sites' of the Sydney DCP 2012, consistent with the format of other DCP amendments undertaken in Central Sydney, and given that the envelope proposed and environmental assessment herein is commensurate with the level of detail required for a Stage 1 DA.

A redevelopment of the site could provide significant public benefits as outlined within this report. These benefits include:

- Delivery of a new landmark building providing premium grade commercial floor space which will support Sydney's position as a globally competitive city which attracts national and international business and capital;
- Delivery of an iconic building that does not result in additional overshadowing on Martin Place or the façades of buildings on the southern alignment of Martin Place at the critical assessment period on 14 April and limits shadowing to the forecourt of the Hyde Park Barracks ensuring a high level of amenity is maintained;
- Delivery of a building which provides enhanced amenity to occupants, maximises views and provides a new striking addition to Sydney's CBD skyline;
- Providing a catalyst redevelopment which will play an integral role in contributing to the revitalisation and reinvigoration of the historical Martin Place Precinct as the civic, commemorative and commercial heart of Sydney;
- Assisting in meeting the vision of the Martin Place Owners Group and Council in affirming Martin Place as a destination for visitors through activating the public domain;
- Creating a new arrival point and destination at the eastern end of Martin Place, reinforcing the entry into the Martin Place Precinct;
- A new development that enhances and responds sensitively to the rich heritage setting, creating spaces that reflect the civic scale and significance of the immediate precinct;
- Opportunity to significantly improve cyclist facilities within the new building to support riding/working to work as well as recreational activities throughout the day; and
- Directly improving the heritage qualities and appearance of St Stephen's Church through future refurbishment works.

In light of the significant benefits available through the proposal and due to a lack of any adverse environmental, social or economic impacts, the proposed amendments to the SLEP2012 and Sydney DCP 2012 are considered acceptable and it is requested that Council determine to forward a Planning Proposal to the LEP Gateway for consideration.