

Attachment A

<h2>Summary of Submissions</h2>
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No.	Submitter	Submission	Response
1.	Department of Infrastructure, Transport, Regional Development and Communications	<p>Sydney Airport controlled activity – The proposed change to the maximum permissible building height will result in a penetration of prescribed airspace for Sydney Airport. Prescribed airspace includes the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport.</p> <p>Construction of a development to a height above 156 metres AHD would result in an intrusion into the OLS and as such, constitute a controlled activity under the Act. Controlled activities cannot be carried out without prior approval from the Department of Infrastructure, Transport, Regional Development and Communications.</p>	Noted. A detailed development application will require concurrence from Sydney Airport as the proposed works penetrate the Operations Limitation Surface. This is consistent with clause 7.16 of the LEP and under the Airports Act 1996.
2.	Transport for NSW	<p>Raise no significant issues – It is advised that any future development applications are carried out in accordance with the existing approvals for the Sydney Metro project.</p> <p>A detailed development application is to include a Traffic and Transport Impact Assessment to identify traffic and transport impacts associated the proposed development.</p>	Noted. A detailed development application and associated public domain works will be referred to Transport for NSW for comment.
		<p>Impact on Central Precinct Renewal – It is requested that the City of Sydney consider the impact of the planning proposal on the potential amenity of future public space envisaged as part of the Central Precinct Renewal.</p> <p>TfNSW advises that the planning proposal needs to recognise and facilitate the intended outcome for Central Precinct as set out in the draft Strategic Vision.</p> <p>The subject planning proposal must be balanced with protecting the amenity of public spaces, including those envisaged as part of Central Precinct Renewal, namely the future Western Forecourt, as well as other potential future public space as part of the precinct renewal.</p> <p>Shadow studies demonstrate the planning proposal would result in overshadowing of the Western Forecourt from approximately 12.30pm to 3pm in mid-winter, in addition to other shadow cast from existing development between approximately 12pm to 3pm. Which would only receive unimpeded solar access for a limited duration of approximately 1 hour (between 11am to 12pm) in mid-winter.</p> <p>TfNSW supports the protection of solar access to public places to ensure that each place benefits from sunlight. Solar access to such a key public space for a period of only one hour in mid-winter is likely to be insufficient having regard to the intended increased usage of this space. A more appropriate expectation for solar amenity to such a space would be between 11am to 2pm.</p> <p>Assessment of the planning proposal should have regard to the Central SSP planned future open spaces at over-station development. Protection of solar amenity to this future open space area is equally important given its likely demand and usage.</p> <p>The planning proposal for development of 187 Thomas Street would also result in overshadowing to the potential future deck-level open space from a period commencing between approximately 1.00-1.30pm until 3pm (and thereafter) in mid-winter. The projected overshadowing is considered excessive.</p> <p>Accordingly, it is recommended that the height of the planning proposal for 187 Thomas Street is modified to limit overshadowing.</p>	<p>The planning proposal is consistent with the additional sun access plane as detailed in the Central Sydney Planning Strategy (Strategy), which seeks to protect solar access to the northern section of the future third square between 11.00am and 12.00 noon.</p> <p>The subject site is located within the Haymarket/Ultimo tower cluster envisaged in the Strategy as a location of additional building height and density to provide for additional employment generating floor space. At 215 metres, the height of future development as facilitated by this planning proposal is consistent with the tower cluster requirements and the Strategy.</p>

3. Heritage NSW	<p>Sydney Terminal and Central Railway Station Group – The subject site is located close to the State Heritage Register (SHR) listed item (SHR 01255).</p> <p>The heritage impact statement notes that “views of the clock tower from the south and south-east will be blocked or reduced” while other significant views will not be obstructed. The extent of this impact is not clearly illustrated in the “Heritage Impact Statement” or the “Visual Impact Photomontage Report” provided with the planning proposal.</p> <p>It is understood that the height and FSR of the proposed tower is consistent with the current strategy for the precinct. However, further work is recommended at the detailed design stage to demonstrate the potential impacts and the actions taken to mitigate, manage and avoid these impacts controls are considered appropriate and acceptable.</p>	Noted.
	<p>Christ Church St Laurence Anglican Church and Pipe Organ – The subject site is located close to the SHR item (SHR 00123).</p> <p>It is understood that the current building on the subject site creates an “unsympathetic backdrop” to this item. The “Heritage Impact Statement” illustrates that a new tower based on the planning proposal amendments will block out a significant portion of the “blue sky view” of the heritage item’s church spire as viewed from the exit of the Grand Concourse of Sydney Terminal and Central Railway Stations Group and looking towards the Western Forecourt of the subject site.</p> <p>Further work is recommended at the detailed design stage to demonstrate how the new development can provide a more sympathetic backdrop and setting for the heritage item.</p>	Noted. The planning envelope has been designed to ensure future development sympathetically responds to nearby heritage. An 8 metre setback to Valentine Street will ensure the important views towards the Christ Church St Laurence are suitably preserved. Further, the draft site-specific DCP includes provisions to ensure appropriate form, articulation and materials are used to respond to nearby heritage.
	<p>Local Heritage – the site is also located nearby to several Local heritage items listed on Council’s LEP, including the former Sutton Forest Meat Building (1843). As these items are listed under your LEP, Council is the consent authority, and the assessment and consideration of any impacts rests with Council.</p>	Noted
4. Sydney Airport	<p>Concurrence/consultation – At the proposed height of 226.8m AHD, the proposed development would penetrate Sydney Airport’s Obstacle Limitation Surface (OLS) by approx. 76.8m and would therefore fall under the Federal Airports (Protection of Airspace) Regulations 1996.</p>	Noted. A detailed development application will require concurrence from Sydney Airport as the proposed works penetrate the Operations Limitation Surface. This is consistent with clause 7.16 of the LEP and under the Airports Act 1996.
5. Civil Aviation and Safety Authority (CASA)	<p>Sydney Airport controlled activity – CASA does not object to the development. However, CASA will assess the building in detail under the Airspace Regulations on receipt of a request from Sydney Airport. CASA will consider several Airspace Protection aspects including helicopters, surrounding tall buildings and the Airservices Australia assessment. It is recommended that Airservices Australia is consulted early in the planning process. It is likely that CASA will recommend obstacle lighting when assessing the building under the Airspace Regulations. The construction cranes will also require assessment and approval under the Airspace Regulations.</p>	Noted. A detailed development application will require concurrence from Sydney Airport as the proposed works penetrate the Operations Limitation Surface. This is consistent with clause 7.16 of the LEP and under the Airports Act 1996.

No.	Submitter	Submission	Response
6.	Adjoining Landowner	<p>Contravenes the draft Central Sydney DCP and Sydney DCP 2012 – The planning proposal for 187 Thomas Street proposes substantial non-compliances with the setback requirements of the draft Central Sydney DCP and the current Sydney DCP 2012 which would adversely impact the adjoining site, 757-763 George Street and its approved hotel development and planning proposal that is currently under assessment.</p> <p>The draft Central Sydney DCP associated with the draft Central Sydney Planning Strategy (draft Strategy) permits non-compliant setbacks where a proposal satisfies various public domain amenity criteria. This procedure does not account for other amenity impacts such as private view loss, visual and solar impacts to adjoining properties. For this reason, it is considered a deficient process for justifying setback non-compliances.</p> <p>In the assessment of the planning proposal, the non-compliant setbacks were supported solely on the basis that the scheme satisfies the equivalent / improved public domain daylight and wind comfort requirements. This assessment fails to include a detailed discussion of the potential amenity impacts to the adjoining site, such as site isolation, loss of solar and visual impacts.</p> <p>It is contended that the planning proposal's compliance with the draft Central Sydney DCP should not be an 'as of right' to vary the setback provisions.</p> <p>The scheme also contravenes the setback provisions for towers in Central Sydney in the Sydney DCP 2012, which requires that buildings over 45 metres in height be appropriately setback from side and rear boundaries. The 1 metre setback provided by the planning proposal significantly contravenes the provisions and provides minimal building separation to the future development. Consequently, the planning proposal fails to achieve the objectives including protecting daylight access, ventilation and view sharing for neighbouring properties.</p> <p>The planning proposal provides a 1 metre setback to its eastern boundary, under the draft Central Sydney DCP the required setback is to be 7.2 metres. This represents a significant non-compliance with the control and will result in additional wind impacts and limit the amount of daylight and ventilation at the ground plane.</p> <p>The podium element of the planning envelope generally provides a blank wall to its eastern elevation that interfaces with the adjoining Sutton Forest Meat Building heritage item and will present as a blank wall as opposed to a clearly defined podium element that corresponds with the height along Valentine Street.</p> <p>The 1 metre setback provides minimal opportunity for the provision of adequate building separation and prevents the eastern elevation from having any visibility when viewed from the ground plane and precludes the proposed tower being viewed in the round.</p> <p>This would result in the future buildings on 187 Thomas Street and 757 George Street presenting as separate buildings instead of a 'wall of towers' particularly when viewed from Valentine Street. As the 1m eastern setback is inconsistent with the objective, when viewed from the ground plane these towers would present as one unbroken mass.</p> <p>The assessment of the planning proposal has justified the setbacks using a non-compliant base case envelope that did not adequately account for a podium height appropriate to its location adjoining a heritage item and in a special character area, which should match the height of the</p>	<p>While the draft Central Sydney Development Control Plan (DCP) details the required street frontage and boundary setbacks for development in Central Sydney, it also specifically provides for opportunities where these setbacks may be varied subject to public domain environmental amenity testing – where the planning envelope can demonstrate that it will have an equivalent or better impact in terms of wind and daylight conditions within the public domain.</p> <p>The Central Sydney DCP also includes urban design requirements, particularly in relation to heritage items and within special character areas. In response to this, the planning envelope includes a greater podium setback to the eastern boundary. In this location, the podium height responds to and aligns with the height of the adjoining heritage item, the Sutton Forest Meat Building and to maximise important views along Valentine Street towards State heritage item, Christ Church St Laurence.</p> <p>The planning envelope that was publicly exhibited included a 1 metre setback to the eastern boundary to a height of RL178 metres, primarily to accommodate the lift core and would not include windows. Following a review of submissions and noting the planning proposal request lodged for the adjoining site at 757-763 George Street, this setback has been increased to 3 metres in the DCP. The revised setback will increase the separation between any future development on the adjoining sites to a minimum of 6 metres. The increased building separation will provide greater visual separation between the buildings along Valentine Street and allow for the flow of wind to be directed between the two buildings, preventing adverse wind impacts and help maintain acceptable daylight levels in the public domain.</p> <p>The site-specific DCP for 187 Thomas Street has been prepared to guide future development to ensure it positively relates to adjoining development and includes provisions to require the treatment of any blank walls on the eastern elevation of the tower and podium to sympathetically relate to the adjoining Sutton Forest Meat heritage item.</p> <p>The base case envelope as detailed in the Urban Design Report prepared by FJMT that accompanied the planning proposal is consistent with the requirements of the draft Central Sydney DCP that were applicable at the time that the planning proposal was prepared and lodged in April 2020. A minor change was made to the provisions in the draft Central Sydney DCP to ensure street frontage heights for a base case building podium better align with any adjoining heritage items. The amended DCP was placed on public exhibition from May to July 2020, after the preparation and lodgment of the subject planning proposal.</p>

Sutton Forest Meat Building heritage item that fronts Valentine Street adjoining 187 Thomas Street.

Additionally the base case envelope contravenes the height provisions of the draft Central Sydney DCP which requires the envelope be extruded to the maximum permissible height as it varies round the site, which varies between RL 275m and 285m as opposed to the RL 295m nominated in the planning proposal which would encroach into the non-developable construction zone above the maximum height limit.

It is considered that the planning proposal should have been prepared in accordance with the version of the draft Central Sydney DCP that was exhibited alongside the draft Strategy from May to July 2020 as the subject planning proposal was reported to Council in September 2020.

Prevents amalgamation with 757-763 George Street – It is considered that there is an opportunity to pursue an amalgamated scheme that results in an improved urban design outcome that better aligns with the aspirations of the draft Strategy.

A standalone planning proposal for the 187 Thomas Street site has disadvantages in that it would result in greater environmental impacts including a wind tunnel, reduced daylight at ground level and inefficient floor plate.

Negotiations for a joint venture agreement between the owners of 187 Thomas Street and 757-763 George Street commenced in early 2018 with the intent to amalgamate both sites to develop a singular tower. Council encouraged both landowners to consult with neighbouring properties and to demonstrate why an amalgamated solution that included other adjoining sites could not be reasonably achieved. Accordingly, Council had a desire for an even larger site to be redeveloped.

In August 2019, Greaton Development attended a meeting with Council and confirmed its intent to pursue a standalone scheme independent of the 757-763 George Street site. At no point did they confirm their intention to terminate the joint venture. Amalgamation of both sites is feasible and could have been made possible if the landowner did not pursue a standalone scheme.

An amalgamation of both sites provides for a singular scheme that would deliver a more economically viable floor plate, no opportunity for wind tunnel between two towers, rationalization of vehicle entry points and continuous active frontage along Valentine Street. A single tower across both sites has the potential to achieve an improved sky view factor delivering improved pedestrian conditions at ground plane, in line with the draft Strategy, rather than two discrete towers.

Fails to demonstrate site specific and strategic merit

The planning proposal is inconsistent with many of the relevant objectives and actions espoused by the strategic planning framework as outlined below:

- Section 9.1 Ministerial Directions – require planning proposals inform the content of a local environmental plan and give effect to a range of aims and objectives.

The planning proposal isolates the adjoining site, which is contrary to the draft Strategy and reduces its potential to deliver an appropriate quantum of employment generating floor space.

It is noted that the 757-763 George Street landowner made an offer to amalgamate with the 187 Thomas Street site at a fair market price which was not accepted.

Further, the proposal did not include a detailed urban design study that addresses redevelopment and why the proposed scheme was preferable.

The approval of this planning proposal and the site-specific provisions proposed to be inserted into the Sydney LEP 2012 will not prevent the amalgamation of the subject site with any adjoining sites. The subject planning proposal proposes site-specific provisions for the 187 Thomas Street, Haymarket site, to facilitate one particular development outcome.

The existing development controls under the Sydney LEP 2012 are still applicable, for which an amalgamated option may apply, similarly future planning proposals are possible for a combined site.

While the Central Sydney Planning Strategy encourages amalgamation of sites, it does not require amalgamation. Amalgamation remains an opportunity for landowners.

The subject planning proposal has been assessed and determined to be consistent with the requirements of the City's Central Sydney Planning Strategy as it meets the public domain amenity requirements, delivers employment floor space and has been determined capable of progressing.

The planning proposal for 187 Thomas Street has been assessed by the City, presented to Council, the Central Sydney Planning Committee and the Department of Planning, Industry and Environment (Department). All have determined that it demonstrates site-specific and strategic merit.

Specifically, the planning proposal details the ministerial directions that it is consistent with and provides additional discussion on several key ministerial directions. For example, the planning proposal outlines how future development will affect airport operations and an expanded discussion on the acid sulfate soil requirements.

In the gateway determination issued by the Department, the planning proposal was to be updated to detail the proposal's compliance with the Principles for Growth contained in the City's Local Strategic Planning Statement. This additional discussion was included prior to public exhibition clearly detailing how

It is considered that the planning proposal does not satisfy the Ministerial Directions objectives in that the proposal is located within an existing business zone and as such the proposal is to ensure it encourages employment growth, protects employment plant and supports the vitality of the identified centre.

- The planning proposal is inconsistent with the *Principles for Growth* in the City's local strategic planning statement.

The proposal does not provide an appropriate transition in height of the site and its approved development, undermines the redevelopment potential of the adjoining site and limits the employment generating floor space quantum envisaged and compromises the full development potential of the area.

It fails to produce an 'overall better urban design outcome' as it results in a less optimal outcome relative to a proposal that incorporates the adjoining site. The proposal contravenes setback controls and in turn borrows amenity of surrounding properties.

- The planning proposal is inconsistent with the relevant 'Key Moves' of the draft Central Sydney Planning Strategy.

By not amalgamating with the adjoining site, the planning proposal is restricting its redevelopment potential as it does not prioritise employment growth and results in a significant truncation of the adjoining site's density and employment capacity.

The proposal does not respond to its context as the proposed building height would not provide an appropriate transition in height, and isolates the adjoining site.

The planning proposal misses the opportunity to redevelop a consolidated block with greater capacity to support more employment floor space and results in a significant truncation of its capacity.

The non-compliant setbacks of the proposal result in amenity impacts to the adjoining site and its development approval, these impacts have not been acknowledged or justified in the planning proposal.

The proposal does not exhibit design excellence as it does not respond to the amalgamation pattern envisaged in the draft Strategy and is at odds with the approved built form on the 757-763 George Street site.

the planning proposal demonstrates strategic and site-specific merit, particularly as it will deliver additional employment generating floor space in a strategic location close to public transport and within a designated tower cluster area.

The planning proposal is consistent with the key moves of the Strategy as it will facilitate the provision of additional employment generating floor space and, as amended, includes sufficient setbacks to ensure future development is visually distinct from adjoining buildings and will not result in significant adverse amenity impacts to the surrounding public domain and adjacent sites, within close proximity to additional transport capacity.

Inconsistent with the EPA Act objects – The planning proposal is required to be prepared in accordance with Section 3.33 of the EPA Act and its objects which guide its implementation. The 187 Thomas Street planning proposal is contrary to the legislative objects for the following reasons:

- the planning proposal's setback variations rely on a non-compliant base case envelope that consequently does not adequately identify actual wind and daylight impacts associated with the proposal. It has not provided a detailed assessment of the potential impacts to the adjoining site. It is expected for the scheme to comply with the base case envelope and ameliorate its amenity impacts it would need to be significantly reduced in scale. For this reason, the planning proposal does not promote the welfare of the community and an improved environmental outcome.
- the planning proposal does not promote the orderly economic use and development of land by isolating the adjoining site and limiting its development potential. Further, the proposal is unfeasible and unlikely to be built, notwithstanding its impacts to 757-763 George Street;

The Strategy enables variations to setbacks by creating metrics against which the planning envelope can be tested. The base case, along with urban design considerations, sets the performance criteria against which a planning envelope can demonstrate an equivalent or improved outcome. The base case envelope detailed in the Urban Design Report that accompanied the planning proposal is consistent with the requirements of the Strategy including the 8 metre setback provided to all street frontages and all boundaries, including the boundary with 757-763 George Street, podium height, chamfers and tapering. As the base case envelope is consistent with the requirements of the Strategy, the wind and daylight amenity testing is considered to give an appropriate assessment on the impact of future development on site. The proposal was reviewed by the City's Design Advisory Panel who advised that while views along Valentine Street must be maintained, the building's volume was similarly important and has been reflected in the podium setback to the Sutton Forest Meat building.

The proposed planning controls do not limit the development potential of any adjoining sites which

- the proposal has a sub-optimal design outcome that contravenes the controls and associated objects which results in undue amenity impacts;
- assessment of the planning proposal did not acknowledge many of the envelopes non-compliances. As such these matters have not been disclosed. The disclosure of these non-compliances is necessary to facilitate the proper assessment of the proposal; and
- neither Council nor the applicant have sought to consult with the 757-763 George Street landowner.

remain developable under current approvals and current controls. In addition, planning proposal requests can be considered under the Strategy for adjoining sites.

The Economic Impact Assessment that accompanied the planning proposal indicates that the proposal will support increased economic activity that will benefit Central Sydney but will add to Haymarket's attractiveness for future economic investment.

The City has met with the adjoining landowner as part of the public exhibition process of the subject planning proposal and regarding the preparation of their own planning proposal for the 757-763 George Street site.

Site isolation – The proposed 1m setback to the site's common boundary with 757-763 George Street reaches a height of 175 metres and presupposes that the adjoining site is unable to accommodate a tall building. The planning proposal for 187 Thomas Street misses the opportunity for a coordinated scheme that would incorporate 757-763 George Street and would therefore render the site unable to develop and isolated.

The planning proposal fails to consider the likelihood that it would isolate the adjoining property by departing from a planning proposal that combines the development of both sites. This has significant implications for the adjoining property because any development on its own does not trigger the requisite 2,000m² site area requirement to allow it to be developed under the tower cluster controls in the draft Strategy and would render it an isolated site, incapable of achieving the strategic planning objectives applicable in the City.

The draft Strategy identifies 187 Thomas Street and the adjoining site as a located capable of accommodating increased densities within a tower cluster. The "*The Built Form Capacity Study*" which forms an appendix to the draft Strategy identifies site amalgamations that would deliver on the strategic goal of increased development density. With the 187 Thomas Street excluded, the 757-763 George Street site includes a heritage item and as such is constrained and becomes an isolated site. Amalgamation of the adjoining site in the 187 Thomas Street planning proposal would prevent it becoming an isolated site and enable attainment of the strategic planning objectives.

The planning proposal does not address this issue at all and provides no justification as to why it should be considered separately to the adjoining property. This is contrary to the strategic objectives of the draft Strategy.

In the decision of *Cornerstone Property Group Pty Ltd v Warringah Council*, the Court held that a key principle when considering the issue of redevelopment that will result in the isolation of a site is whether both sites can achieve a development that is consistent with the development controls. If a variation to the planning controls is required, then consideration is given as to whether both sites can achieve a development of appropriate urban form and with an acceptable level of amenity. This will not be able to occur should the planning proposal proceed as the adjoining site would not be able to achieve the minimum site area requirement and will no longer be capable of achieving the development intensity intended by the tower cluster provisions.

The planning proposal and any site-specific provisions, or future development on the 187 Thomas Street site will not result the isolation any adjoining site.

For example, the submitter's site, 757-763 George Street, Haymarket that adjoins the subject site and fronts the intersection of George Street and Valentine Street holds a development consent for a 15 storey hotel that incorporates and includes the adaptive reuse of Sutton Forest Meat building heritage item.

The exhibited planning envelope detailed a 1 metre setback to the site's eastern boundary with 757-763 George Street to a height of RL178 metres. This elevation was designed to primarily accommodate the lift core and a blank eastern facade. Following a review of submissions, this setback has been amended to 3 metres to provide sufficient building separation and will provide a clear visual distinction between the future development and any adjoining buildings.

Further to the above, the 757-763 George Street site is subject to a planning proposal to include site-specific provisions in the LEP to facilitate a taller hotel development. While this planning proposal is currently under assessment by the City and will be reported to Council accordingly, it indicates that the subject planning proposal will not isolate the 757-763 George Street site. Furthermore, the site could also be the subject of an amalgamated redevelopment in accordance with the existing development controls under the LEP.

Impact on 757-763 George Street DA approval – The planning proposal for the 187 Thomas Street site excludes any reference to the existing development approval for the adjoining 757-763 George Street site, that was granted in October 2017. The approved scheme consists of a hotel building with a total height of 50m (15 storeys).

The planning envelope includes a blank eastern façade to a height of RL178 metres primarily to accommodate the lift core. Initially this was setback 1 metre from the boundary, however following feedback raised in the public exhibition, the setback has been amended to 3 metres, which is consistent with the Sydney DCP 2012. The amended setback will provide a separation of at

The approval includes a 0m setback to the common boundary and hotel rooms that face west. These rooms would be heavily affected by the proposed development and were not considered at all in the planning proposal. A solar access study has been conducted, which found that the planning envelope for 187 Thomas Street would have a significant impact on solar access to the approved development. Most heavily affected were the west facing rooms, which showed a 37% reduction when compared to a scheme with compliant setbacks.

least 9 metres from the west facing hotel rooms in the approved hotel development on 757-763 George Street site. As amended, the 9 metres separation is considered to be appropriate and will allow for adequate amenity to these west facing hotel rooms.

Impact on 757-763 George Street planning proposal – The 187 Thomas Street proposed scheme does not acknowledge the development potential for 757-763 George Street and the current planning proposal that is being assessed for the adjoining site.

As detailed above, following feedback raised in submissions, the 1 metre setback was increased to 3 metres.

The proposed building massing for each of the sites in context of each other highlights how the 1 metre setback to the common boundary allows for minimal building separation. The effect of this setback is to greatly increase the perceived mass when viewed from the public domain and reduce the available daylight levels,

The revised setback will provide at least 6 metres building separation between future development on the 187 Thomas Street and 757-763 George Street sites, which is consistent with the building separation provisions for two commercial buildings in the DCP.

Combined site benefits – A proposal that incorporates both the 187 Thomas Street and 757-763 George Street site potentially could result in more benefits than two standalone proposals, as it would allow for greater tower setback to George Street, optimization of building services and connections, and an efficient building arrangement. A combined tower would deliver on missed opportunities and would maximise the yield and potential public benefit through a highly integrated ground plan.

While the Central Sydney Planning Strategy encourages amalgamation of adjoining sites where possible, it does not require all planning proposals prepared under the Strategy to amalgamate, nor does the Strategy establish a quantum of floor space that is to be delivered.

Notwithstanding this, the planning proposal is consistent with the intent of the Strategy as it will facilitate the delivery of additional employment generating floor space.

Fails to give effect to the City's local strategic planning statement – Council has endorsed the prepared the City Plan 2036: Local Strategic Planning Statement as required by the EP&A Act. A planning proposal is required to address whether the proposal will give effect to the LSPS. This planning proposal does not appear to properly give effect to the priorities, actions and strategic objectives in the LSPS and therefore does not achieve the vision with respect to future changes to the planning controls, specifically:

The planning proposal is consistent with City Plan 2036, the City of Sydney's Local Strategic Planning Statement (LSPS). Prior to public exhibition, additional discussion was included to detail how the proposal is consistent with the strategic and site-specific principles for growth contained in the City's LSPS.

- it is not consistent with the relevant priorities, objectives and actions in the LSPS;
- it fails to include an amount of non-residential floor space appropriate to the site's strategic location as a future tower cluster area and will result in lost opportunity for additional non-residential floor space as it will render the adjoining property incapable of achieving the development intensity intended by those provisions; and
- it fails to provide an overall better urban design outcome as it does not include the adjoining property.

The planning proposal facilitates the delivery of additional employment generating floor space while ensuring appropriate amenity of the public domain including acceptable wind and daylight conditions.

The City's LSPS sets a vision for a green, global and connected city, where new development will help deliver a stronger, more competitive Central Sydney that includes a variety of business clusters. It does not however place a target on the amount of new employment generating floor space that is to be delivered, nor does it require each site to maximise this provision. The planning proposal will deliver a significant amount of new commercial floor space, including an innovation tech hub to nurture and foster new start-up businesses.

Fails to justify making of the instrument – Section 3.33(1) of the EPA Act provides that before an environmental planning instrument is made, a document must be prepared that explains its intended effect. The planning proposal does not appear to meet this requirement as follows:

The Planning Proposal is consistent with the Strategy and does not depart from it. The Strategy sets objectives for the growth of Central Sydney and outlines a process to realise growth through planning proposals. The subject proposal is proceeding through the process and achieves the objectives of the Strategy.

- it fails to provide adequate justification as to why the planning proposal should depart from the draft Strategy;
- it fails to provide adequate justification as the departure the planning proposal would have on a combined proposal will have on the orderly and economic use of the land; and
- it fails to provide adequate justification on the impacts on the adjoining property and its current development approval.

The subject planning proposal includes detailed explanation of the planning envelope, the objectives and intended outcomes of the planning proposal and an explanation of the provisions, as well as a justification.

The planning proposal maintains the orderly and economic development of the land as the adjoining sites retain their development potential within the controls available under the LEP and DCP and under existing approvals.

In response to submissions the setback on the

adjoining boundary has been increased to manage potential impacts on the approved development of the adjoining site. Impacts are further considered during the DA process.

Fails to properly consider the draft Central Sydney Planning Strategy – The planning proposal fails to properly consider the draft Strategy prepared by the City of Sydney, as follows:

- it fails to prioritise employment growth and increase capacity (key move 1), appropriately respond to context (key move 2), and promote the efficient use of land in tower cluster areas (key move 4);
- it fails to consider or provide justification for the fact that the planning proposal will render the adjoining property an isolated site contrary to the draft Strategy;
- it fails to adequately justify setbacks and base case envelope variations which will result in a building envelope that fails to respond to its context including inadequate setbacks to the adjoining property.

As the draft Strategy is the City's most up to date strategy guiding future development in Central Sydney there is a reasonable expectation that planning proposals should comply with the strategic principles and not depart from them. The planning proposal does not provide adequate justification for the departures.

Failure by the City to consider these matters means the planning proposal is premature and should not proceed.

The planning proposal is consistent with the key moves of the Strategy. It delivers additional employment generating floor space. It responds to its context with appropriate setbacks and podium height based on heritage, wind, daylight and amenity to neighbours. It promotes the efficient use of land by increasing floor space and height for employment uses.

The planning envelope has been amended following feedback raised in submissions, increasing the eastern setback from 1 metre to 3 metres. This will provide at least 6 metres building separation from new development and 9 metres from the approved hotel which is consistent with the DCP.

The planning proposal will not isolate the adjoining site. The site has development consent for a 15 storey hotel and the landowner has lodged a planning proposal request for a taller hotel envelope. The site can also develop under existing controls of the LEP and DCP.

Fails to properly consider context – Whilst the draft DCP – Central Sydney allows for variations to street and side setback controls if equivalent wind comfort, wind safety and daylight levels in adjacent public places relative to a base case building envelope, the draft DCP also provides that greater setbacks may be required through the application of a number provisions.

The planning proposal fails to consider these additional matters as there is no analysis of the impacts a reduced setback will have on future development on the adjoining property and the approval for a 15 storey hotel.

The eastern setback has been increased to a minimum of 3 metres to provide a clear visual distinction between any future development on the adjoining site. It will result in a 9 metre separation between the subject site and the west facing rooms of the approved hotel.

Will not result in the orderly and economic use of land – The planning proposal fails to consider the effect of the departure from the draft Central Sydney Planning Strategy with respect to a combined development with the adjoining property will have on the orderly and economic use of the land. And fails to meet one of the key objectives in that it does not prioritise employment growth nor does it increase the capacity to the extent contemplated under the draft Strategy.

There is no analysis of these matters in the planning proposal which fails to consider this important object of the EP&A Act.

The Central Sydney Planning Strategy provides a 20-year growth strategy to ensure Central Sydney is capable to deliver continued growth. The Strategy provides new opportunities for additional building height and density balanced with the protection of public domain amenity and urban design considerations. The planning proposal provides for additional employment floor space consistent with the Strategy.

The subject planning proposal and planning envelope provides for one specific development outcome based on the 187 Thomas Street site. It will not render any adjoining site undevelopable, nor undermine any existing development approval. These sites retain their existing development potential with the controls available under the LEP and DCP.

Fails to comply with Guideline for Preparation of Planning Proposals – The planning proposal fails to adhere to the "*Planning Proposals – A guide to Preparing Planning Proposals*" issued by the Planning Secretary under s3.33(3) of the EPA Act, for the following reasons:

- it fails to provide information sufficient to justify the strategic merit of the planning proposal in that it does not provide enough information on relevant environmental, economic and other site-specific considerations;
- it fails to give effect to the endorsed local strategic planning statement and does not provide adequate justification from its departure;
- it fails to give effect to the endorsed draft Central

The planning proposal is consistent with the requirements for the preparation and assessment of planning proposals as outlined in the Guidelines. This has been demonstrated by the issue of the gateway determination by the Department, which indicates that the proposal has demonstrated sufficient strategic and site-specific merit to proceed to public exhibition, consultation with key public authorities and grant the City delegation of the local-plan making authority to make the relevant amendments to the Sydney LEP 2012.

As discussed above, the planning proposal has demonstrated its consistency with the relevant state, district and local strategic plans and will not adversely impact upon the amenity of adjoining residential apartments or the surrounding public domain, or upon

	<p>Sydney Planning Strategy;</p> <ul style="list-style-type: none"> – it will prevent the achievement of the objectives set out in draft clause 6.21 (7A) as it does not provide any justification as to why it should be considered separately to the adjoining property; – it fails to justify the site-specific merit test in that there is no consideration on the impacts to adjoining property; – it has not addressed the social and economic effects as it does not adequately consider impacts on adjoining heritage item and fails to consider why the planning proposal should be considered separately to the adjoining property. 	<p>the economic potential of any adjoining site.</p>
	<p>Economic justification – The proposed redevelopment at 187 Thomas Street is not financially viable. If approved in its current form, it would never be built due to the low returns such a development project would incur. The feasibility is premised on the take up of office space at rental rates higher than those achieved in this location. The Thomas Street proposal does not meet the premium office grade floor plate criteria and will not attract institutional investment in its current form. The proposal is likely not to get built in its current form as it will not secure funding, nor meet tenant demand without a full redesign. The current floor plate design is too small, difficult to fit out and will not appeal to tenants. Similarly, the mixed-use nature of the proposal, particularly the hotel use would not be favoured by large commercial tenants and would not provide any real amenity. This submission highlights the lost opportunity by not amalgamating with the 757-763 George Street site, which would result in an enhanced economic outcome as it allows for a larger, more functional floor plate design what would appeal to a broader tenant market.</p>	<p>This planning proposal does not prevent the amalgamation of the subject site with any adjoining sites, but simply describes one potential future development outcome. The planning proposal is consistent with the Strategy and LSPS in that it facilitates the delivery of additional employment generating floor space in an envelope that does not result in significant adverse impacts. It will not result in the isolation of any adjoining site or limit its development potential. The proposal will support increased economic activity that will contribute towards Haymarket's attractiveness for future economic investment.</p>
<p>7. Adjoining Landowner</p>	<p>Validity of gateway determination – The validity of the gateway determination is open to challenge on several grounds including:</p> <ul style="list-style-type: none"> – it fails to comply with the requirements of section 3.33(1) of the EP&A Act because it does not set out the justification for making the proposed instrument in that it fails to address at all: the draft Central Sydney Planning Strategy site amalgamation requirement which proposes the amalgamation of 187 Thomas Street and 757 George Street; and the likely reduction in the development potential of 757 George Street if the sites are not amalgamated; – the planning proposal fails to give proper justification under section 3.33(1) of the EP&A Act as to why the planning proposal should depart from the draft Central Sydney Planning Strategy in that it fails to promote the efficient use of land in a tower cluster area, fails to give proper justification for the departures from setbacks and base case envelopes and fails to increase capacity to the extent contemplated under the strategy; – it fails to comply with section 3.33(2)(c) of the EP&A Act because it does not address a direction made by the Minister under s9.1(3) of the EPA Act, namely Direction 4.1 'Acid Sulfate Soils'. It is mandatory for a planning proposal to address all applicable s9.1 directions at the time a gateway determination is made; and – the 'conditional' gateway certificate purportedly issued by the Minister's delegate contains which require deficiencies in the planning proposal to be rectified after the making of the gateway determination. Those 'conditions' are not within the permissible scope of 'conditions the council is required to comply with before the instrument is made' under s3.34(2)(g) of the EPA Act, but are matters which demand a 	<p>The planning proposal is consistent with the relevant state, district and local strategic plans as demonstrated by the issue of the gateway determination. While site amalgamation is encouraged by the Strategy, it is not required. The proposal facilitates site-specific controls to help deliver one particular development outcome. The existing development controls under the Sydney LEP 2012 are still applicable, for which an amalgamated option may apply. The planning proposal is demonstrably consistent with the Strategy in that boundary setbacks will not result in adverse impacts to public domain amenity and the planning envelope maintains acceptable daylight and wind conditions relative to a base case envelope. While the Strategy seeks to increase the provision of employment generating floor space in Central Sydney, it does not place targets for the delivery of this floor space. Planning envelopes under the Strategy are shaped by meeting the public amenity requirements. The gateway determination provisions under the EP&A Act provide for the Minister to determine that a "matter should proceed (with or without variation)" and "any conditions the council is required to comply with before the instrument is made". It is noted that the gateway determination for the subject proposal included a number of conditions, including to provide more information regarding Ministerial Directions and the LSPS principles for growth prior to public exhibition. The revised planning proposal was sent to the Department in November 2020 who advised that these conditions did not require approval from the Department prior to public exhibition, simply that the additional discussion should be included in the planning proposal when public exhibition commenced. This condition of</p>

		<p>determination either: that the planning proposal should not proceed; or that the Council should resubmit the planning proposal for further information or revision.</p> <p>Given the serious nature of the issues raise, the Council should resolve not to proceed with the planning proposal. Failing that, our client may have no choice but to commence judicial review proceedings under S123 of the EP&A Act seeking to set aside the gateway determination.</p>	the gateway determination was fulfilled.
8.	Adjoining Landowner	<p>Reputation of developer – Correspondence addressed to the Lord Mayor and passed on to Strategic Planning regarding concerns with track record of the landowner of the subject site.</p>	This submission is not a relevant matter of consideration in the assessment of the planning proposal
9.	Adjoining Landowner	<p>Impacts to 191 Thomas Street – Support is given to the primary objectives of the Proposal in relation to enabling development that is consistent with the CSPS and contributes to the vision and aims of the Strategy through new employment space, protection of public spaces, design excellence and improved public domain outcomes.</p> <p>With reference to the subject site, significant concerns are expressed with certain aspects of the Proposal that will detrimentally impact on the potential for future development on the site.</p> <p>Objection is raised in relation to the proposed 3 metres setback of the proposed building envelope at 187 Thomas Street to the boundary with the subject site to the north.</p> <p>An objective of the amended DCP provisions relating to 187 Thomas Street, Haymarket states the following: <i>Define the maximum envelope that respects the local context and achieves acceptable levels of solar access, acoustic amenity, wind comfort and daylight.</i></p> <p>To determine whether a defined maximum building envelope respects the local context and achieves acceptable levels of solar access, acoustic amenity, wind comfort and daylight, it is critical to undertake environmental impact assessments against existing and likely future development in the locality, particularly in relation to adjacent properties.</p> <p>It is argued the proposed 3m setback of the proposed building envelope to the northern boundary does not meet the requirements of this objective because:</p> <ul style="list-style-type: none"> – The 3m setback to the building envelope extends uniformly to a building height of 216.4m above ground level, a very tall building tower. While it is understood that this is just a building envelope, the Sydney DCP 2012 is silent on how, as part of any future development application, the boundary setback of 3m should or could be further articulated or not. – Good planning practice dictates where taller buildings are proposed, setbacks and separation distances proportionate to the increase in building height. This is best expressed when defining maximum building envelopes and should be implemented now in the particular circumstances of this proposal rather than at the development application stage. – Sydney DCP 2012 does not provide any guidance on the application of creative solutions to offset actual or future tower separation distances to ensure sky views are maintained and adverse solar access, acoustic amenity, wind comfort & daylight impacts are minimised – The Urban Design Study provides an inadequate assessment of setbacks and potential development on adjacent blocks by assuming “single site amalgamation for the remainder of Block 153 to the north of 187 Thomas St”. Block 153 North is identified in the Built Form Capacity Study that supports the CSPS. This assumption supports a scenario that allows for a future tower to be located away from development on 187 Thomas Street. Given the location of the heritage site that traverses Block 153 North from George Street 	<p>The Strategy and draft Central Sydney DCP provides guidance on the required street and boundary setbacks for future development in Central Sydney. It also provides the opportunity for these setbacks to be varied where the planning envelope can demonstrate that it will not have an adverse impact on wind and daylight conditions in the public domain.</p> <p>The subject planning proposal was accompanied by detailed wind and daylight analysis measuring impact to public domain amenity. This testing compared the proposed planning envelope to a base case envelope consistent with the requirements of the Strategy and the existing built form of the surrounding area. No assumptions on future development scenarios were made as part of this testing.</p> <p>This wind and daylight testing demonstrated that the planning envelope will maintain equivalent daylight and wind conditions in the adjacent public domain as compared to the base case envelope. The proposal is therefore consistent with the Strategy.</p> <p>The planning envelope includes a 3 metre setback to the boundary with the submitter’s site, 191 Thomas Street, Haymarket. This setback is consistent with the setback provisions for commercial towers in the Sydney DCP 2012 and would provide at least 6 metres separation between future development on both adjoining sites as required by the DCP.</p> <p>The Built Form Capacity Study that accompanied the Strategy identified 187 Thomas Street as part of an amalgamated block with the site to its east. It is noted that this Study was an indicative analysis exploring potential future development that may occur under the Strategy. Future development is not required to meet this amalgamation pattern, nor will adjoining sites be required to amalgamate.</p> <p>This planning proposal seeks to facilitate site-specific provisions that detail one particular development outcome for the 187 Thomas Street site. The planning envelope will not prevent amalgamation or redevelopment of any adjoining site that may be sought under the existing controls of the Sydney LEP 2012 or through the Strategy.</p>

through to Thomas Street it is most likely that this block will be developed as two distinct parcels.

- The Urban Design Study also shows future built form located on Block 153 North being located 8m from the boundary with 187 Thomas Street compared to a corresponding 3m setback for development on 187 Thomas. This is an inequitable sharing of setbacks to a common boundary and severely compromises the development potential of the subject site.
- The Urban Design Study does not consider the self-sufficiency of the proposed tower with not enough space provided around the building to adequately respect any possible future development on the subject site.
- The proposed 3m setback to the northern boundary will borrow amenity from any development on the site.
- Future potential for a wall of towers where groups of buildings appear as one solid mass.
- Inconsistent with Central Sydney Planning Strategy (CSPS) that actions side and rear setbacks to be not less than 3.33% of the height of the building or 4m whichever is greater to a maximum of 8m.
- Variation to the setback requirements of the CSPS are allowed subject to modeling of equivalent daylight and wind conditions in the public realm. Modeling for daylight and wind conditions has not adequately taken into consideration the most likely development scenario on the subject site.

There is Inconsistency with CSPS that envisages the site at 187 Thomas Street forming part of an amalgamated block. Sets the precedent for future inconsistencies with the CSPS.

10.	Individual	<p>Support – I support this change of planning controls for 187 Thomas Street.</p> <p>This part of town is crying out for quality development at street level and the additional height should be a mere formality in this southern CBD zone which is clearly ripe for quality hi-rise tower development as the CBD expands outwards from its inner core. I believe this entire area should have relaxed planning controls to allow for maximum height development.</p> <p>I have no vested interest in this proposal other than being a passionate Sydney person who wants to see a strong and vibrant future for an inner city which needs quality hi-rise development to overcome the constraints of space which could easily prevent future economic growth. I spent time in inner city Melbourne and the re-development of the northern end of the CBD is an excellent example of future Haymarket.</p>	<p>Noted. The proposal is consistent with the aims and key moves of the Central Sydney Planning Strategy which allows development potential for the site and opportunities for economic growth in Central Sydney on suitable sites through additional building height and floor space.</p>
11.	Individual	<p>Adverse amenity impacts – The planning proposal will adversely impact the nearby residential apartment building, Quay Haymarket from changes to the planning controls for 187 Thomas Street, Haymarket.</p> <ul style="list-style-type: none">- the additional height will create an overly dense environment within a restricted amount of space;- the proposed height is not in keeping with neighbouring buildings;- additional occupants will cause congestion and impact on neighbouring roads;- there is insufficient infrastructure to accommodate the proposed changes; and- overshadowing will impact the Quay Haymarket residential apartment building.	<p>The proposal is consistent with a key move of the Central Sydney Planning Strategy in that additional building height and density may be unlocked in suitable locations where it will not result in adverse wind and daylight impacts to the public domain. The planning envelope has been developed to ensure any adverse environmental amenity impacts including excessive wind speeds are minimised. The proposed planning envelope has been subject to wind tunnel testing where it was compared to a base case envelope consistent with the Strategy. The proposed planning envelope has demonstrated an equivalent or improved performance. A detailed Wind Impact Assessment accompanied the planning proposal that assessed pedestrian wind comfort and safety conditions in the adjacent public domain. The report found that conditions would generally remain comfortable, close to the existing wind conditions. However, the report did find that the planning envelope may result in instances where the wind conditions exceed that required for the existing uses in that area, for example for outdoor dining on Thomas Street and for Valentine Street. To mitigate</p>
12.	Individual	<p>Adverse amenity impacts – Having read the proposed planning for the site, I understand the intent and justification for the proposed amendments. It is refreshing to see the planning authority has foresight and vision for the future of this wonderful city, transforming from a financial hub to a tech start-up hub. This alone can make</p>	

a handsome economic contribution to the southern end of the Sydney CBD, if not for the economy of NSW and the nation. I can offer the following concerns:

- the building height will impact upon nearby residents and presents as a challenge to planning;
- tall buildings have a habit of creating wind tunnels, wind testing after design competition is not a satisfactory outcome;
- overshadowing from the tower will impact nearby Quay Haymarket building and its podium garden as well as surrounding outdoor eateries and cafes;
- The City and landowner should consult with the parish council for Christ Church St Laurence, if there is a clash with tradition and the modern business world, the newcomer should fit in with this surrounding environment;
- the viability of the proposed commercial uses, office, tech start-up and hotel uses within future development is questioned. We do not want a white elephant on Thomas Street, we already have too many empty shops and office spaces in Haymarket;
- traffic and construction vehicle impacts to congestion and residential amenity; and
- construction noise and dust impacts to residents

these issues, the draft DCP for the site includes mitigation measures to suitably address these issues if needed, including an additional opening above the podium and smoothing the façade to redirect wind away from the public domain. Furthermore, additional wind testing will take place following the design competition as part of the detailed development application. It is anticipated that any further adverse impacts will be addressed at this stage once the final geometry of the future development is established.

Concern was raised regarding the potential of the proposed planning envelope to overshadowing nearby residential apartments, including the Quay Haymarket apartment building located adjacent to the corner of Quay Street and Ultimo Road. A detailed shadow study was prepared by FJMT which demonstrated that the proposal would not result in any additional overshadowing impacts at mid-winter. The apartment buildings that front Quay Street, to the south of the site would experience some reduction in solar access, however most will maintain at least 2 hours of daylight. A detailed solar access study would accompany a future detailed development application.

13. Individual

Excessive height/density – We object to the proposal for a building of up to 215 metres tall at 187 Thomas Street, Haymarket. We would like to see the area protected from rampant development.

We are concerned about the extraordinary height and the implications for overshadowing of the church and possibility of a 'wind tunnel' effect.

There are many empty shops in the area partly as a result of COVID. Do we really need another ultra-high rise building that may never be filled.

The subject planning envelope, at 215 metres in height that comprises commercial uses is consistent with the requirements of the Strategy and Central Sydney planning proposal. The subject site is located in the Haymarket Ultimo tower cluster, a designated location where additional building height and density may be accommodated to deliver additional employment generating floor space. Such projects are required to ensure key public places are not significantly overshadowed and acceptable public domain amenity is maintained. The height of the tower is consistent with the heights envisaged by the Strategy in this location.

It is acknowledged that the future development facilitated through this planning proposal would result in some additional impact to solar access and wind conditions in the surrounding public domain as compared to the existing building on site. Notwithstanding this, the proposal is consistent with the requirements of the Strategy with the planning envelope resulting in equivalent or improved daylight and wind conditions in the surrounding public domain. The daylight analysis that accompanied the planning proposal indicates that the proposed planning envelope will maintain equivalent daylight conditions.

14. Individual

Excessive height/density – I ask you to reject the proposal to increase the maximum building height from 50m to 226.8m.

The tower proposed would dominate the landscape in a negative way overshadowing buildings in a large radius.

The 50m maximum height, allow up to about 15 floors, is already very high for a site with many heritage items nearby. Allowing a taller building would only benefit the developers and would be negative to others who live and work in the area.

A detailed wind impact assessment accompanied the planning proposal, which assessed the pedestrian wind comfort levels in the surrounding public domain in wind tunnel equivalence testing. The assessment found that public domain wind conditions would remain generally equivalent to that of a building envelope that is consistent with the Strategy. The assessment did however identify several locations where the proposed planning envelope may result in conditions that might not match its existing use, such as outdoor dining, which typically needs calm wind environments. The site-specific draft DCP includes provisions to address this, including an additional notch on the western elevation above the podium and a rounded south-west corner of the building. The testing found that these measures would redirect wind horizontally and away from the public domain.

The planning envelope has been amended to increase the setback from the eastern boundary from 1m to 3m to provide greater building separation from any future development on this site. This setback and the draft

15. Individual

Excessive height/density – Another not needed tall building to create a wind tunnel and overshadow the last 20th century intact precinct in the City.

People are already not coming to the city because of it not being "user" friendly, full of wind tunnels & issues with parking. The building does not have enough parking for a 49 storey building. The shadow cast by the building will be year-round and make the area most unpleasant. The numbers of people who will be working/staying in the building will increase the traffic flow & create traffic issues. There is already a large student population plus China Town which already cause traffic issues.

Not all people especially older people are willing to travel by public transport due to safety issues & convenience distance to walk from the public transport. A hotel in this part of town it will be catering to Asian travelers which means that large tourist buses will parking & navigating the narrow streets in the area.

I am not sure the Unions will be happy with the change to the area. This whole area should be kept intact as it should be heritage listed, so that it cannot be destroyed as it is going to be. Shame we do not appreciate our heritage.

16.	Individual	<p>Excessive height/density – Objection. This building is unnecessary to the current needs of the area. It is a historical area that would currently throw shadow over the small amount of historical buildings in the area.</p> <p>There is not enough of the historical buildings left in this part of Sydney and they seem to be becoming overshadowed by cold mountainous buildings that have no need to be in the area.</p>	<p>DCP provisions will provide a suitable visual separation and ensure future development will not result in excessive wind conditions on Valentine Street and elsewhere in the public domain.</p> <p>The redevelopment of the subject site facilitated by the planning proposal would include the demolition of the existing buildings on site. The existing building was constructed in the late twentieth century and is not listed as a heritage item.</p>
17.	Individual	<p>Excessive height/density – The current building is not at all in keeping with the area, but the answer should not be a 49-story building. The whole neighbouring area is part of Sydney's heritage.</p> <p>The University of Technology, Sydney in the building adjacent to Paddy's Market. That development was made with great care to take in the environment and its heritage - the front walls of the former buildings were kept and the new low-level buildings built behind.</p> <p>It would be in Sydney's interests to keep high rise development at a minimum in this area and not to blindly follow the example of the already approved Atlassian development near to Central Station. If this is approved, it will only be the start of massive high-rise development in the Haymarket area.</p>	<p>The subject site adjoins the Sutton Forest Meat building, a local heritage item that fronts the corner of Valentine Street and George Street and Christ Church St Laurence, a State heritage item, is located about 70 metres from the site, fronting the intersection of Valentine Street and George Street. The planning envelope has been designed to ensure future development sympathetically responds to adjacent heritage. This includes a podium height that aligns with the height of the Sutton Forest Meat building; an 8 metre setback to Valentine Street to preserve views to the Christ Church St Laurence; and suitable provisions have been included in the draft site-specific DCP to ensure future development includes appropriate form, articulation and materials to respond to nearby heritage.</p>
18.	Individual	<p>Excessive height/density – I object to the proposed very high high-rise development at the corner of Valentine & Thomas Streets.</p> <p>I am really astonished at the prospect of a nearly 50 storied building imposing itself over the community. The impact of shade and shadows - plus the wind tunnels that will be added to the deterioration of the fragile environment that I really feel moved to protect.</p> <p>The possibility of another hotel in the area bring with it the strong likelihood of more vehicular traffic, wish of course less availability for parking as the plan shows less parking in the new development than current.</p> <p>I can't imagine what positive outcomes could come out of this development and please request that permission to proceed not be permitted.</p>	
19.	Individual	<p>Impacts to Christ Church St Laurence – I am a regular church attender and a parishioner of Christ Church St Laurence (CCSL) and wish to express my utmost objection of the proposed plan due to the following reasons:</p> <ul style="list-style-type: none"> – the proposal would reduce number of car spaces provided under the building putting more pressure on already limited street access and car parking near CCSL, with many parishioners living in other suburbs which would require driving especially on Sunday; – adverse changes to wind tunneling effects in around Valentine Street and across CCSL; and – overshadowing of CCSL hours earlier each and every afternoon of the year, with lots of stained-glass windows losing the beauty of reflecting sunlight caught inside the church. 	<p>Workers in the development are unlikely to drive to the new development and use on street parking as the subject site is located in close to Central Station which includes metropolitan and regional train connections, the Sydney Metro which is currently under construction, as well the tram and bus network. On-street parking in the area is also timed and unlikely to be used by workers. An amount of on-site parking is permitted under the current planning controls which will enable some on-site parking plus servicing.</p> <p>The forecourt and public domain adjacent to Christ Church St Laurence on George Street was measured as part of the wind tunnel testing on proposed planning envelope detailed in the Environmental Wind Assessment included with the planning proposal. The wind conditions outside the Church will generally remain suitable for standing and congregating following future development on the 187 Thomas Street site. While the results indicate that the wind conditions would change from a wind speed of 3.6m/s to 4.2m/s and from a sitting classification to standing classification, the conditions are appropriate for the use of the space and are similar to Railway Square and Hyde Park. The wind safety conditions for the George Street frontage of the Church would continue to be achieved and the safety conditions at the rear of the Church on Pitt Street would slightly improve.</p>
20.	Individual	<p>Impacts to Christ Church St Laurence – Such a building is totally inappropriate for this area and skyline. As a parishioner at CCSL, I am horrified. In 2019 a proposed 16 storey building adjacent to our church was defeated. This new monstrosity would be three times that height. It would overshadow the church (founded in 1845), blocking the light which illuminates our beautiful 19th century windows.</p> <p>It would be a vulgar eyesore, out of place in this part of Sydney. Perhaps it would be more appropriate replacing that obscenity of a casino at Barangaroo!</p> <p>It would cause adverse changes to wind tunneling effects in and around Valentine Street and across to CCSL. It would also decrease the number of car spaces provided</p>	<p>Following the public exhibition of the planning proposal additional shadow analysis on the impact of future development on the stained-glass windows on the</p>

under the building, putting more pressure on already limited street access and car parking near CCSL, inconveniencing elderly and disabled parishioners. For these reasons I strongly urge this proposal be rejected.

21. Individual

Impacts to Christ Church St Laurence – We are marking the submission as parishioners of Christ Church St Laurence. The place of CCSL in people's lives and the life of the Anglican Church in Australia and worldwide is significant. It provides liturgy second to none in Sydney Diocese every day of the year. Music is an integral part of this. It is also a place where people meet and support each other. CCSL provides often lifesaving and life-changing assistance at critical times.

CCSL is located within Sydney CBD, close to several heritage buildings. The heritage aesthetics must be protected and maintained. The proposed development only one block away would enormously detract from these existing heritage buildings. Sydney's remaining built heritage must be protected and preserved.

This building will cast significant shadow during all daylight hours, most notably on CCSL. This church has several magnificent stained-glass windows which will lose their natural light because of this increased shadow. The Proposal would negatively impact on this, which is of high historical and cultural significance.

The design of The Proposal would also create a wind tunnel along Valentine Street (directly opposite CCSL), making it very unpleasant to congregate outside the church in George Street.

The proposed changes to permit such development would open the floodgates for further monstrous high rise and eventually destroy existing character of the area.

Services are held every day at CCSL. The Proposal lessens street car spaces available for CCSL parishioners. This particularly effects the elderly and people with mobility issues who require close ground level parking. Road access to the church front in George Street is already limited and further changes to the back streets which enable access from the west will further restrict such accessibility. There are very many special services – weddings, funerals and other days where liturgy occurs outside the church building. The wind tunnel created along Valentine Street by the proposal will make it impossible for significant events and other emotional times.

The Proposal undermines the principle of Safe Environments through the alteration of pedestrian density around the church and adjoining precinct.

Traffic associated with the proposed 49 storey building will make accessing CCSL from the west much more difficult, with Valentine Street being the only entry from that direction. As recent transport interchange construction and permanent road closures have already increased the difficulty of accessing the church by road.

The proposal does not appear to be a safe one in terms of emergency evacuation in an already busy precinct.

There will be increased noise emanating from and around this building, with the inclusion of an auditorium along with other facilities will contribute to additional noise generation. As will construction noise and disruption to traffic flow during the construction phase. This will have a detrimental impact to the local churches and businesses.

This proposal is at least thirty (30) storeys higher than any other similar building in this block where CCSL is located. As such it is not in character with the Haymarket area. The building in the proposal does not blend with any surrounding aesthetics or styles. Whilst the inclusion of open space may be an attempt to lessen the negative impact of this eyesore, the height of the construction

George Street façade of Christ Church St Laurence. The study found that while the proposal would result in additional shadowing on the façade as follows:

- Summer – 21 December
10 minutes additional shadowing, between 1.10pm and 1.20pm;
- Equinox – 21 March
Additional impact increasing to a maximum of 2hrs 15m between 1.25pm and 3.40pm.
- Winter – 21 July
5 minutes additional shadowing at 3.20pm.

The above additional shadowing is based on the planning envelope and it is likely that the final design of the future development will be reduced in bulk and scale following the design competition, reducing any further additional shadowing. It is also noted that additional shading is unlikely to occur during key use times for the Church (7-9.30am and 5pm onward). A healing mass is also held on a Wednesday at 12.30pm however additional shadows will not affect the church at this time.

negates this attempt at cosmetic veneer. The surrounding Haymarket district is one with a distinct village atmosphere, steeped and rooted in its early colonial and earlier twentieth century history. This development is not compatible with this unique history.

The density of the proposed development overwhelmingly exceeds all existing nearby structures, and thus detracts from the aesthetic and environmental characteristics of an already congested city where retention of public space and open sky is increasingly important.

Summary - Sydney City is suffocating from over-development. This proposed construction and its proposed enabling legislation are totally inappropriate in this location, having a negative and detrimental impact on their surroundings as outlined above. The Proposal will detract from the significant heritage character of the immediate precincts. Sydney has minimal culturally or historically significant sites which are not obscured by surrounding tall buildings. It is essential to maintain what little still exists. The Heritage Precincts of The Rocks and Haymarket should be protected and promoted as historic gateways to the CBD.

22. Christ Church St Laurence

Impacts to Christ Church St Laurence – The location is a small block west along Valentine Street opposite Christ Church St Laurence.

As its meeting on 11 February, the Parish Council of Christ Church St Laurence discussed this proposal and determined to inform the parishioners and to make a submission.

CCSL Parish Council has the following concerns about these proposed changes that would permit such a tall building a block to the west of CCSL:

- overshadowing of CCSL hours earlier each and every afternoon of the year;
- adverse changes to wind tunneling effects in and around Valentine Street and across to CCSL;
- decrease from 92 to 79 of the number of car spaces provided under the building putting more pressure on the already limited access and parking near CCSL (We note that the City has changed its requirements for new commercial building parking spaces).

CCSL notes that we are included among the local heritage areas that would be part of design consultation down the track. We'd prefer that such a tall building did not get that far down the track.

The proposed height of such a building would far surpass any existing building within several blocks and be totally out of place in this whole area. We note the approval for the tall Atlassian Building over Central Station but as this is further south-east of CCSL, it will not have near the same extent of issues as that at 187 Thomas Street.
