

ATTACHMENT B

**PLANNING PROPOSAL –
SYDNEY LOCAL ENVIRONMENTAL PLAN –
60 MARTIN PLACE**

Planning Proposal

Sydney Local
Environmental Plan
2012
- 60 Martin Place and
part 197 Macquarie
Street

City of Sydney, September 2014



INTRODUCTION

In July 2014 JBA Urban Planning Consultants Pty Ltd submitting a planning justification report to the City of Sydney in support of a request to amend *Sydney Local Environmental Plan 2012* (SLEP 2012) to enable redevelopment of the building at 60 Martin Place, Sydney. The report was submitted on behalf of Investa Nominees Pty Ltd ATF (the landowner) 60 Martin Place Trust, the owner of the building at 60 Martin Place. The request also applies to part of adjacent 197 Macquarie Street.

60 Martin Place is currently occupied by a 34 story commercial tower and podium structure, designed by Peddle, Thorpe and Walker and completed in 1971. Aspects of the building, including the façade and building services are nearing the end of their economic life. In addition, the building podium offers a poor relationship with Martin Place and the building makes minimal contribution to the activation of this important public space.

In recent years the role of Martin Place as the pre-eminent location for financial services has been eroded with the relocation of tenants to buildings offering contemporary design standards, larger floors and higher environmental performance. Rejuvenation of the building stock within Martin Place is seen as critical to attracting tenants to the precinct.

The 60 Martin Place site is subject to controls in SLEP 2012, including the Martin Place sun access plane and a maximum building height of 55 metres over the majority of the site, which significantly restricts the capacity to redevelop the site and so inhibits renewal of the building stock. The owners are seeking changes to the planning controls that would facilitate a substantial redevelopment of the site to provide a building which appeals to prospective tenants, provides a more active frontage to Martin Place, and contributes to the rejuvenation of the precinct.

The landowner has requested a matching change to the planning controls of the adjacent 197 Macquarie Street, to allow for the maximum amount of high-quality non-residential floor space while minimising amenity impacts and promoting greater flexibility in building design. The purpose of this change would be to allow for an extension along part of the northern façade to 60 Martin Place, that would cantilever into part of airspace of the 197 Macquarie St site.

197 Macquarie St is the site of St Stephens Uniting Church. An example of ecclesiastical architecture in the inter-war Gothic style, St Stephen's is included on the NSW State Heritage Register. The landowner for 60 Martin Place has been working closely with the Uniting Church, and has their support for the request. Any cantilever from 60 Martin Place that extends into the St Stephens site will need to be sensitively handled given the heritage significance of St Stephen's and the character of Macquarie Street.

Together, 60 Martin Place and the affected portion of 197 Macquarie Street (St Stephens) are considered 'the site' for the purposes of this Planning Proposal, as illustrated in **Figure 1**.

The following are the key changes to SLEP 2012 put forward in this Planning Proposal:

- a) change to the height limit for 60 Martin Place; and
- b) an exception to the sun access plane provisions for 60 Martin Place,

for development that is for non-residential uses only and that causes no additional overshadowing to Martin Place and the building facades on its southern alignment (measured between 12 noon and 2pm 14 April); and

- c) change to the height limit for a defined part of the St Stephens Church site; and
- d) an exception to the sun access plane for the same defined part of the St Stephens Church site,

but only as part of redevelopment of 60 Martin Place for non-residential uses in line with a) and b) above.

Planning controls for the part of the St Stephens site not d by the planning proposal will not be affected.

This Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

Site identification

The site is located at 58-60 Martin Place, and 197 Macquarie Street. It is legally described as Lot 1 in DP 221322, and Part Lot 1 DP 185400. The affected part of Lot 1 DP 185400 is described as being that part which is no more than 8 metres from the boundary of the adjacent Lot 1 DP 221322.

The site location is shown in plan in Figure 1.

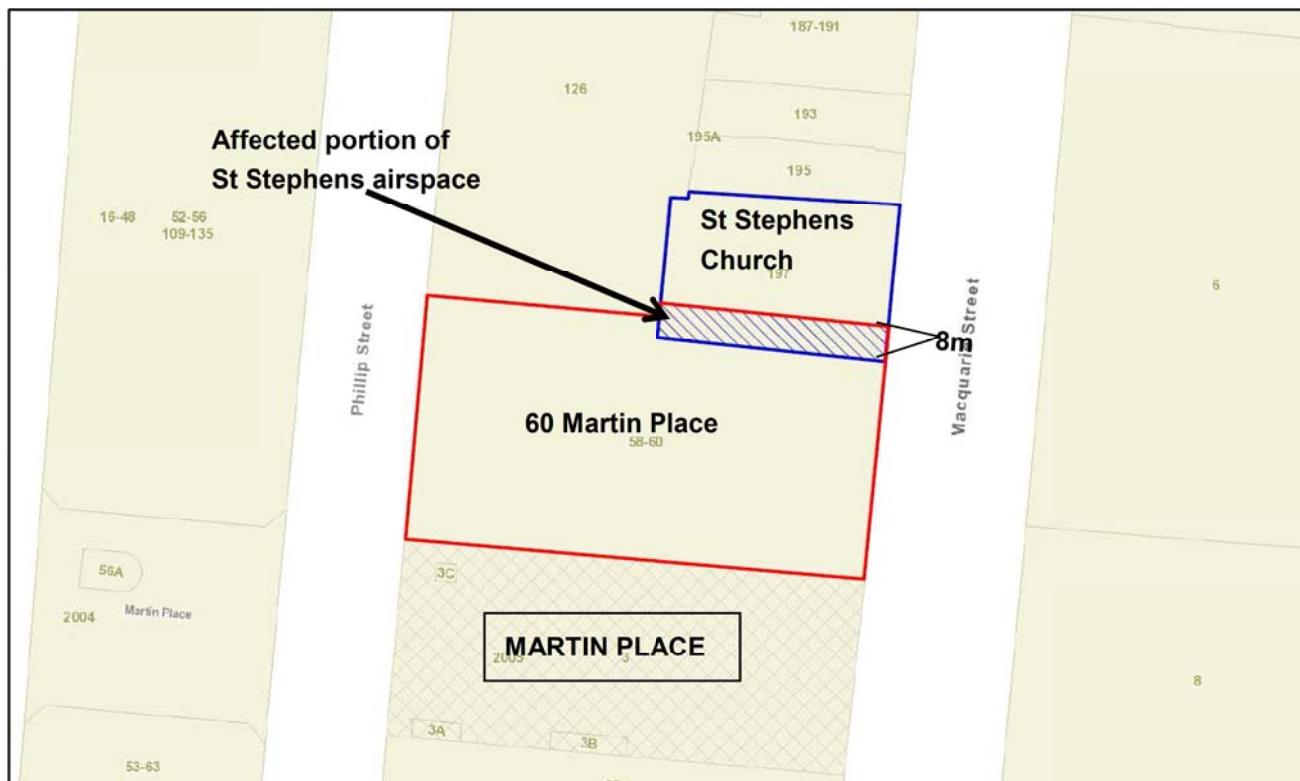


Figure 1 – The area subject to the planning proposal ('the site') is shown outlined in red. The 197 Macquarie Street site is outlined in blue. The blue shaded area shows part of the St Stephens site where the airspace is proposed to be incorporated in the redevelopment of 60 Martin Place.

Existing planning controls

Table 1 and Figures 2 - 10 below summarise the key planning controls in SLEP 2012 that affect development of the site.

Control	Relevant Provision	Comment
Zoning	B8 Metropolitan Centre Refer to Map Extract A	Permits a broad range of uses including commercial, residential, educational, retail, hotels, bars and restaurants.
Building Height	Refer to Map Extract B	The majority of the site is subject a a maximum building height of 55 metres, as shown in Map extract B. The remainder of the site is identified as Area 3, which under clause 4.3 of Sydney LEP 2012 has no identified maximum height of buildings, but which is affected by the sun access plane.
Floor Space Ratio (FSR)	12.5:1 (8:1 FSR + 4.5:1 FSR for accommodation floor space)	The site has a base FSR of 8.5:1 (Map extract C). SLEP2012 Clause 6.4 Accommodation floor space allows an

	Refer to Map Extract C	<p>additional amount of FSR equivalent to an FSR of 4.5:1.</p> <p>Pursuant to Clause 6.21(7), council may grant an additional 10% of floor area if a competitive design process has been undertaken and design excellence is demonstrated.</p> <p>In total, an FSR of 13.75 could be achieved.</p>
Sun Access Protection	Refer to Map Extract D	The site is affected by the Martin Place 5B sun access plane.
Heritage	Refer to Map Extract E	<p>The 60 Martin Place site does not contain a heritage item.</p> <p>The St Stephens Church site is identified as being of state significance in Schedule 5.</p> <p>There are a number of heritage items in the immediate vicinity, including Martin Place; Martin Place Railway Station, and the Reserve Bank of Australia building.</p> <p>Across Macquarie Street from the site heritage items include Parliament House and the Sydney Hospital group.</p>
Special Character Area	Refer to Map Extract F	The site is part of the Martin Place Special Character area, and is adjacent to the Macquarie Street Special Character area.

Table 1 – key SLEP 2012 planning controls for the site.

SYDNEY LEP 2012 MAP EXTRACTS



Figure 2 – Map extract A – Land use zoning



Figure 3 – Map extract B – maximum height of buildings



Figure 4 – Map extract C - Floor space ratio

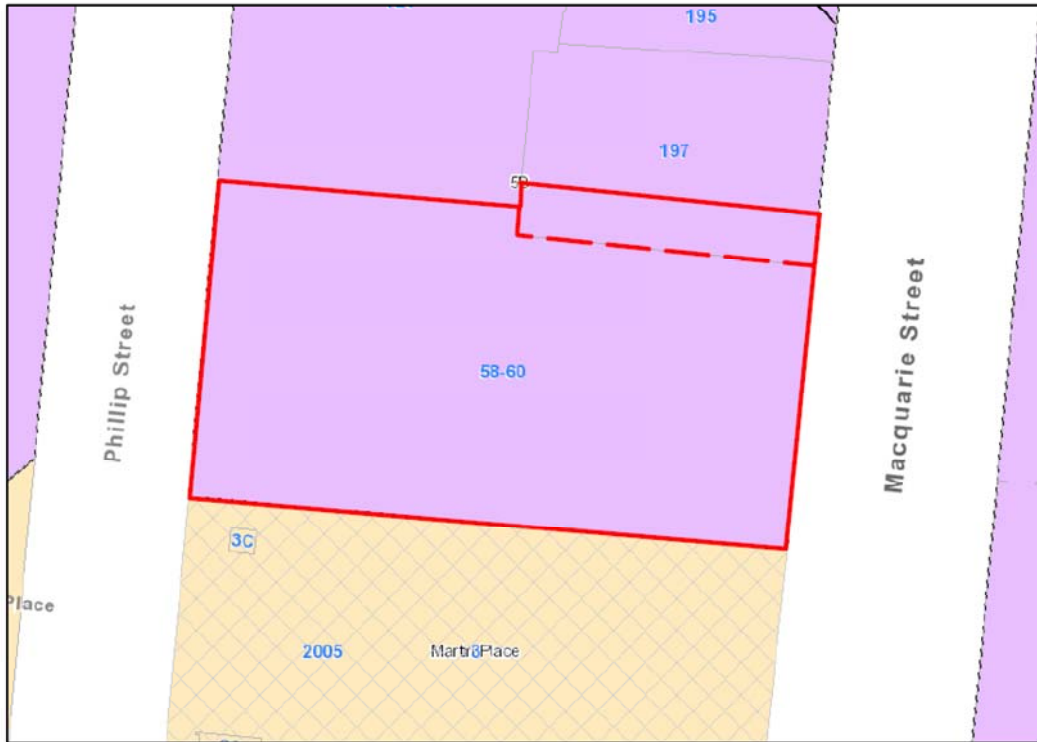


Figure 5 – Map extract D – sun access protection

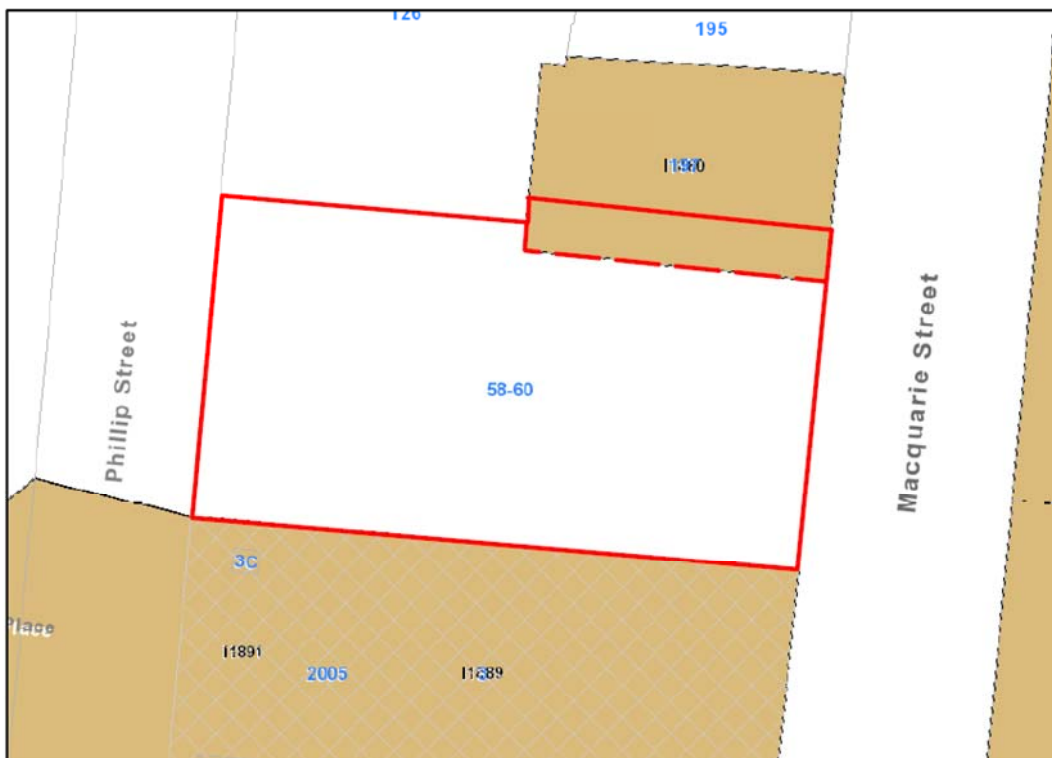


Figure 6 – Map extract E - heritage

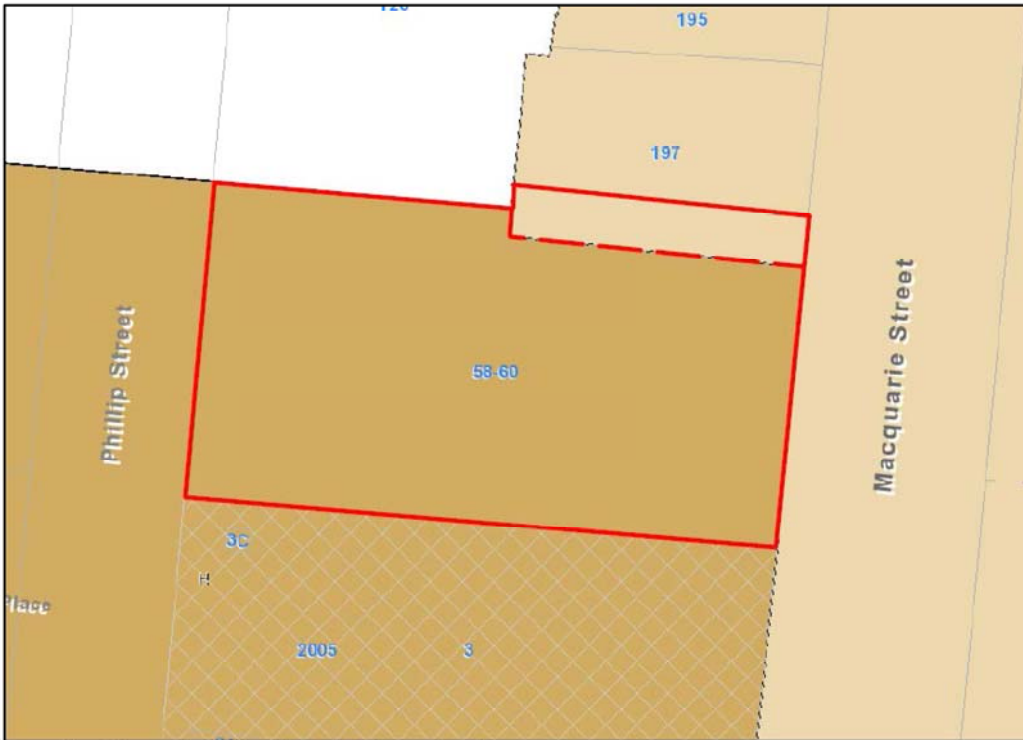


Figure 7 – Map extract F – Special Character Areas

PART 1 – OBJECTIVES & INTENDED OUTCOMES

Objectives

The objective of the Planning Proposal is to amend the maximum height of buildings control and the sun access plane control as they apply to the site, to allow for redevelopment of 60 Martin Place providing certain development conditions are satisfied. Through facilitating the redevelopment of a key site, it will promote the revitalisation of Martin Place as a significant commercial address, and contribute to the reinforcement of Sydney's profile as a global city.

The identified development conditions are intended to maintain amenity to Martin Place and other areas of the public domain, through minimising additional overshadowing as a result of the redevelopment.

Intended Outcomes

The intended outcomes of the Planning Proposal are to:

- Facilitate the replacement of an ageing building with a premium office tower at a key City location;
- Unlock unused floorspace by allowing redevelopment to the maximum available floor space ratio for the site;
- Ensure a built form that responds appropriately to the significant heritage and civic buildings and context, while contributing to the revitalisation of Martin Place as a significant commercial office location;
- Maintain the heritage values of St Stephens Church;
- Provide opportunities for publicly accessible areas and active street frontages that contribute to the vitality of Martin Place.

PART 2 – EXPLANATION OF PROVISIONS

The proposed amendments to *Sydney Local Environmental Plan 2012* (SLEP2012) have been informed by an indicative scheme for the site prepared by Hassell Architects. It is the City of Sydney's view that it is an appropriate response to the surrounding context, and is in itself formed by a number of studies, all of which are included as attachments to this planning proposal.

The proposed amendment to SLEP 2012 will provide an 'alternative' planning control regime for the site for development that:

- Provides additional non-residential floor space in a key Central Sydney location; and
- Causes no additional overshadowing to Martin Place and the building facades on its southern alignment (measured between 12 noon and 2pm 14 April).

This approach will be 'opt-in or opt-out'. That is, a proposal to redevelop the site for non-residential uses may avail itself of the amended height of building control and exemption to the sun access plane; otherwise existing provisions in SLEP 2012 continue to apply.

The following amendments to SLEP 2012 are sought to facilitate the objectives and intended outcomes outlined in Part 1 of this Planning Proposal:

- an alternative maximum height of buildings clause; and
- a new clause to permit an exception to the sun access plane,

for development for non-residential uses.

The amendments are discussed in more detail below.

Alternative building height clause

Sydney LEP 2012 applies a height limit of 55m to the majority of the site, where it fronts Martin Place and Macquarie Street. This is shown in Map Extract B in Figure 3.

The building currently on the site was constructed prior to the 55m height limit being put in place, and does not comply with the height limit.

It is proposed to change the height limit for the site to allow for redevelopment. This would be implemented by a new clause providing for an alternative building height, provided that the building was for non-residential uses. The alternative building height will be for RL 167.10m.

It is proposed that the change would be effected by:

- an alternative heights clause within *Sydney Local Environmental Plan 2012*, detailing the circumstances under which the alternative height would be available;
- an amendment to the Height of Buildings map, indicated the affected site as a specified Area, and referencing the alternative building height clause.

It is the intention of this planning proposal that any proposal for residential development will not be able to take advantage of the alternative building height.

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

Exception to the Martin Place 5B sun access plane

The second amendment required to *SLEP 2012* to achieve the desired built form and urban design outcomes

is to exempt the site from the Martin Place 5B sun access plane control. This is shown in Map Extract D in Figure 5.

The effect of the control is to prohibit development that causes any part of the building to project above the sun access plane. As with the height limit control, the current building was constructed prior to the sun access plane control being put in place. The impact of the sun access plane control is to rule out a like-for-like replacement of the existing building, and requiring any new development be built below the sun access plane.

The exemption proposed in this Planning Proposal would allow for the existing outdated commercial building to be replaced with a premium building of no greater height, as long as that building was for use as commercial offices. Supporting uses such as food and drink premises and retail premises would also be allowed.

It is proposed that the change would be effected by:

- a new sub-clause within *Sydney Local Environmental Plan 2012* cl 6.18 Exceptions to sun access planes detailing the circumstances under which an exception to the sun access plane would be available;
- an amendment to the Sun Access Plane map to indicate the site and referencing the sun access plane exception clause.

It is the intention of the Planning Proposal that any proposal for residential development will not be able to take advantage of the exemption to the sun access plane.

This clause will apply to 60 Martin Place, and also to the identified portion of the St Stephens site.

Development Control Plan Provisions

Site specific draft development control plan (draft DCP) provisions have been prepared to provide further guidance to the proposed amendments to *SLEP 2012*. The draft DCP will be publicly exhibited with the Planning Proposal, and is included as **Attachment B**. The draft DCP includes supporting site specific principles and planning provisions that will enable the achievement of the desired urban design outcomes.

The draft DCP covers the following key design considerations:

- Design principles;
- Vehicle circulation;
- Active frontages;
- Built form envelopes; and
- Heritage.

PART 3 – JUSTIFICATION

SECTION A – NEED FOR THE PLANNING PROPOSAL

Q1. Is the planning proposal a result of any strategic study or report?

The planning proposal is a result of a detailed study undertaken by JBA Planning and Hassell Architects on behalf of the landowner. The *Planning Justification Report* prepared by JBA Planning is included as **Attachment A** to this Planning Proposal.

The JBA Justification Report provides a sound basis upon which to progress the Planning Proposal. The report establishes how redevelopment would promote revitalisation of Martin Place with minimal adverse environmental impacts, and demonstrable public benefits such as activation of Martin Place, and sensitive development adjoining heritage items.

A number of technical studies have also been undertaken to support the Justification Report and are included in this Planning Proposal. The key findings of these studies are described and discussed in detail in **SECTION C** of this Planning Proposal.

The individual studies appear as the following appendices within the Justification Report at Attachment A:

- Attachment A: Planning Justification Report (JBA), including:
 - Appendix A: Urban Design Analysis (Hassell)
 - Appendix B: Shadow Impact Analysis Report (Hassell)
 - Appendix C: Structural Reports (Enstruct)
 - Appendix D: Heritage Impact report (GBA)
 - Appendix G: Transport, Traffic, Pedestrian and Parking Study (Brown)
 - Appendix H: View Impact Analysis (Hassell)
 - Appendix I: Environmental Wind Analysis Report (Arup)

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Without an amendment to the planning controls in SLEP 2012, the proposed redevelopment cannot be realised despite it having significant merit. SLEP 2012 effectively prohibits redevelopment as an office tower because of the restrictions imposed through the maximum Height of Buildings clause and the Martin Place 5B sun access plane. Unless these controls are amended, renewal of the site and the revitalisation of Martin Place will continue to be constrained.

The amendments sought by this planning proposal are limited to enabling development of a tower for non-residential uses, and that will have minimal additional overshadowing impact. The Planning Proposal does not seek an increase in the floor space ratio (FSR) control in SLEP 2012 for 60 Martin Place. Any additional floor space realised through redevelopment would be within the current permissible maximum FSR.

SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Planning Proposal is consistent with the aims, objectives and provisions of the *Metropolitan Plan for Sydney 2036* which was released in December 2010 and supersedes the *Sydney Metropolitan Strategy 2005*. It is also consistent with the aims, objectives and provisions of draft *Sydney City Subregional Strategy*.

It is also consistent with the priorities for the Central Subregion identified in the recently released draft *Metropolitan Strategy for Sydney* in that it will:

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

The proposed amendments to SLEP 2012 will address these priorities by facilitating the development of a premium commercial office tower in a key Central Sydney location, providing additional floor space for employment uses, and helping strengthen Central Sydney's profile as the city's global economic driver.

Q4. Is the planning proposal consistent with Council's local strategy or other local strategic plan?

Sustainable Sydney 2030 (SS 2030) outlines the City's vision for a 'green', 'global' and 'connected' City of Sydney and sets targets, objectives and actions to achieve that vision.

In summary the Planning Proposal is consistent with the broad SS 2030 vision in that:

The concept is **'green'**. It will allow redevelopment of an ageing building, that can be replaced with a building more in line with contemporary ESD requirements.

The concept is **'global'**. It will make an important contribution to the economic role of Sydney by providing premium office accommodation at Martin Place, Sydney's premier civic address.

The concept is **'connected'**. The site is pivotal in terms of its location in Central Sydney. The proposal will also facilitate significant improvements to the ground plane with improved pedestrian access, connectivity and amenity within and around Martin Place.

A detailed summary and assessment of the Planning Proposal against the key directions of SS 2030 is provided at Appendix E to the Justification Report at **Attachment A**.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Table 2 below summarises the Planning Proposal's consistency with State Environmental Planning Policies (SEPPs) plus relevant deemed SEPPs. An assessment of the Planning Proposal against the key relevant SEPPs follows the table.

TABLE 2: CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS) AND APPLICABLE DEEMED SEPPS

NO.	SEPP	CONSISTENCY OF PLANNING PROPOSAL
1	Development Standards	Not applicable
4	Development Without Consent and Miscellaneous Exempt and Complying Development	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
6	Number of Storeys in a Building	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
14	Coastal Wetlands	Not applicable
15	Rural Landsharing Communities	Not applicable

NO.	SEPP	CONSISTENCY OF PLANNING PROPOSAL
19	Bushland in Urban Areas	Not applicable
21	Caravan Parks	Not applicable
22	Shops and Commercial Premises	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
26	Littoral Rainforests	Not applicable
29	Western Sydney Recreation Area	Not applicable
30	Intensive Agriculture	Not applicable
32	Urban Consolidation (Redevelopment of Urban Land)	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
33	Hazardous and Offensive Development	Not applicable
36	Manufactured Home Estates	Not applicable
39	Spit Island Bird Habitat	Not applicable
44	Koala Habitat Protection	Not applicable
47	Moore Park Showground	Not applicable
50	Canal Estate Development	Not applicable
52	Farm Dams and other works in Land and Water Management Plan Areas	Not applicable
53	Transitional Provisions	Not applicable
55	Remediation of Land	Consistent (refer to discussion following this table)
59	Central Western Sydney Regional Open Space and Residential	Not applicable
60	Exempt and Complying Development	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
62	Sustainable Aquaculture	Not applicable
64	Advertising and Signage	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
65	Design Quality of Residential Flat Development	Consistent (see discussion following this table)
70	Affordable Housing (Revised Schemes)	Consistent The Proposal does not affect the schemes

NO. SEPP	CONSISTENCY OF PLANNING PROPOSAL
	outlined in the SEPP, or propose any new schemes.
71 Coastal Protection	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Major Development) 2005	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Infrastructure) 2007	Consistent (see discussion following this table)
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
SEPP (Temporary Structures) 2007	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Rural Lands) 2008	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable
State Environmental Planning Policy (Kurnell Peninsula) 1989	Not applicable

NO. SEPP	CONSISTENCY OF PLANNING PROPOSAL
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Not applicable
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	Not applicable
State Environmental Planning Policy (State and Regional Development) 2011	Not applicable
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Not applicable
Applicable Regional Environmental Plans (Deemed SEPPs)	
<i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP Sydney Harbour Catchment)</i> is relevant to this Planning Proposal.	Consistent .

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

An assessment of the Planning Proposal has been undertaken in respect to the relevant s117 directions as follows:

TABLE 3 – SUMMARY OF RELEVANT SECTION 117 DIRECTIONS

DIRECTION		COMMENTS	CONSISTENCY
1. Employment & Resources	1.1 Business & Industrial Zones	The Planning Proposal will protect employment land within an existing business area and will not reduce but increase the total potential floor space area for employment uses and related activities.	Y
2. Environment & Heritage	2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. An intended outcome of the Planning Proposal is to enable development that responds sympathetically to	Y

DIRECTION		COMMENTS	CONSISTENCY
		<p>the heritage characteristics of the Martin Place and Macquarie Street Special Character Areas. Development must also take into account the heritage values of St Stephens Church.</p> <p>The Planning Proposal does not contain provisions that contradict or would hinder application of this direction.</p>	
3. Housing, Infrastructure & Urban Development	3.4 Integrating Land Use & Transport	The site is optimally located in terms of access to existing public transport - with major rail, bus and ferry services within close walking distance, as well as the future light rail. Providing additional office space in this location will encourage greater patronage on the available public transport modes.	Y
4. Hazard and Risk	4.1 Acid Sulfate Soils	SLEP 2012 contains provisions to manage the potential impacts of Acid Sulphate Soils (ASS). The Planning Proposal does not seek to amend the application of these provisions to 60 Martin Place.	Y
5. Regional Planning	5.1 Implementation of Regional Strategies	<p>The Planning Proposal is consistent with key strategic directions including the Metropolitan Strategy, the draft Sydney Subregional Strategy and the recently released draft Metropolitan Strategy for Sydney, primarily in that it will support the development of Central Sydney as a Global City.</p> <p>The Planning Proposal is consistent with the aims, objectives and provisions of the Metropolitan Strategy (as supported by the draft Sydney Subregional Strategy) in that it will:</p> <ul style="list-style-type: none"> reinforce the global competitiveness of Sydney through the provision of high quality office accommodation; contribute to ensuring adequate capacity for office developments to meet future demand; and improve the quality of the built environment . 	Y
6. Local Plan Making	6.1 Approval and Referral Requirements	The Planning Proposal does not include concurrence, consultation or referral provisions or identify any developments as designated development.	Y

DIRECTION		COMMENTS	CONSISTENCY
	6.2 Reserving Land for Pubic Purposes	The Planning Proposal does not contain any land reserved for a public purpose, and no requests have been made by a Minister or public authority to reserve such land.	Y
	6.3 Site Specific Provisions	The proposal does not introduce unnecessarily restrictive site specific controls. The Planning Proposal in fact introduces provisions that will provide greater flexibility in order to achieve better development outcomes, providing that those outcomes align with the strategic objectives outlined elsewhere in this Planning Proposal.	Y
7. Metropolitan Planning	7.1 Implementation of Metropolitan Strategy	The Planning Proposal is consistent with the aims, objectives and provisions of the Metropolitan Strategy and draft Metropolitan Strategy for Sydney for the reasons outlined in 5.1 in this table.	Y

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

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

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Overview of Environmental Impacts

It is unlikely that the proposed amendments to SLEP 2012 will result in development creating any environmental effects that cannot already be controlled.

As it is envisaged that future development will be contemporary office premises or similar non-residential uses, existing policies, regulations and standards are already in place to ensure environmental impacts are mitigated during the construction phase and eventual use of the development.

The key environmental considerations arising from the Planning Proposal are discussed in further detail below.

Sun Access

The protection of sunlight access to defined public spaces within Central Sydney is a crucial and well established planning outcome engrained in current and previous local environmental plans for the City.

The subject site is affected by the Martin Place 5B Sun Access Plane which has an altitude and azimuth that closely approximates the position of the sun on 14 April at 12pm (noon). The plane is defined as extending from points that are 45m above the ground level on the north side of Martin Place. The plane, if projected south, meets the ground very close to the southern boundary of Martin Place.

The effect of the plane is to protect provision of sunlight to the façades of the buildings on the south side of Martin Place between 31 August and 14 April (that is, the part of the year that excludes the 4 months of winter) from 12 noon till 2pm each day. Reflected light from the façades improves daylight and overall amenity in Martin Place. The sun access plane does not protect sun access to the ground plane of Martin Place. This is illustrated in Figure 8 below.

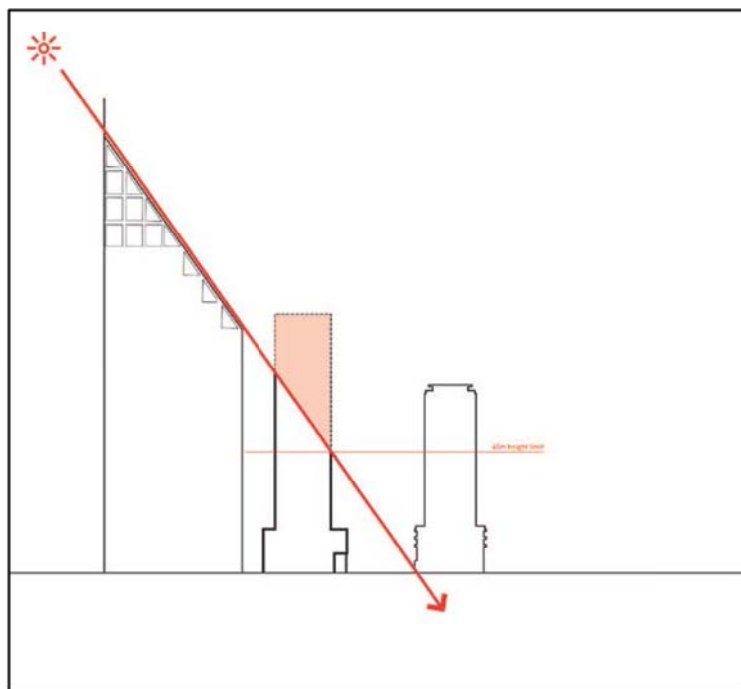


Figure 8 – the Martin Place sun access plane, when extended, meets the ground at the southern edge of Martin Place.

Analysis of sun access conditions under the indicative scheme developed by Hassell is reviewed in detail the JBA Planning Justification Report at Attachment A to this Planning Proposal and provided in full in a Shadow Impact Analysis Report in that Justification Report. Hassell have modelled the performance of the proposed indicative scheme, and compared it to the existing situation, with a focus on the critical period expressly protected by the sun access plane (14 April, 12 noon to 2pm).

The analysis indicates that there will be no additional overshadowing on either the ground plane of Martin Place, or the façade of the RBA building, at the critical period, as shown in Figure 9. There will be some minor additional shadow cast within that time on Macquarie Street, and also on the Sydney Hospital group of buildings. These additional shadows are considered acceptable given that neither location is intended to be

protected by the operation of the Martin Place 5B sun access plane. A building constructed to comply with the sun access plane would cast a much larger shadow on Martin Place ground plane, while removing shadow cast on the Reverse Bank façade. This is due to the configuration on the sun access plane illustrated in Figure 8.



Figure 9: The dashed black line highlights the additional overshadowing on 14 April at 12 noon, which is the orange line at the margin of the overshadowed area, and which falls on Macquarie Street and not on Martin Place.

Some additional overshadowing will affect both the ground plane of Martin Place and the building on its southern alignment outside of the critical period. This is illustrated in Figure 10, illustrating impacts on 21 March at 1 pm. In the context of the dense urban environment in which the buildings would be situated, and the context of Martin Place as a hard-surfaced civic space with minimal vegetation, it is considered that a small amount of additional shadow is acceptable.



Figure 10: The dashed black line highlights the additional overshadowing on 21 March at 1 pm, which is the orange line at the margin of the overshadowed area, and which falls on Martin Place and on the façade of the building to the south of Martin Place.

WIND IMPACTS

Managing the wind environment in and around the site is critical to creating a pedestrian friendly and high amenity environment. Arup has undertaken an Environmental Wind Assessment in respect of the building envelope that would be allowed under this Planning Proposal. The assessment is included as an appendix to the Planning Justification Report at Attachment A.

The pedestrian-level wind environment in the vicinity of 60 Martin Place is characterised by areas of lower wind speeds close to the podium at the Martin Place frontage, with higher wind speeds further from the podium, and also at the south-east and south-west podium corners.

The changes to SLEP 2012 put forward in this Planning Proposal (to the height of buildings and sun access plane controls) will not in themselves lead to changes in the wind environment. The indicative scheme prepared by Hassell to inform the Planning Proposal and the accompanying DCP envisages changes to the building setbacks, included a reduced setback above the podium level to the Martin Place frontage. These setback changes have the potential to alter the wind environment through promoting downdrafts along the building to the pedestrian levels.

The Arup assessment used a computational fluid dynamics-based approach to assess the impact of the proposed setback changes on wind levels and pedestrian amenity. The assessment concludes that the expanded building footprint could potentially lead to an increase in wind speeds experienced at the southern corners of the podiums and along parts of Macquarie Street. It is expected that wind speeds in other locations would be very similar to the existing situation, with some minor improvement expected further to the west along Macquarie Street.

The pedestrian level wind conditions would be suitable for use as a pedestrian thoroughfare along all streets surrounding the site, with the areas closest to the podium suitable for activities requiring longer stationary periods, including outdoor café use.

While the preliminary analysis indicates that wind conditions will not be significantly altered by the proposed development, it is proposed that detailed wind tunnel modelling be undertaken at the detailed Development Application stage. This will involve modelling of the existing conditions as well as any proposed development.

Views and Visual impacts

This Planning Proposal considers impacts on views from the public domain to highly utilised public spaces, heritage buildings or monuments. A View Impact Analysis has been undertaken for the Justification Report, which is included in **Attachment A**. It concludes that the no public views would be obstructed or significantly affected.

Heritage and Urban Design

The building at 60 Martin Place is not a heritage item, however it is in the vicinity of a number of listings including Martin Place plaza and Martin Place Railway Station, and the Sydney Hospital group on Macquarie Street. The Reserve Bank of Australia building is listed on the Commonwealth heritage register. The building at 197 Macquarie Street, St Stephens Church, is a listed heritage item in Sydney LEP 2012, identified as being of state significance.

The landowner has engaged a heritage consultant to undertake a Heritage Impact Assessment to inform the Justification Report. The report establishes a series of guidelines to manage the key heritage considerations in the redevelopment.

The report concludes that the demolition of the existing building at 60 Martin Place, and redevelopment in accordance with the indicative scheme, would be acceptable from a heritage viewpoint. The redevelopment is an opportunity to reinforce the podium-level relationship between the proposed new building, the RBA, and the Sydney Hospital group viewed from Martin Place; and with the St Stephen's Uniting Church viewed from Macquarie Street. These relationships are an important component of the design unity that characterises Martin Place.

The proposed cantilever element in the indicative scheme is to be separated from the spire of St Stephens Church both vertically, and horizontally, as indicated in Figure 11. This separation will ensure that new development does not significantly affect the heritage values of St Stephens church. The requirement for separation is included in the draft DCP which accompanies the Planning Proposal, and which is included here as Attachment B.

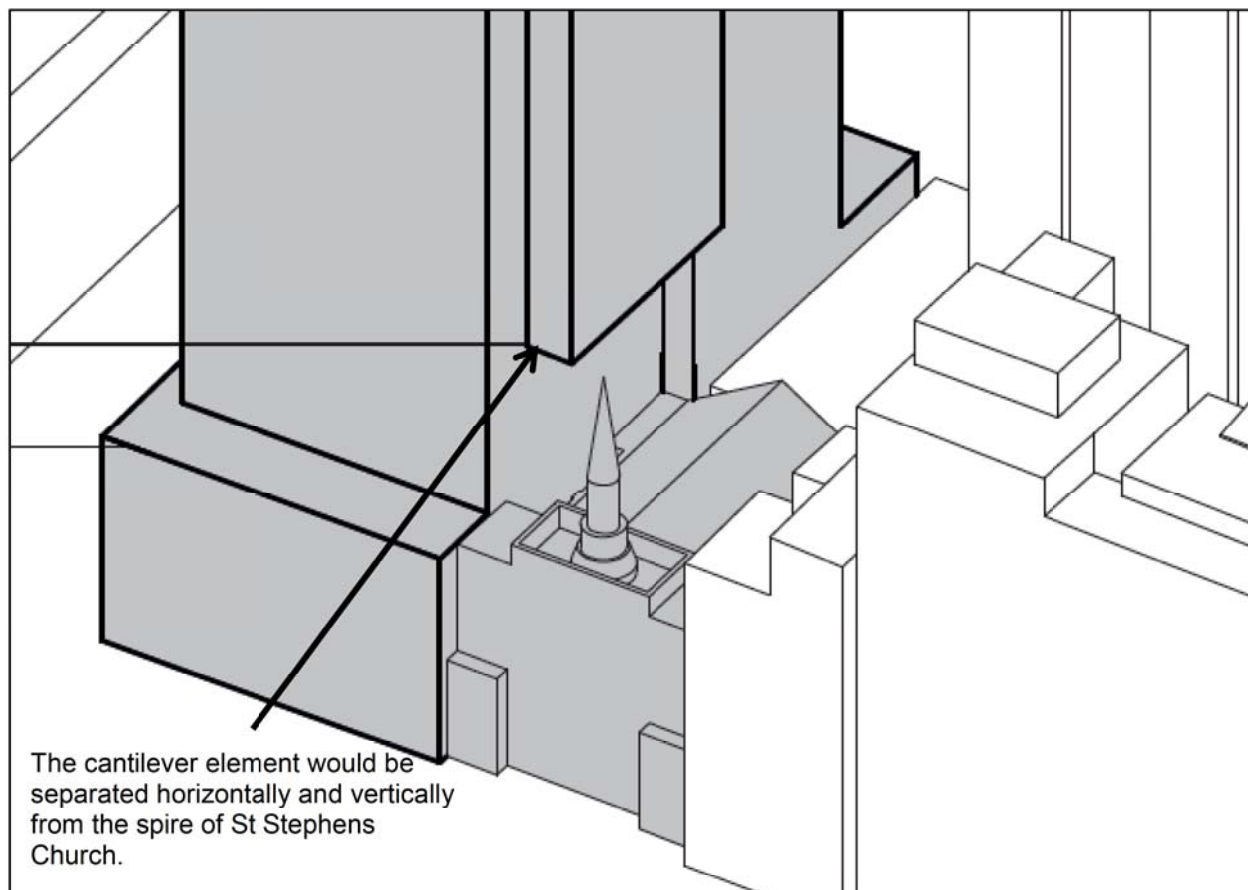


Figure 11: indicating DCP controls that will ensure separation from the spire of St Stephens Church.

Traffic, transport, parking and pedestrian impacts

The Planning Proposal would not result in any additional vehicle traffic in relation to the new building. The existing building has an allocation of 80 parking spaces. This would be reduced to approximately 50 spaces, in accordance with the parking rates in *Sydney LEP 2012*.

The building currently has vehicle access from both Macquarie Street and Phillip Street. In the indicative scheme, it is proposed to delete the Macquarie Street access, with the sole vehicle access from Phillip Street. This offers an improvement to the streetscape and the pedestrian environment along Macquarie Street and is supported.

The redevelopment will have no impact on Martin Place station, with any works occurring inside the existing excavated area. Railcorp will be required to provide their concurrence to the Planning Proposal. A traffic, Transport, Parking and Pedestrian Study has been conducted and is included in the Justification Report at **Attachment A**.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will provide an opportunity for the redevelopment of an important precinct within the CBD in a commercially viable and environmentally sustainable manner. The key positive economic effects being that the Planning Proposal will enable the rejuvenation of a declining commercial precinct and generate employment opportunities, thus reinforcing the precinct as a global address and destination.

The key social benefit that will result from the Planning Proposal is that it will both facilitate redevelopment of the site while also celebrating its heritage context through sensitive treatment of relationships with heritage items such as the Reserve Bank building and St Stephen's church. Through allowing Investa to make use of the airspace and unused development potential on the St Stephens Church site, it is anticipated that the church will benefit through contributions to ongoing maintenance.

The Planning Proposal envisages public access to the podium-top outdoor areas, and to designated spaces within the podium, with the potential to create a multi-use space suitable for exhibitions, lectures and the like. The indicative scheme plans for an 18-hour precinct, enlivening the Martin Place precinct outside of normal office hours. Combined with an increase in the amount of active frontage provided in the indicative scheme, the Planning Proposal has the potential to contribute to a livelier and more welcoming Martin Place.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal would allow the replacement of a commercial tower with a building of the same use, but with increased floorspace and a greater number of employees. The site is positioned directly above Martin Place railway station, within walking distance of Wynyard and Town Hall stations, and close to bus services accessing the metropolitan area. There is adequate transport infrastructure for the planning proposal. All other public infrastructure, including water, sewer and electricity are available. Consultation will be carried out with key government agencies to identify any infrastructure shortfalls.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway determination will advise the full list of public authorities that will need to be consulted with as part of the Planning Proposal process. It is requested that public authority consultation be undertaken concurrently with community consultation.

It is proposed that the following authorities be consulted regarding the Proposal:

- Office of Environment and Heritage and NSW Heritage Council;
- Transport for NSW;
- NSW Department of Planning and Infrastructure; and
- Sydney Water.

PART 4 – MAPPING

Site identification, zoning and details of key development standards are provided in the introduction to this Planning Proposal.

The Planning Proposal proposes changes to the maps in *Sydney Local Environmental Plan 2012* as follows:

- Height of buildings map – change to identify the site as a new Area; and
- Sun access plane map – change to identify the site and reference the 'Exception to the sun access plane' clause in *Sydney Local Environmental Plan 2012*.

The following pages have the relevant maps incorporating the proposed amendments.

Height of Buildings Map
- Sheet HOB_018

Maximum Building Height (m)

A	3
B	4
C	5
D	6
E	7.5
F	8
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H	8
I	8
J	9
K	9
L	11
M	12
N	12
O	15
P	18
Q	18
R	22
S	24
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U	25
V	27
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X	28
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Sydney Local Environmental Plan 2012



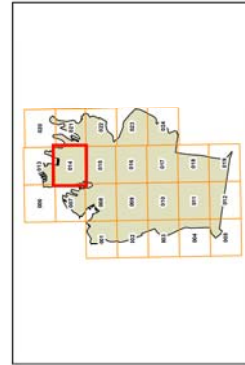
Sun Access Protection Map - Sheet SAP_014

Land affected by Sun Access Planes

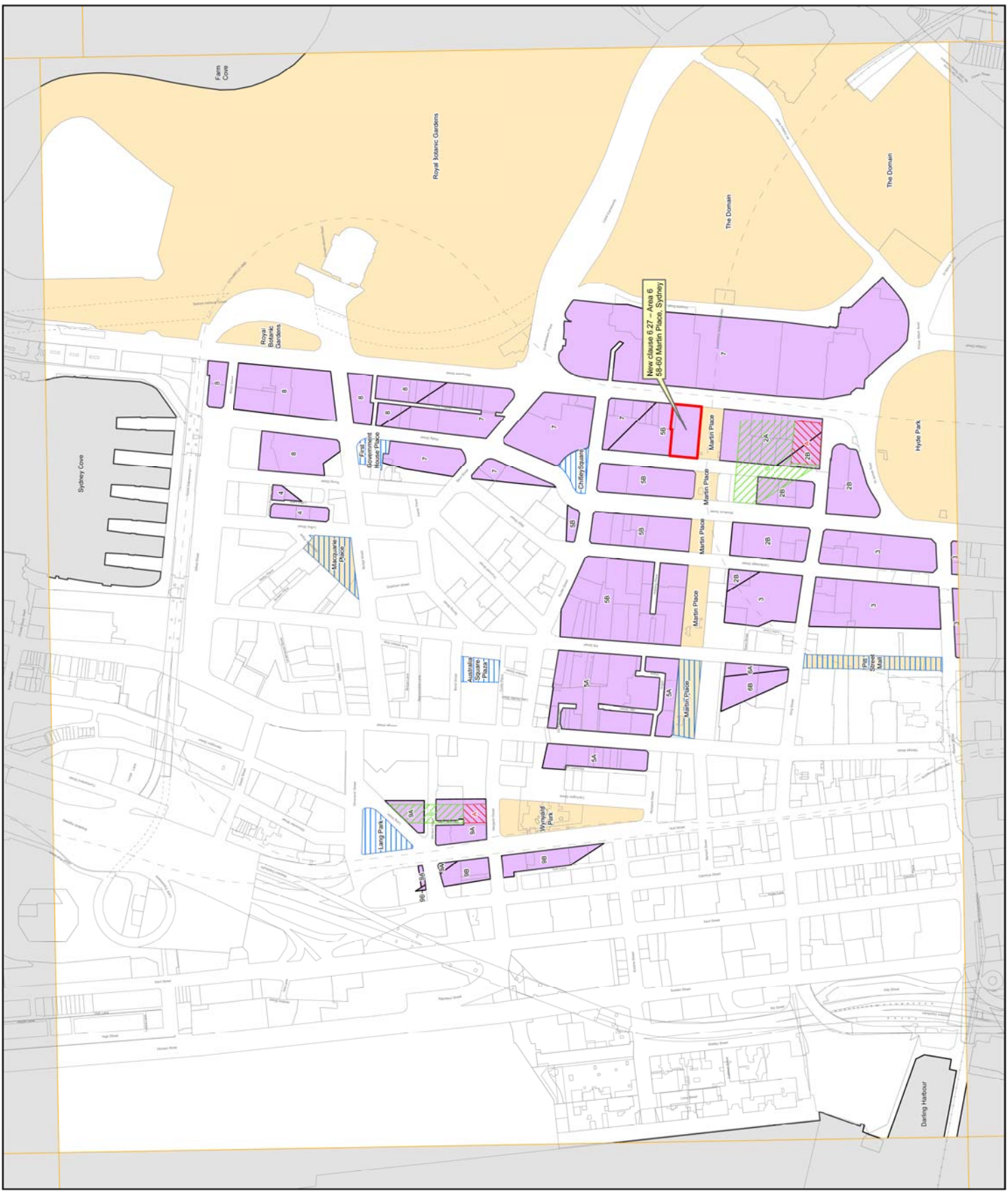
- 1.A Belmore Park 1A
- 1.B Belmore Park 1B
- 1.C Belmore Park 1C
- 2.A Hyde Park North 2A
- 2.B Hyde Park North 2B
- 3 Hyde Park West 3
- 4 Macquarie Place 4
- 5.A Martin Place 5A
- 5.B Martin Place 5B
- 6.A Pitt Street Mall 6A
- 6.B Pitt Street Mall 6B
- 7 The Domain 7
- 8 Royal Botanic Gardens 8
- 9.A Wynyard Park 9A
- 9.B Wynyard Park 9B

Specified Sites

- Area Protected by Sun Access Plane
 - Category A Land
 - Category B Land
 - No Additional Overshadowing
 - Refer to clause 6.27 - 58-60 Martin Place, Sydney
- Cadastral**
- Cadastral 20/08/2018 © City of Sydney



Projector: GDA 1984
 Map identifier number:
 7200_COM_SAP_014_005-20140220



Part 5 – Community Consultation

Public consultation will take place in accordance with the Gateway determination made by the Minister for Planning, in accordance with Sections 56 and 57 of the EP&A Act.

It is proposed that, at a minimum, this involves the notification of the public exhibition of the Planning Proposal:

- on the City of Sydney website;
- in newspapers that circulate widely in the City of Sydney local government area; and
- in writing to the owners; the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site

It is requested that the Planning Proposal be publicly exhibited for a period of 28 days to coincide with the exhibition of an accompanying draft DCP amendment.

PART 6 – PROJECT TIMELINE

MILESTONE	TIMEFRAME AND/OR DATE
Anticipated Commencement Date	Date of Gateway determination
Anticipated timeframe for the completion of required technical information	Not applicable. Technical analyses have already been commissioned to support the Planning Proposal.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	As specified in Gateway determination. Anticipated timeframe is 21 days and to run concurrently with public exhibition period.
Commencement and completion dates for public exhibition period	Dates are dependent on date of Gateway determination. Anticipated timeframe for public exhibition is 28 days. Anticipated start date is October 15 2014, ending 11 November 2014
Dates for public hearing (if required)	Not applicable at this stage
Date for post-exhibition report to Council	February 2015
Date of submission to PCO to draft the LEP	February 2015
Anticipated date the Council will make the plan if delegated	April 2015
Anticipated date Council will forward to the department for notification	April 2014

ATTACHMENTS

Attachment A: Justification Report – 60 Martin Place, including:

- Appendix A: Urban Design Analysis (Hassell)
- Appendix B: Shadow Impact Analysis Report (Hassell)
- Appendix C: Structural Reports (Enstruct)
- Appendix D: Heritage Impact report (GBA)
- Appendix E: Consistency with strategic directions of Sydney 2030 (JBA)
- Appendix F: Assessment against Section 117 Directions (JBA)
- Appendix G: Transport, Traffic, Pedestrian and Parking Study (Brown)
- Appendix H: View Impact Analysis (Hassell)
- Appendix I: Environmental Wind Analysis Report (Arup)

