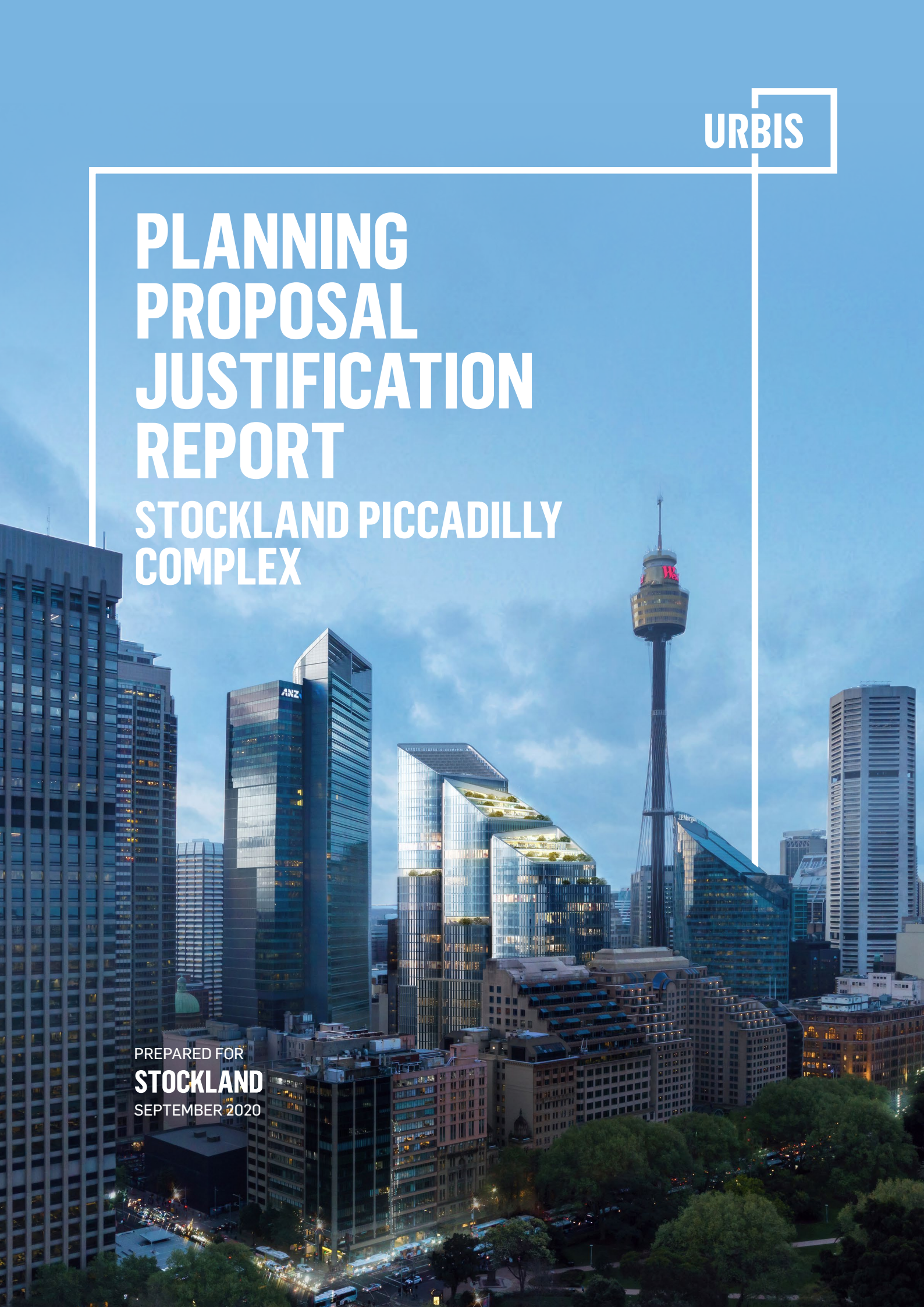
Attachment A1

Planning Proposal Justification Report – Urbis - 133-145 Castlereagh Street, Sydney

URBIS

PLANNING PROPOSAL JUSTIFICATION REPORT

STOCKLAND PICCADILLY COMPLEX



PREPARED FOR
STOCKLAND
SEPTEMBER 2020

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Project Code	P0005237
Report Number	Final

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EXECUTIVE SUMMARY

Planning Proposal Request Overview

This Planning Proposal request **(Planning Proposal)** has been prepared by *Urbis Pty Ltd* (Urbis) for Stockland on behalf of *The Trust Company Ltd* **(the applicant)** seeking to amend the floor space ratio **(FSR)** development standard applicable to the site, under the Sydney Local Environmental Plan 2012 (the **LEP),** in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 **(EP&A Act).**

This Planning Proposal also seeks amendments to the Sydney Development Control Plan 2012 **(the DCP**) to establish site specific provisions to guide the future development, including establishing a building envelope for the site as well as other key assessment criteria including the establishment of a through-site link, vehicular access and car parking provision, and establish sustainability criteria.

The amendments sought to the relevant planning instruments have the ability to generate approximately an additional 45,000m^2 in employment floor space on the site.

Stockland acting on behalf of the Trust Company Limited, has been in consultation with the City of Sydney Council since 2019 to discuss opportunities to upgrade the quality of the current Piccadilly Complex, to achieve additional contemporary employment floor space as well improve its contribution to the fabric of Central Sydney.

Over this period of initial engagement Stockland has responded to feedback from the City of Sydney Design Advisory Panel, Planning & Design Team and other Technical Officers. In particular Stockland has:

- Discussed and agreed in-principle podium heights to each street frontage to respond to adjacent heritage items, as well as contextually responsive tower setbacks.
- Tested options and established location and design principles for a significantly enhanced through-site link and retail amenity, and improved vehicular access arrangements together with an enhanced pedestrian experience.
- Explored opportunities and identified a large commercial floor plate option while optimising daylight access and amenity.

Planning Process

The City of Sydney's Draft Central Sydney Planning Strategy (Draft CSPS) is Council's 20-year strategy to manage the growth of Central Sydney. The strategy seeks to prioritise employment capacity, implement genuine mixed-use development controls, support additional density in some locations, and introduce additional requirements for ESD initiatives, protect and enhance heritage, public spaces and places.

Both the Sydney LEP 2012 and DCP 2012 provisions applying to the site are proposed to be amended pursuant to the Central Sydney Planning Proposal (2020) **(CSPS planning proposal)** and the Draft Central Sydney Planning Strategy DCP Amendment **(Draft CSPS DCP Amendment).** The public exhibition period for these draft instruments ended on 10 July 2020 and Council is currently reviewing the submissions.

The subject land is not within an identified mapped Tower Cluster area. However, notwithstanding this, the site displays the capability to increase employment floor space capacity in accordance with the CSPS directions and as such is eligible to be considered under a site-specific Planning Proposal process.

The CSPS provides a pathway for a site-specific Planning Proposal process, where the opportunity to increase floor space can be achieved subject to meeting relevant built form and environmental impact considerations. Specifically, this Planning Proposal request addresses the outcomes sought by the CSPS and addresses the built form controls sought via the Draft CSPS DCP Amendment.

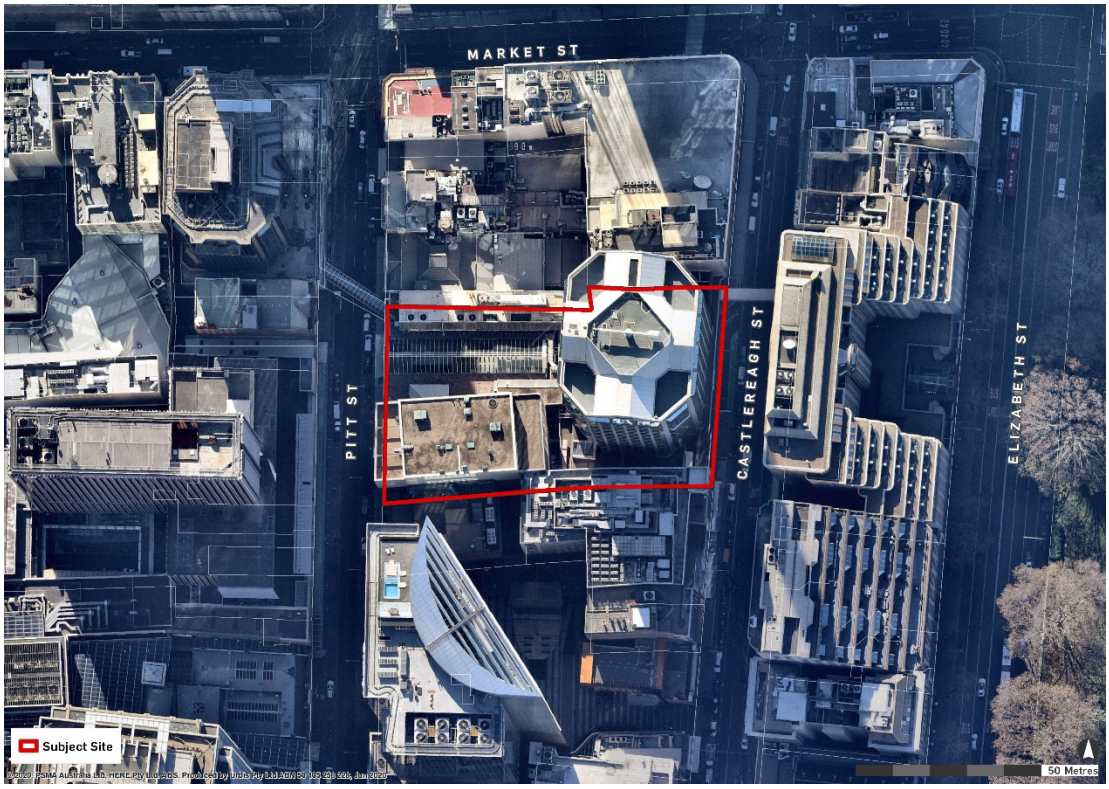
Specifically, the objectives and intended outcomes of the Planning Proposal will be achieved by implementing a site specific provision into Part 6, Division 5 of the LEP which will allow a maximum allowable FSR on the site of 19.57 which can achieve an FSR of 21.53:1 if a competitive design process has been held through a 10% FSR bonus.

Site

The site is known as Stockland Piccadilly Complex and located at 133-145 Castlereagh Street, Sydney. It is irregular in shape, extends to an area of 4,800m^2 and contains two street frontages onto Castlereagh Street to the east (55m) and Pitt Street to the west (54m).

The site currently comprises three buildings known as the 'Piccadilly Complex' completed in 1991 which has been the subject of progressive improvements to upgrade selected elements within the building. The buildings on the site include a 14-storey office building, 2 storey retail building, and 31 storey commercial office building which accommodate commercial uses include office and retail space, and basement parking levels. Wesley Mission, who are a non-for-profit organisation founded by the Uniting Church, operates facilities located on the ground and basement levels of the site including the Wesley Church, Lyceum, Wesley Theatre and supporting office space.

Figure 1 Site Aerial



Source: Urbis

Development Concept

The intended outcome of the proposed amendments to the LEP and DCP is to facilitate the redevelopment of the site for the purposes of a 36 storey commercial office tower development above a retail podium, including Wesley Mission facilities at lower ground level, together with basement car parking and associated facilities.

The proposal aligns with the draft CSPS to facilitate additional employment floor space capacity in Central Sydney while also delivering improved public domain outcomes. Such outcomes will include a northerly aligned direct through-site link between Pitt and Castlereagh Street and enhanced pedestrian amenity and activation at the ground plane.

The Planning Proposal will also facilitate the rectification of a number of elements of the existing Piccadilly Complex which results in a sub-optimal public domain outcome. Specifically, the proposal will address the following:

- **Removal of the existing breach to the Hyde Park sun access plane**, thereby enhancing solar access to Hyde Park.

- **Removal of the existing parallel car park access ramp on Castlereagh Street**, which currently presents a major physical and visual obstacle and intrusion into the public domain. This is to be removed and consolidated into a single vehicle ingress/egress at the south western corner at Castlereagh Street.
- **Removal of the sky bridges over Pitt Street and Castlereagh Street**. The removal will enhance daylight and sky view to Pitt and Castlereagh Streets and remove the current visual intrusion.
- **Deliver a new "pedestrian street"/accessible through-site link**. This link will provide unrestricted access and visual and physical connectivity between Pitt and Castlereagh Streets with mid point natural light through an atrium above.
- **Align the new built form to the street edge,** enhancing pedestrian activation and amenity. The existing colonnades diminish the site's activation to Pitt Street and Castlereagh Streets, and these will be filled in with the façade to align with the street frontage enhancing the pedestrian experience.

To establish the site-specific FSR provision, a concept reference scheme has been prepared (refer **Appendix A)** which sets the maximum GFA achievable within the building envelope with appropriate allowances excluded from the GFA calculation under the LEP such as building plant, circulation area and car parking and servicing area to meet LEP requirements, building articulation zones, building core, and floor to floor heights. It also excludes design measures including building articulation zones, building core, and floor to floor heights.

Figure 2 Photomontage of the Development Concept/Reference Design

Source: 3XN

Planning Merits

The Planning Proposal has been assessed against relevant State and local planning considerations including strategic and site-specific merit tests. The Planning Proposal is justified on planning merits for the reasons summarised as follows:

- The Planning Proposal demonstrates a high level of consistency with the strategic planning framework governing the Greater Sydney Region and Sydney CBD and specifically, the CSPS. The CSPS seeks additional commercial floor space capacity in Central Sydney while also delivering improved public domain outcomes.

- To ensure the Sydney CBD remains competitive and maintains its global status, both in terms of quantity, quality and availability of office floor space, the Planning Proposal seeks to significantly enhance the employment generating capacity of the site.
- The proposal will generate jobs both during construction and operation which will have flow on effects to the local and broader domestic economy.
- The Planning Proposal demonstrates strong site-specific merit due to the following:
  - The Urban Design Study and Concept Reference Scheme (**Appendix A**) demonstrates how the site can accommodate the increased floor space density to increase the employment generating capacity of the site which is a significant improvement to the existing site condition.
  - The proposal will deliver significant public domain improvements including a through-site link between Pitt and Castlereagh Streets and enhances pedestrian amenity and activation at the ground plane.
  - The proposal will significantly enhance the public domain along Castlereagh Street through removal of the existing parallel basement parking ramp which is a significant intrusion into the public realm.
  - The proposal will reduce the existing parking provision and remove the existing casual public parking arrangements.
  - The availability of a large site extending to 4,800m^2 in area is a significant opportunity to deliver larger premium grade floor plates with a centralised core maximising daylight access and improved amenity.
  - Redevelopment of the site provides the opportunity to deliver an efficient and sustainable site-specific outcome within close proximity to transport corridors and local, strategic and metropolitan centres. As explored within the Sustainability Strategy, this will ultimately slow emissions growth and contribute to a low-carbon city, aligning with the sustainability priorities of State and local policies.
  - The site is not subject to significant ecological or environmental constraints due to its development history and location within a built urban area, and local infrastructures and services have already been accommodated on the site.
- An environmental impact assessment has been undertaken to accompany the Planning Proposal which has found that:
  - The redevelopment of the site will result in an improved equivalent outcome in terms of wind comfort when compared to a building envelope compliant with the Draft CSPS DCP Amendment built form controls.
  - The redevelopment of the site will result in an improved outcome in terms of sky view factor when compared to a building envelope compliant with the Draft CSPS DCP Amendment built form controls.
  - A utility services assessment prepared by ARUP confirms that existing utility services available to the site can be augmented to meet the increased demand generated by the proposal.
  - Flooding advice confirms that the future development is capable of achieving relevant flooding criteria subject to implementation of flood mitigation measures to be detailed at the DA stage.
  - The subterranean conditions are suitable to accommodate the future redevelopment of the site, noting that the site is already substantially excavated. Any future works will be managed to avoid the zone of influence of the rail tunnels.
  - The future building on the site is capable of achieving relevant acoustic policies and standards.
  - The building envelope proposed through this Planning Proposal is consistent with the Hyde Park SAP resulting in improved sunlight access to Hyde Park compared to the existing situation.
  - The redevelopment of the site will result in the rationalisation and improvement of car parking and vehicular access arrangements.
  - The building envelope is assessed to have a supportable impact from a heritage perspective.

1. INTRODUCTION

1.1. OVERVIEW

This request to prepare a Planning Proposal has been prepared by *Urbis Pty Ltd* for Stockland on behalf of *The Trust Company Ltd* (the applicant) and seeks to initiate the preparation of a Local Environmental Plan amendment for the land known as *'Stockland Piccadilly Centre'* located at 133-145 Castlereagh Street, Sydney (the site) legally described as Lot 10 in DP828419.

The Planning Proposal seeks to amend the floor space ratio (FSR) development standard applicable to the site, under the *Sydney Local Environmental Plan 2012* (the LEP), in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

As contemplated by Clause 7.20 of the LEP, this Planning Proposal also seeks amendments to the Sydney Development Control Plan 2012 (the DCP) to establish site specific provisions to guide the future development, including establishing a building envelope for the site as well as other key assessment criteria.

The intended outcome of the proposed amendments to the LEP and DCP is to facilitate the redevelopment of the site for a commercial office tower development above a retail podium, including Wesley Mission facilities at lower ground level, together with basement car parking and associated facilities. Such a proposal aligns with the draft Central Sydney Planning Strategy (Draft CSPS) to facilitate additional commercial floor space capacity in Central Sydney while also delivering improved public domain outcomes. Such outcomes will include an east west through-site link between Pitt and Castlereagh Street and enhanced pedestrian amenity and activation at the ground plane.

Specifically, the objectives and intended outcomes of the Planning Proposal will be achieved by implementing a site specific provision into Part 6, Division 5 of the LEP which will allow a maximum allowable FSR on the site of 19.57 which can achieve an FSR of 21.53:1 if a competitive design process has been held through a 10% FSR bonus. This will be supported by a site-specific DCP.

The amendments sought to the LEP and DCP have the ability to generate approximately an additional 45,000m^2 in employment floor space on the site.

The Planning Proposal is supported by a conceptual reference scheme, however the design of the development will be subject to a future design excellence process and a future detailed development application.

1.2. REPORT STRUCTURE

This request for a Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act with consideration of the NSW Department of Planning, Industry and Environment (DPIE) '*A guide to preparing planning proposals*' and '*A guide to preparing local environmental plans'*, December 2018.

This Planning Proposal is structured as follows:

- **Section 2: Site and Surrounding Context** – provides a description of the site and context.
- **Section 3: Statutory Planning Context** – provides a summary of the relevant existing and proposed statutory planning legislation controls pursuant to the Draft CSPS.
- **Section 4: The Case for Change:** summarises the compelling reasons why the City of Sydney Council should resolve to support the Planning Proposal and initiate the required amendments to the planning legislation.
- **Section 5: Indicative Development Concept** – provides a description of the proposed concept design.
- **Section 6: Planning Proposal** – details the relevant matters for consideration namely *A Guide to Preparing Planning Proposals*.
- **Section 7**: **Part 1 Objectives and Intended Outcomes** - A statement of the objectives and intended outcomes of the proposed instrument.
- **Section 8: Part 2 Explanation of the Provisions** - An explanation of the provisions that are to be included in the proposed instrument.

- **Section 9: Part 3 Justification** - The justification for those objectives, outcomes and the process for their implementation.
- **Section 10: Environmental Assessment** – provides an assessment of the potential environmental impacts of the proposal, and details necessary mitigation and management measures required.
- **Section 11: Part 4 Maps** - where relevant, to identify the intent of the Planning Proposal and the area to which it applies.
- **Section 12: Part 5 Community Consultation** - Details of the community consultation that is to be undertaken on the Planning Proposal.
- **Section 13: Project Timeline** - A project timeline to detail the anticipated timeframe for the plan making process.
- **Section 14: Conclusion**.

1.3. PROJECT TEAM

This report should be read in conjunction with the following accompanying documentation:

Table 1 Accompanying Documentation

Document	Consultant	Appendix
Urban Design Study and Concept Reference Scheme	3XN	**Appendix A**
Site Survey	LTS Lockley	**Appendix B**
Quantity Surveyor Letter	WT Partnership	**Appendix C**
Draft Site-Specific Development Control Plan	3XN/Urbis	**Appendix D**
Draft Design Excellence Strategy	Urbis	**Appendix E**
Traffic and Transport Impact Assessment	ARUP	**Appendix F**
Statement of Heritage Impact	Urbis	**Appendix G**
Pedestrian Wind Study	ARUP Environment	**Appendix H**
Pedestrian Footpath Analysis	ARUP	**Appendix I**
Services Report	ARUP	**Appendix J**
Ecologically Sustainable Development Report	ARUP	**Appendix K**
Acoustic Impact Assessment	ARUP	**Appendix L**
Public Art Strategy	Barbara Flynn Pty Ltd	**Appendix M**
Preliminary Flooding Advice	ARUP	**Appendix N**
Skyview Factor Report	BIM Consulting	**Appendix O**
Desktop Geotechnical Assessment	Douglas Partners	**Appendix P**
Stakeholder Engagement Plan	Elton Consulting	**Appendix Q**

Document	Consultant	Appendix
Rail Impact Report	ARUP	**Appendix R**
Preliminary Waste Management Plan	Foresight Environmental	**Appendix S**
Statement of Intent – Public Benefits	Stockland/Urbis	**Appendix T**

1.4. PRE-LODGEMENT MEETINGS

Stockland acting on behalf of the Trust Company Limited, has been in consultation with the City of Sydney Council for around 2 years to discuss opportunities to upgrade the quality of the current Piccadilly Complex to achieve additional contemporary employment floor space as well improve its contribution to the fabric of Central Sydney.

Over this period of initial engagement Stockland has responded to feedback from the City of Sydney Design Advisory Panel, Planning & Design Team and other Technical Officers. In particular, Stockland has:

- Discussed and agreed in-principle podium heights to each street frontage to respond to adjacent heritage items, as well as contextually responsive tower setbacks.
- Tested options and established location and design principles for an enhanced through-site link and retail amenity and improved vehicular access arrangements.
- Explored opportunities for large commercial floor plates while optimising daylight access and amenity.

In early 2020 Stockland commenced a formal more regular consultation program with the City of Sydney Council (over a two-month period) and engaged an experienced project team.

The project team has engaged closely with the City of Sydney in an effort to resolve key issues. A series of meetings have been held with the project team and the City of Sydney Council to discuss key considerations with the Planning Proposal including:

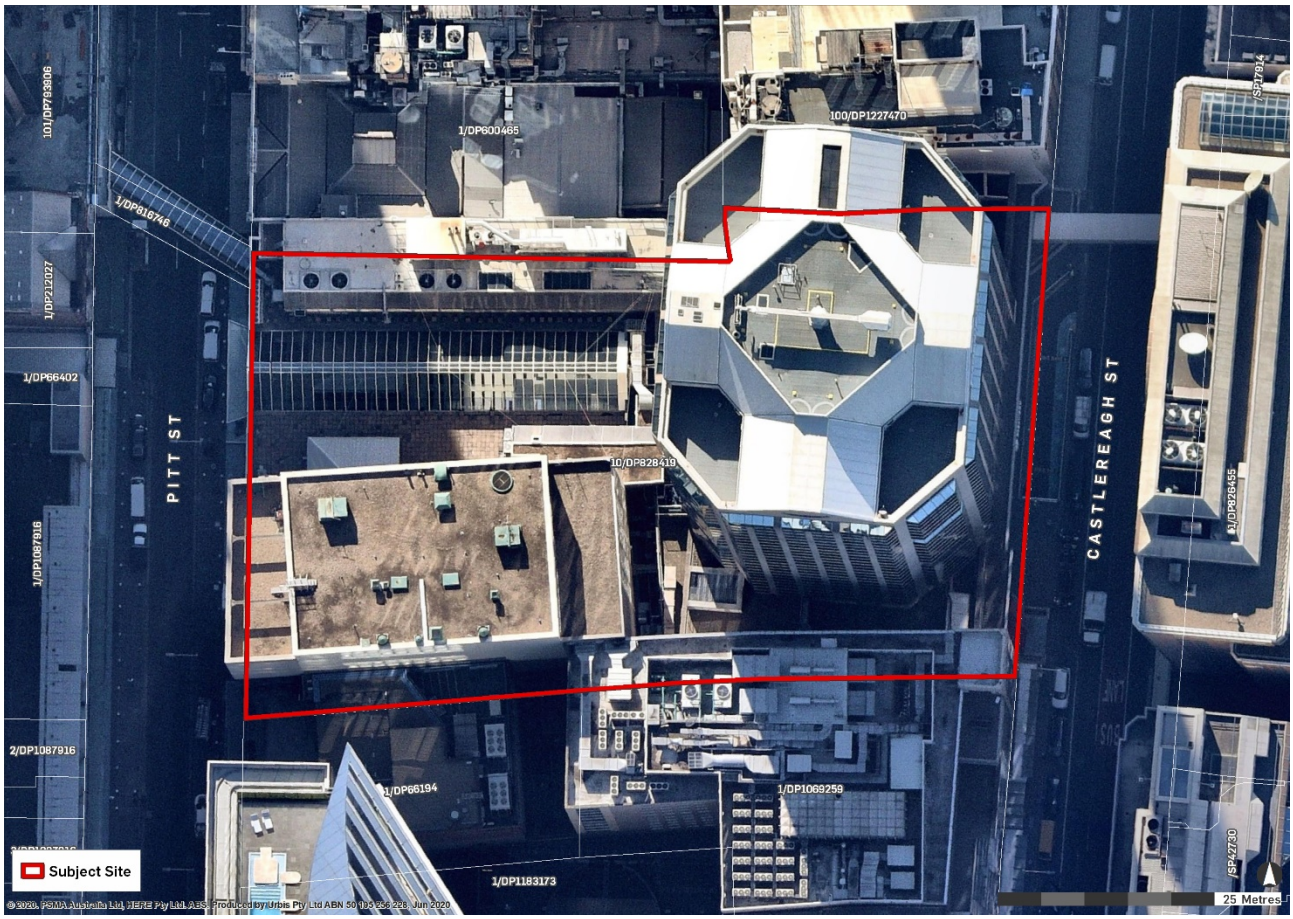
- Wind Assessment
- Skyview factor assessment
- Building massing and GFA
- Urban design and built form impacts
- Car parking provision and site access.

2. SITE AND SURROUNDING CONTEXT

2.1. THE SITE

The site is known as *Stockland Piccadilly Complex* and located at 133-145 Castlereagh Street, Sydney (the site). It is irregular in shape, extends to an area of 4,800m^2 and contains two street frontages onto Castlereagh Street to the east (55m) and Pitt Street to the west (54m).

Figure 3 Site Aerial



Source: Nearmap

2.2. REAL PROPERTY DESCRIPTION AND OWNERSHIP

The site ownership, legal description, lease agreement, and easement and affectations are detailed in **Table 2** below.

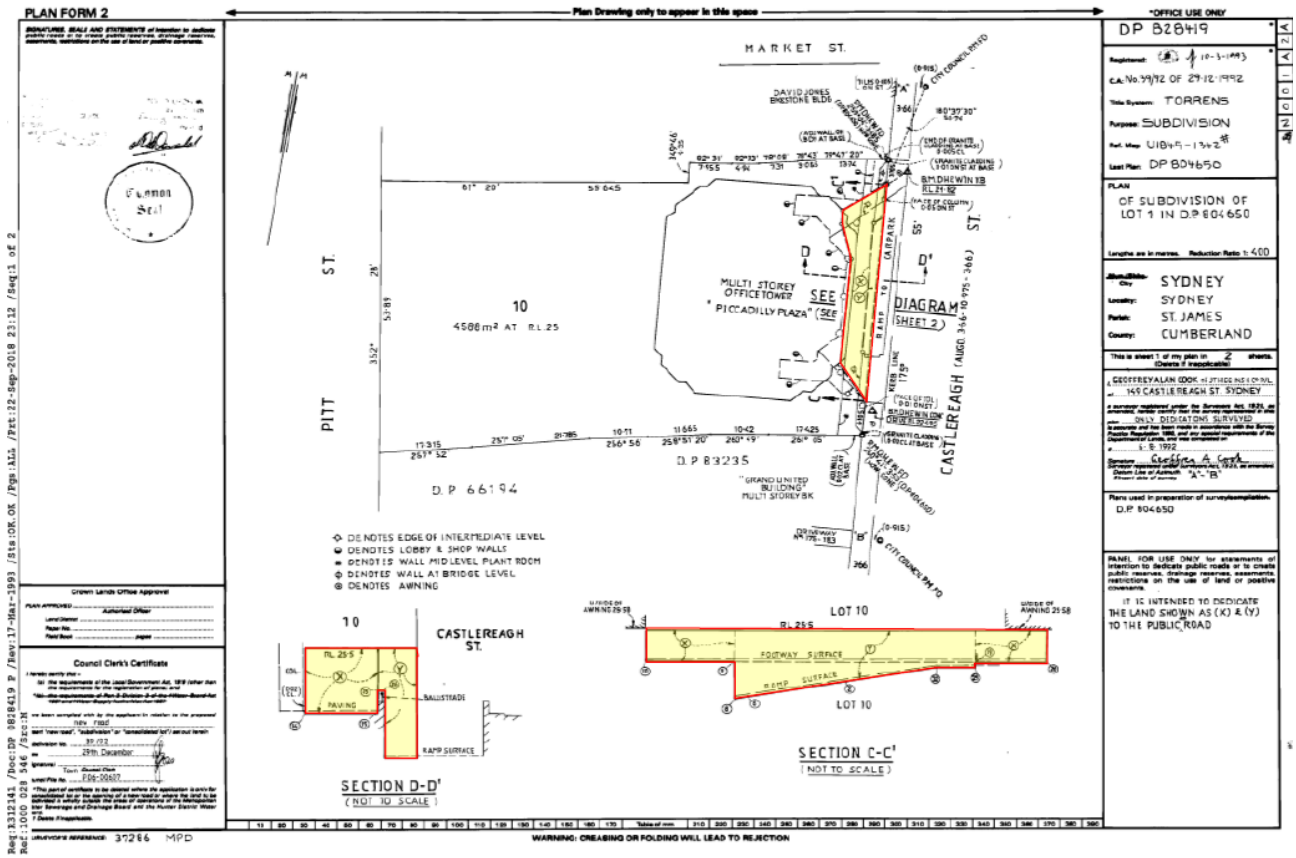
Table 2 Site details

Item	Detail
Legal Description	The site is legally described as Lot 10 in DP828419. The site is situated above part of Lot 141 in Deposited Plan 1231660 (Rail Corridor), which is a subterranean stratum of land acquired by Transport for NSW for the proposes of Sydney Metro. This is further detailed in **Figure 5** and **Table 3** below.
Ownership	The site is owned by the Uniting Church in Australia Property Trust (N.S.W.).

Item	Detail
Lease Agreement	Registered lease (Y517772) between The Uniting Church in Australia Property Trust (NSW) and Capital Land Corporation Pty Limited (now The Trust Company Limited) dated 2 August 1988 (the Head Lease). There is a registered sublease over Substation Premises No 6655 and No 6656 on the land, as well as the subleases recorded on Lease Folio 314.
Head Lease Term	103 years commencing on 2 August 1988 and ending on 1 August 2091.
Caveats or covenants	There are no caveats or covenants registered on title.
Easements	The site is not burdened by any easements. The site benefits from the following easement: ▪ An easement (O541870) over the adjacent Lot 1 in Deposited Plan 66194 (226-230 Pitt Street located to the south of the site fronting Pitt Street) and its air space for the maintenance and repair of any building on the site.
Registered Encumbrances	There are the following other encumbrances registered on title: ▪ a restriction on the use of land (AK904441) registered by the Sydney City Council, which provides that part of the building which has been constructed on the land pursuant to development consent, known as the "end of journey" facilities, has been excluded from floor space for the purposes of calculating floor space ratio ▪ a notice (AM711120) that the Property was subject to a proposed acquisition for the purposes of the Sydney Metro. Transport for NSW has now acquired the Rail Corridor, part of which is situated below the site.

The existing carpark entry ramp between RL 17.97 and 22.36 is dedicated as public road as highlighted in the plan of subdivision (refer **Figure 4**). As part of the redevelopment of the site, the car park entry ramp is proposed to be aligned with the existing exit ramp aligned to the southern site boundary. Therefore, with the existing entry ramp re-instated to a pedestrian footpath, the intention is that this land will be closed as public road and the land will be consolidated with Lot 10 in DP828419.

Figure 4 Plan of Subdivision



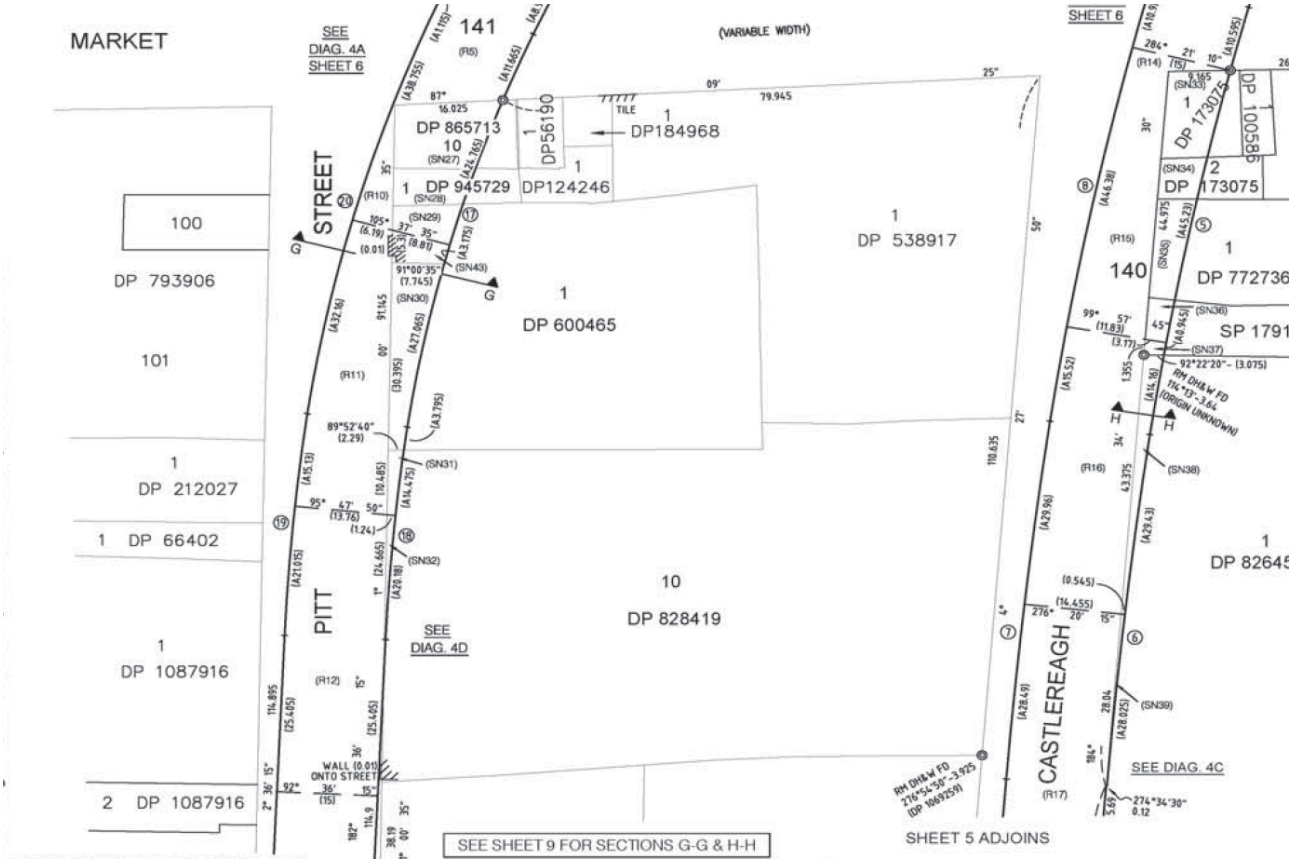
Source: NSW Land Registry Services

As illustrated in **Figure 5** below, a portion of the site is overlapped by the Rail Corridor. The deposited plan identifies the affections and stratum limits on the site as follows:

Table 3 Affection and stratum limits on Lot 10 in DP828419 from the Rail Corridor

Approx. Ground Surface Level	**Upper Stratum Limit**	**Lower Stratum Limit**	**Part Area (approx. m²)**	**Total Area (approx. m²)**
RL 20	RL 0	RL -11.45	18	30
RL 20	RL 0	RL -9.5	12	

Figure 5 Extract from Deposited Plan 1231660



Source: NSW Land Registry Services

2.3. EXISTING DEVELOPMENT

Before its major redevelopment, the site was used by the Wesley Mission, who are a non-for-profit organisation founded by the Uniting Church which has history dating back to the early 1900's. This use included Sunday Church services.

The site currently comprises three buildings known as the 'Piccadilly Complex' completed in 1991 which has been the subject of progressive improvements to upgrade selected elements within the building. The buildings currently occupying the site are detailed in **Table 4.**

Table 4 Description of existing buildings and improvements

Building	Description	GFA (m^2)
Piccadilly Court	Comprises a 14-storey office building completed in 1975 and first refurbished in 1991 with frontage to Pitt Street.	10,809
Piccadilly Shopping Centre	Comprises a 2-storey retail building and the Wesley Mission facilities including the Wesley Church, Lyceum, Wesley Theatre and office space predominately located at lower ground and basement level. The Wesley Centre facilities comprise the following patron capacity: ▪ Theatre – 950 ▪ Lyceum – 277	12,504

Building	Description	GFA (m^2)
	▪ Chapel – 534 A footbridge over Pitt Street connects the building to 55 Pitt Street to the west.	
Piccadilly Tower	Comprises a 31-storey commercial building comprising office floor space and end of trip facilities and four basement levels of car parking accessed from Castlereagh Street. A footbridge over Castlereagh Street connects the building to the Sheraton On the Park located to the east of the site.	35,216
Total		**GFA= 58,529** **FSR = 12.12:1**

Photos of the current buildings on the site described above are provided below.

Figure 6 Piccadilly Tower

Source: Urbis

Figure 7 Piccadilly Shopping Centre

Source: Urbis

Figure 8 Piccadilly Court

Source: Urbis

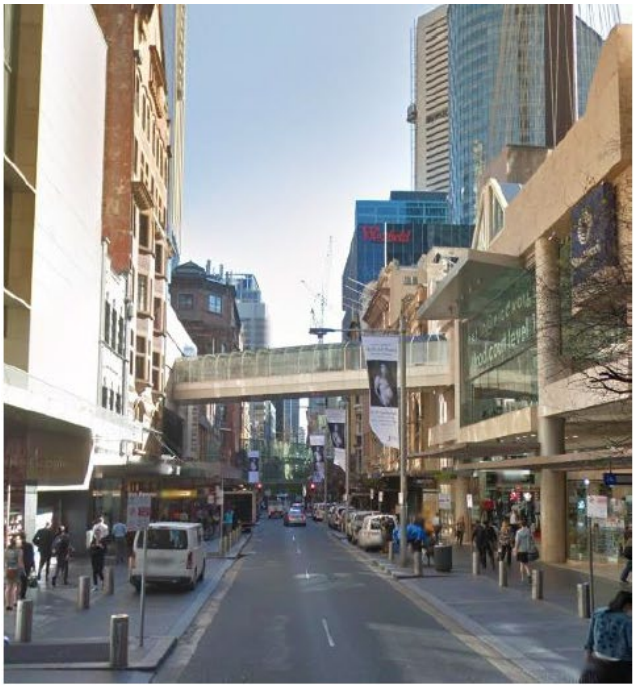
2.4. SKY BRIDGES

Two existing sky bridges connect the site to adjoining sites including:

- Pitt Street: connects the building to 55 Market Street to the west.
- Castlereagh Street: connects the building to the Sheraton On the Park located to the east of the site.

Consent will be sought via the detailed DA to demolish these sky bridges as part of the redevelopment of the site subject to settling lease arrangements with the relevant parties.

Figure 9 Sky Bridges – Pitt Street (left) and Castlereagh Street (right)



Source: Google Street View

2.5. CAR PARKING AND ACCESS

The basement car parking formed part of the comprehensive redevelopment of the Piccadilly site which was completed in 1991. The Piccadilly site currently accommodates approximately 274 car spaces over 4 basement levels accessed from a ramp from Castlereagh Street.

The car park is operated by Secure Parking and operates primarily as a public car park. Clause 8 of the ground lease agreement with The Uniting Church of Australia Property Trust (NSW) stipulates the allocation of certain car parking spaces to the landlord.

Of the total parking provided:

- 35 are permanently dedicated to the Uniting Church under the ground lease agreement,
- A further 225 are dedicated for use by the church on Sundays, Christmas and Easter as part of the ground lease agreement
- 2 car spaces are required to be dedicated for the childcare use as part of a DA condition – commenced in around 2007.

Vehicle access to the site is currently from Castlereagh Street via a ramp that is parallel to the street which hinders a direct pedestrian pathway along Castlereagh Street. A vehicle exit is provided at the southern eastern boundary of the site at Castlereagh Street.

Figure 10 Car Park Access Ramp from Castlereagh Street Looking South

Source: Urbis

2.6. SITE EXCAVATION

A site survey accompanies the Planning Proposal at **Appendix B**. The site slopes from east to west rising approximately 2.7m from Pitt Street to Castlereagh Street. The majority of the site is currently excavated to RL 3.6 accommodating 5 basement levels. The Piccadilly Court portion of the site is currently excavated to approximately RL16.8 accommodating a single basement level.

2.7. SITE CONTEXT

2.7.1. Existing Context

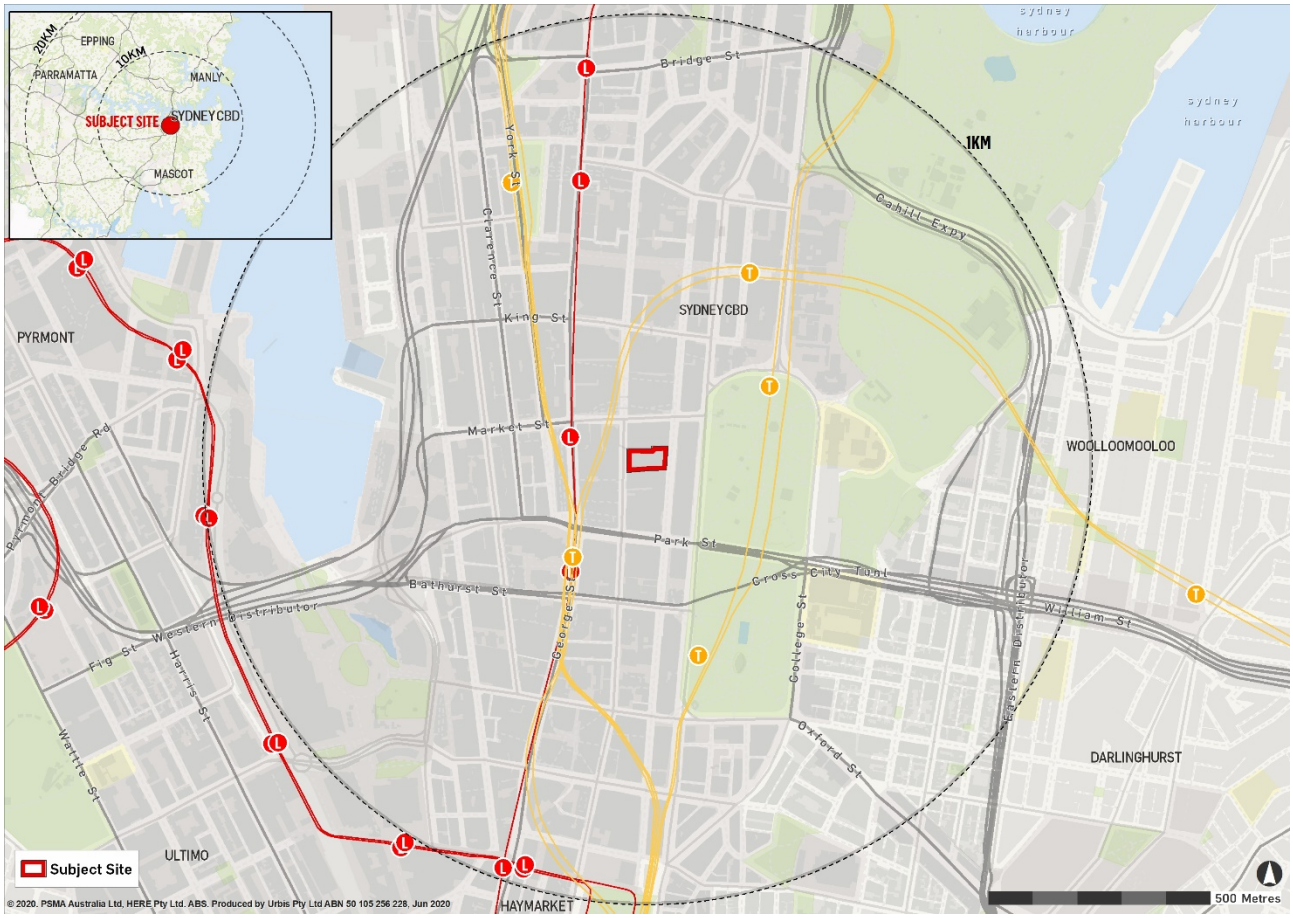
The site is located within a high-density mixed-use environment, surrounded by similar multi-storey buildings accommodating a range of land-uses.

The character of the locality is generally commercial in nature with retail, office and hotel buildings dominating the surrounding development. To the north west of the site is Pitt Street Mall, a world class retail core which is anticipated to extend further south of Market Street. This is driven by the planned Sydney Metro City & South West rail line which will improve connections within the CBD with the Pitt Street North Metro Station (located on the corner of Park, Pitt & Castlereagh Streets) expected to channel pedestrian movements north towards the site and Pitt Street Mall.

To the east of the site is a significant public open space corridor extending from Hyde Park through to The Domain and Royal Botanic Gardens. This provides amenity opportunities for the site as well as sun access plane constraints.

A location plan illustrating the site's regional context is provided at **Figure 11**.

Figure 11 Location Map



Source: Urbis

Specifically, the site's surrounding context can be described as follows:

- **North**: Directly adjacent to the north of the site is 65-77 Market Street at the corner of Castlereagh Street. The City Tattersall Club adjoins the site to the north fronting Pitt Street. Further north are Pitt Street Mall and Westfield Sydney, which both provide a range of shops, eateries, banking facilities and services.
- **East**: Directly adjacent to the east of the site is Castlereagh Street and further east is the Sheraton on the Park Hotel and Hyde Park.
- **South**: Directly adjacent to the south of the site along Pitt Street is the former Bank of NSW building which comprises a six storey building which currently contains a small-scale retail tenancy. Adjoining the site to the south along Castlereagh Street is 151 Castlereagh Street which is a 13 storey commercial office building with ground floor retail tenancies. Further south at 161 Castlereagh Street is a recently constructed 43 storey premium office tower with ground floor retail and a penthouse residential apartment known as ANZ tower and Liberty Place.
- **West**: Directly adjacent to the west of the site is Pitt Street. Further west is the Hilton Hotel, Queen Victoria Building and Town Hall Square.

2.7.2. Future Context

Three sites located within the same block as the site have recently been the subject of major redevelopment applications including:

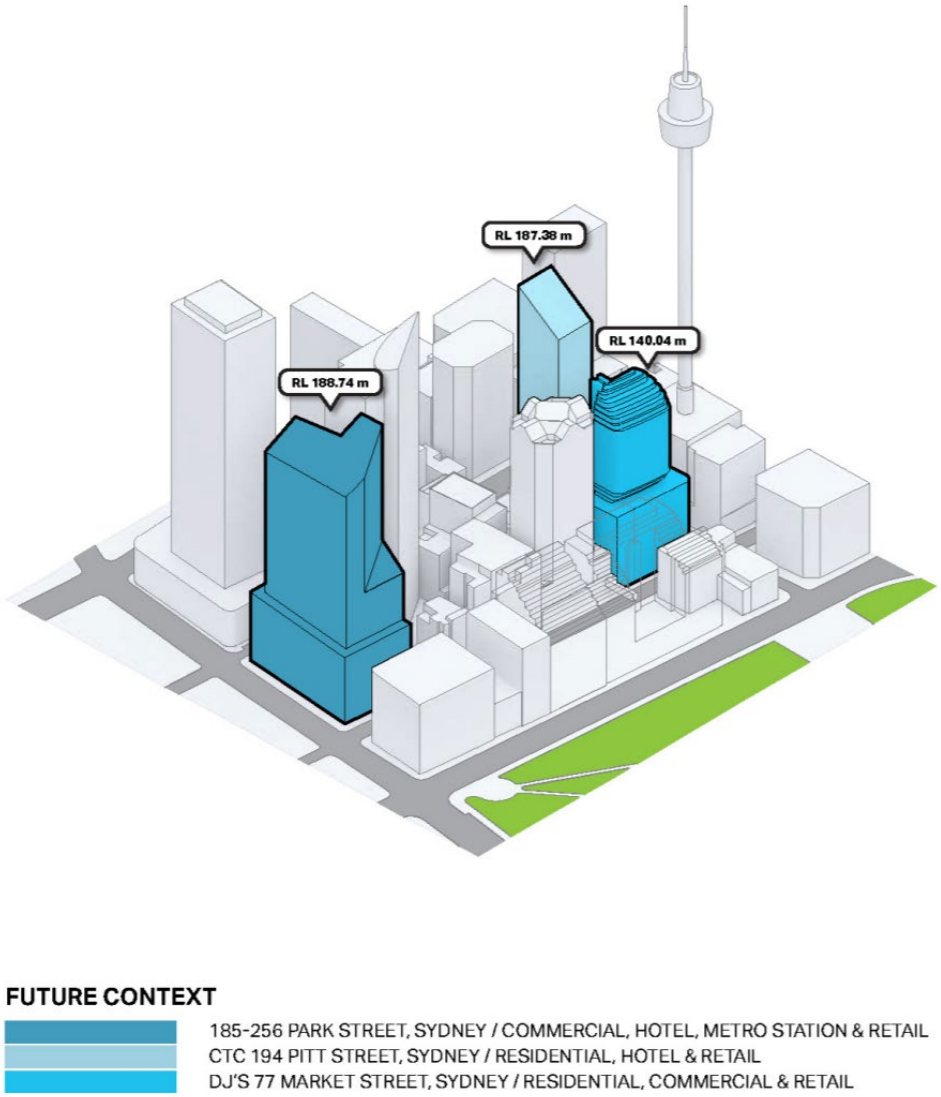
- City Tattersalls Club (194 Pitt Street): Approval granted in November 2019 to D/2018/1246 for a concept DA establishing a building envelope and uses comprising a mix of retail, registered club indoor recreation facility, tourist and visitor accommodation and residential accommodation (indicatively 246 apartments) within a building envelope of a maximum height of 168m. A design excellence competition has recently

been undertaken, leading to the progression of a detailed development application for this site in due course.

- David Jones Building (65-77 Market Street): Approval granted in April 2020 to D/2019/263 for the construction of a 32-storey mixed-use building, incorporating the conservation, refurbishment and fit out of the existing 10-storey heritage building and construction of a 22- storey tower above the heritage item. Works in accordance with this approval are expected to commence later in 2020.
- Pitt Street North Over Station Development: The Minister for Planning granted development consent to the Concept SSD (SSD-8875) in June 2019. Concept approval was granted for:
  - A maximum building envelope, including street wall and setbacks for the over station development
  - A maximum building height of RL 188.74 metres
  - A maximum gross floor area of 50,310m² (including station floor space)
  - Podium level car parking for a maximum of 50 parking spaces
  - Conceptual land use for either one of a mixed-use or commercial scheme (not both).

  A Stage 2 Detailed DA has been submitted and is on public exhibition at the time of preparing this report.

Figure 12 Future development surrounding the site



Source: 3XN

2.8. PUBLIC TRANSPORT INFRASTRUCTURE

The site is ideally located within close walking distance to public transport services including:

- **Bus:** Bus corridors throughout Central Sydney were recently reorganised in accordance with the Sydney City Centre Access Strategy, which sought to redesign the Sydney CBD bus network to include new and improved services through a number of key corridors.

  There are numerous bus services in the vicinity of the site, with the following key bus corridors close to the site:

  – Castlereagh Street is a key corridor for southbound bus services travelling towards the Inner West and South.

  – Elizabeth Street, one block east of the site, acts as a major north-south bus route through the CBD. Travelling north, Elizabeth Street provides access to Martin Place and Circular Quay, as well as the metrobus network, which provides services to major nodes across Sydney. Travelling south, Elizabeth Street provides access to the Inner South and Eastern Suburbs.

  – Park Street provides east-west bus access through the CBD, providing access to services across the Anzac Bridge to Victoria Road and the north-west, as well as additional access to the Eastern Suburbs.

  The site also benefits from proximity to the Queen Victoria Building bus interchange, which provides access to the North Shore, Northern Beaches, Inner West and Hills District.

- **Train**: St James Station, which is a stop on the City Circle Loop and Town Hall Station, is serviced by the T2 (Inner West), T1 (North Shore and Western Line), T9 (Northern Line), T4 (Eastern Suburbs and Illawarra Line), South Coast Line, T8 (Airport and South), and T3 (Bankstown Line).
- **Light Rail**: the QVB stop is located to the west of the site along George Street which is serviced by the CBD and South East Light Rail which travels north to Circular Quay and South east to Kingsford and Randwick.
- **Pedestrian and Cycleways**: networks are located within the immediate locality providing connections to key surrounding land uses.
- **Sydney Metro**: The future Sydney Metro City and Southwest involves the construction of 15.5km twin railway tunnels running from Chatswood through the CBD to Sydenham. The tunnels will run in a north-south direction and are located slightly east and west of the site along Castlereagh and Pitt Street respectively. The future Pitt Street North Metro station will be located south of the site within the same street block.

2.9. SURROUNDING ROAD NETWORK

The site benefits from dual street frontages to Pitt Street (west) and Castlereagh Street (east), both functioning as one-way streets.

- **Castlereagh Street** is one-way southbound running from Hunter Street in the north to Hay Street in the south. Castlereagh Street generally provides three traffic lanes, including a ‘bus only’ lane reflecting the streets important transport function.
- **Pitt Street**, where it fronts the site, is one way northbound from George Street (south) to the Pitt Street Mall (north) at the corner of Market Street. Pitt Street generally provides two traffic lanes and two paid parking lanes and loading zones on either side.

3. STATUTORY PLANNING FRAMEWORK

3.1. OVERVIEW AND CONTEXT

The existing principal environmental planning instruments and policies governing development on the site are:

- *Sydney Local Environmental Plan 2012* (the LEP)
- *Sydney Development Control Plan 2012* (the DCP)

Both documents are proposed to be amended pursuant to the Central Sydney Planning Proposal (2020) (CSPS planning proposal) and the Draft Central Sydney Planning Strategy DCP Amendment (Draft CSPS DCP Amendment) which progresses the key aims and objectives of the Draft CSPS. The draft Central Sydney Planning package was placed on public exhibition from 1 May 2020 until 10 July 2020.

The framework also includes an amended Competitive Design Policy for tower cluster sites.

The Draft CSPS is the City of Sydney's 20-year strategy to manage the growth of Central Sydney. The strategy seeks to prioritise employment capacity, implement genuine mixed-use development controls, support additional density in some locations, and introduce additional requirements for ESD initiatives, protect and enhance heritage, public spaces and places. The 10 key moves and their associated 'actions' were categorised in order of stages: short-term (1-2 years), medium-term (2017 to 2036) and ongoing.

The Draft CSPS was originally released by the City of Sydney Council in 2016. On 6 December 2019, the Minister for Planning issued 'in principle' agreement for the CSPS and associated Planning Proposal.

The CSPS seeks to facilitate additional employment floor space capacity through three methods:

  – Through the conventional DA process, where site potential under the planning controls can be optimised.

  – Through proposed "Tower Cluster" provisions, which map specific precincts in Central Sydney and which are typically unconstrained by sun access plane controls (SAP's). The Tower Cluster precincts allow up to a 50% maximum design excellence floor space bonus and is achieved through the DA process.

  – Through a site-specific Planning Proposal process, where the opportunity to increase floor space can be achieved subject to meeting relevant built form and environmental impact considerations.

- The subject land is not within an identified mapped Tower Cluster area, due to the location within the Hyde Park West Sun Access Plane (SAP). However, notwithstanding, the site displays the potential opportunity to increase employment floor space capacity in accordance with the CSPS directions and as such is eligible to be considered under a site-specific Planning Proposal process.

This subject Planning Proposal adheres to the principles of the Draft CSPS, seeking FSR uplift on appropriate sites and unlocking employment floor space capacity for Central Sydney. The following is noted:

- Given the progression of the Draft CSPS planning framework, this proposal has been informed and designed by applying the provisions and principles of CSPS Planning Proposal and Draft CSPS DCP Amendment.
- The exhibited Draft CSPS DCP Amendments have been adopted for the purposes of this Proposal and the current Sydney DCP 2012 built form provisions (where being amended by the current draft) have not been considered in determining a building envelope.

Relevant to the subject site is the establishment of refined sun access plane maps and controls to ensure that principal public open spaces (including Hyde Park) achieve unobstructed sunlight during 10am-2pm all year. Other built form controls have also been established for inclusion in the Draft CSPS DCP Amendment as detailed in **Section 3.3**.

The City of Sydney Council released the Draft Guidelines for Site Specific Planning Proposals **(the Guidelines)** in March 2019. The Guidelines detail the steps and planning pathway to access additional height and density through site specific Planning Proposals. Consistent with the CSPS, the Guidelines limit these growth opportunities to employment floor space and promote the efficient use of land.

The Guidelines were not progressed and exhibited with the Draft CSPS, however, it is understood that an updated version of the Guidelines will be prepared by the City of Sydney Council in the future to guide site-specific Planning Proposals in Central Sydney. An assessment against the minimum site test criteria listed in the Guidelines is provided at **9.2.2** of this report.

3.2. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

The following section provides an overview of the key LEP development controls that apply to the site which would apply to the redevelopment of the site for the purposes of a commercial office tower with retail tenancies and basement car parking and uses associated with Wesley Mission including a theatre and chapel (the scheme). In addition, this section provides an overview of any key changes that are proposed by the CSPS Planning Proposal which would apply to the scheme.

3.2.1. Zoning and Permissibility

The site is zoned B8 Metropolitan Core pursuant to the LEP (refer **Figure 13**).

The concept scheme comprises *commercial premises* associated with the office tower and uses associated with the Wesley Mission chapel and Theatre.

All land uses are permissible within the B8 zone except for *Pond-based aquaculture*. Therefore, the scheme is permissible with consent.

Figure 13 Zoning Map

Source: the LEP

The CSPS Planning Proposal seeks to modify the objectives apply to the B8 zone as follows:

Table 5 Zone Objectives as modified by the CSPS Planning Proposal

Additions are shown in ***bold italics*** and deletions in ~~strike through~~. ▪ To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.

- To provide opportunities for an intensity of land uses commensurate with Sydney's global status.
- To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.
- To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling.
- ~~To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.~~
- ***To promote uses with active street frontages within podiums that contribute to the vitality, life and existing character of the street.***
- ***To promote the efficient and orderly development of land in a compact urban centre.***
- ***To promote a diversity of commercial opportunities varying in size, type and function, including new cultural, social and community facilities.***
- ***To recognise and reinforce the important role that Central Sydney's public spaces, streets and their amenity play in a global city.***
- ***Promote the primary role of the zone as a centre for employment and permit residential and serviced apartment accommodation where they complement employment generating uses.***

3.2.2. Height of Building and Sun Access Plane

There is no maximum building height control in metres applicable to the site.

Instead, the maximum height of buildings on the site is determined by the Hyde Park West Sun Access Plane. The CSPS Planning Proposal seeks to refine the existing sun access plane map to improve its accuracy. The sun access plan maps are included in the DCP which is further detailed in **Section 3.3.2** of this report.

3.2.3. Floor Space Ratio

Under the current LEP, the site is subject to a base FSR of 8:1. As the site is located within Area 2 on the FSR map within the LEP, it is also eligible for additional floor space of 4.5:1 for commercial uses and 6:1 for child care uses. In addition, the site is also eligible for an additional 10% bonus floor space provision if a competitive design process is undertaken and design excellence is demonstrated.

In addition to accommodation floor space, the site is potentially eligible for additional floor space pursuant to Clauses 6.5 – 6.9 of the LEP. Such an example is end of trip facilities, where a maximum additional 0.3:1 FSR is provided.

3.2.4. Heritage Conservation

The site is not identified as a local heritage item in the LEP, nor is it located within a Heritage Conservation Area. The site is located within proximity to the following local heritage listed items (refer **Figure 14**):

- I1888 – David Jones Department store including interior
- I1926 – Former Fay's Chambers, exterior only
- I1927 – Former Symonds buildings including interior
- I1928 – City Tattersalls Club (198-200 Pitt Street) including interior
- I1929 – City Tattersalls Club (202-204 Pitt Street) including interior
- I1930 – Banking House including interior
- I1931 – National Building including interior

- I1698 – Former Legion House including interiors
- I1699 – Community building Masonic Club including interior.

Figure 14 Heritage Map

Source: the LEP

3.2.5. Car Parking

The site is subject to the following maximum car parking rate pursuant to the LEP.

For office premises, business premises and retail premises, the following formula is to be used:

M = (G x A) / (50 x T)

Where:

- M is the maximum number of parking spaces, and
- G is the gross floor area of all office premises / business premises / or retail premises in the building in square metres, and
- A is the site area in square metres, and
- T is the total gross floor area of all buildings on the site in square metres.

The above calculation does not apply to buildings that provide more than 2,000sqm of retail GFA.

- Places of public worship and entertainment –
  - 1 space for every 10 seats, or
  - 1 space for every 30 square metres of the gross floor area of the building used for those purposes

Based on the provisions of Part 7 of the LEP, the proposed uses on the land generate a maximum parking provision of 290 spaces.

3.2.6. Ecologically Sustainable Development

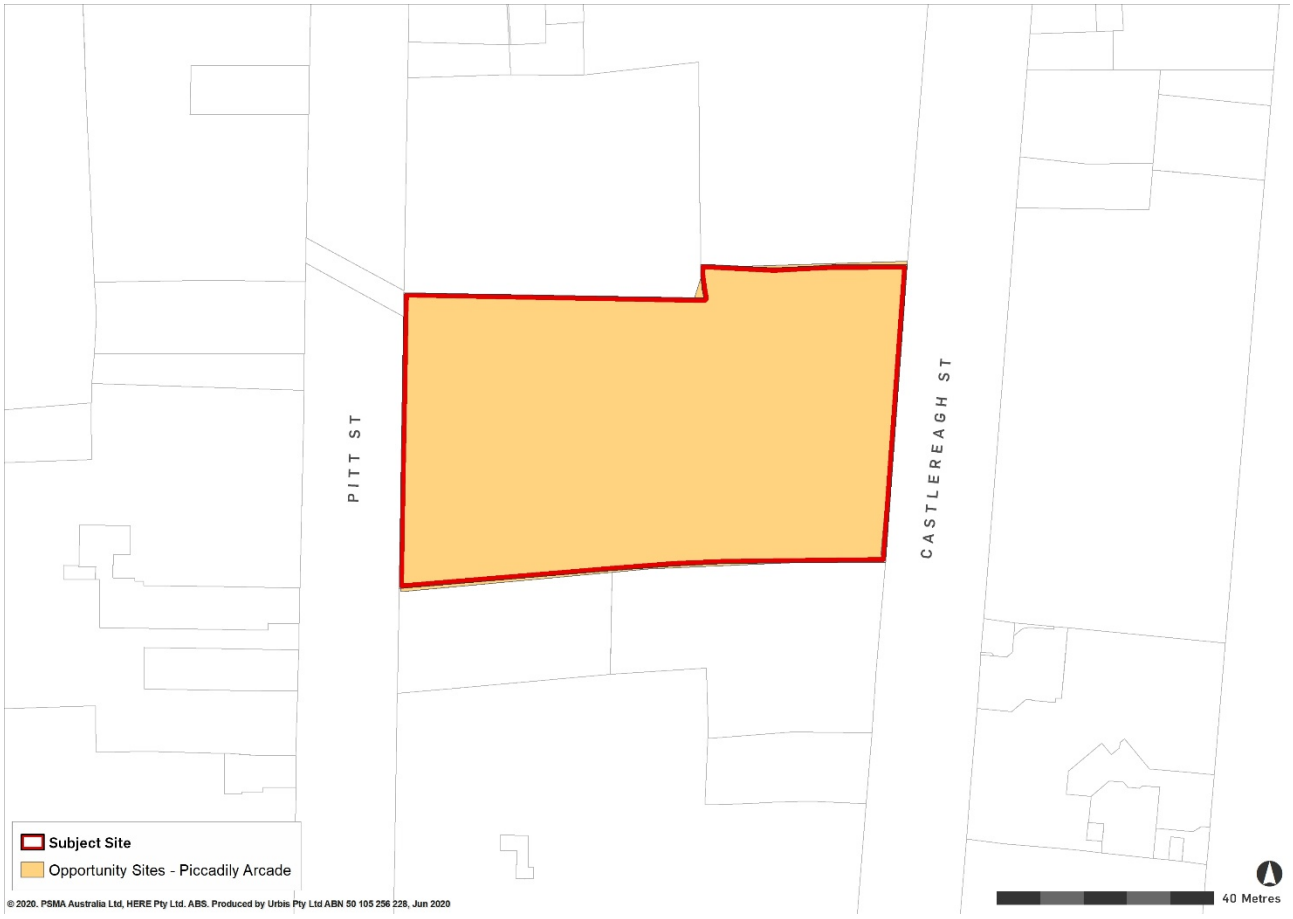
The CSPS Planning Proposal seeks to include new provisions which mandate the design of buildings and building services for new developments in tower cluster areas, and must take appropriate measures to ensure that new development is capable of achieving best practice NABERS ratings.

Although the site is not located within a tower cluster area, the Planning Proposal seeks to ensure that the future building on the site achieves a high level of environmental performance.

3.2.7. Opportunity Site Floor Space

Pursuant to 6.9 of the LEP the "Piccadilly Arcade" is identified as being eligible for an amount of additional opportunity site floor space to improve the ground plane public domain interface including improving pedestrian movement and amenity.

Figure 15 Opportunity Sites Map



Source: the LEP

3.2.8. Airspace Operations

As the site is located within the prescribed airspace of the Sydney Kingsford Smith Airport, any development on the site which penetrates the Obstacle Limitation Surface (OLS) or the Procedures for Air Navigation Services Operations Surface (PAN-Ops) must be referred to the Civil Aviation Safety Authority (CASA) for concurrence.

3.3. SYDNEY DEVELOPMENT CONTROL PLAN 2012

The following section provides an overview of the key built form DCP controls applying to the site which would apply to the redevelopment of the site for the purposes of the scheme.

The exhibited Draft CSPS DCP Amendment have been adopted for the purposes of the Planning Proposal and the current Sydney DCP 2012 built form provisions have not been considered in determining a building envelope.

3.3.1. Key Built Form Controls

The key built form controls applicable to the site pursuant to the Draft CSPS DCP Amendment are detailed in **Table 6**.

Table 6 Built Form DCP Controls Pursuant to the Draft CSPS DCP Amendment

Matter	**Built Form Control**			
Street Frontage Heights	**Control**	**Up to 55m**	**Greater than 55m up to 120m**	**Greater than 120m**
	Street Frontage Height	20-35m	20-35m	20-25m
Minimum Street Setbacks	**Control**	**Up to 55m**	**Greater than 55m up to 120m**	**Greater than 120m**
	Minimum Street Setback	8m or 6m where adjoining sites Street Setbacks are less than 6m	8m	8m
	Variation to Street Setbacks may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance). Refer **Section 3.3.3** of this report for further details.			
Side and Rear Setbacks and Building Form Separations	**Control**	**Up to 55m**	**Greater than 55m up to 120m**	**Greater than 120m up to 240m**
	Side and Rear Setback above Street Frontage Height	0m	4m	3.33% of the proposed total height of building
	Variation to Side and Rear Setbacks and Building Form Separations may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Side and Rear Setbacks (i.e. variation to massing is governed by achieving equal or better performance) . Refer **Section 3.3.3** of this report for further details.			
Building Form Massing, tapering and maximum dimensions	Above Street Frontage Height the maximum horizontal dimension of a building including all external elements (for example architectural elements like horizontal or vertical fins) measured in any direction (including diagonally across the site) is not to exceed: ▪ 100m for all developments other than residential accommodation and serviced apartments			

Matter	Built Form Control
	▪ Above the Street Frontage Height, the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks: (a) 100% up to 120m above ground; (b) 90% above 120m up to 240m above ground; and (c) 80% above 240m above ground.

3.3.2. Sun Access Plane

The site is subject to the Hyde Park sun access plane provisions within the DCP. The Draft CSPS DCP Amendment seeks to further refine the sun access plan control map as detailed in **Figure 16**. Hyde Park is to be provided unobstructed sunlight from 10am to 2pm all year.

Figure 16 Hyde Park Sun Access Plane Map

Source: Draft CSPS DCP Amendment

3.3.3. Procedure to Vary Setback Controls

In order to vary minimum street setbacks and side and rear setbacks, building form separations and tapering provisions respectively, a procedure must be followed to demonstrate:

- Improved wind comfort.
- Wind safety.
- Daylight levels in adjacent Public Places relative to the base case building massing.

- The average annual daylight level (which may be approximated by the average Sky View Factor). Note: Sky View Factor (SVF) means the extent of sky observed above a point as a proportion of the total possible sky hemisphere above the point.
- Wind speeds must be measured within the existing city form in areas where wind speeds are likely to change as determined by a wind report.

Massing envelopes are compared against the base case (compliant). It is noted the DCP identifies a high level of prescription for this assessment. The DCP defines 'equivalent' as *"very slightly 'better than' at a high level of accuracy".*

Section 11 of the Draft CSPS DCP Amendment outlines the procedures for demonstrating compliance with variation provisions for setbacks, separations and tapering in Central Sydney. Specifically, Procedure B requires a comparison of base case building massing to the proposed non-compliant building envelope. Where equivalent or improved wind comfort, wind safety and daylight levels (determined by average Sky View Factor (SVF) in adjacent public places is demonstrated, variations may be permitted.

3.3.4. View Corridors

The CSPS Planning Proposal includes a draft new control which states that development must not encroach within any of the views nominated on the Public Views Protection Maps and where possible should improve the views to Sydney Harbour (surface of the water) through modulation of built mass.

A view is identified looking north along Pitt Street to the Circular Quay at the site's western boundary.

3.3.5. Active Frontages

Pursuant to the DCP, the site is identified as requiring active frontages both to Castlereagh Street to the east, and Pitt Street to the west.

3.3.6. Pedestrian Priority

Pursuant to the DCP pedestrian priority map, the site's frontages to Pitt Street and Castlereagh Street are identified as not being preferred for additional vehicular access points.

3.3.7. Through Site Link

A through-site link is identified connecting the site to the north (refer **Figure 17**).

Figure 17 Through-Site Link

Source: the DCP

4. THE CASE FOR CHANGE

The site has the capacity and capability to accommodate additional density for the purposes of employment floor space more than the current planning controls permit. Achievement of additional employment floor space and the associated arising public benefits requires amendment to existing planning controls. The compelling reasons justifying the proposed amendments are summarised below.

Increasing the site's employment generating capacity in line with the objectives of the Central Sydney Planning Strategy

The proponent holds a substantial leasehold duration for the site and is committed to delivering a contemporary office development meeting the expectations of modern tenants. The Sydney CBD has seen a continuous strong demand for employment generating uses that underpins its status as global central business district.

To ensure the Sydney CBD remains competitive and achieves its global status, both in terms of quantity, quality and availability of office floor space, the Proposal seeks to significantly enhance the quantum and quality of employment generating capacity of the site.

The Urban Design Study and Concept Reference Scheme prepared to support the proposed LEP amendment and site specific DCP, incorporates commercial and retail offerings, including an office tower of commercial floor space and a number of retail tenancies with a generous through-site link. The amendments sought to the relevant planning instruments have the ability to generate approximately an additional 45,000m^2 in employment floor space on the site.

The proposed employment floor space will provide a range of employment opportunities that directly respond to market demand and need, with most uses supported within the Sydney CBD market within the future. The importance of worker well-being will be a key element of the commercial offering, catering for a diversity of workers as the market transitions to a more flexible, dynamic commercial future.

Rectifying elements of the existing Piccadilly Complex which result in a sub-optimal public domain outcome

The existing Piccadilly Complex was completed in 1991. Since this time, the planning controls governing the site have significantly progressed to protect daylight access to Hyde Park and enhance public domain outcomes within Central Sydney. The following elements of the current Piccadilly Complex result represent a significant opportunity to improve public domain outcomes:

- The eastern portion of the top of the existing building on the site breaches the Hyde Park SAP provisions meaning that it currently overshadows Hyde Park.
- The parallel car park access ramp on Castlereagh Street is a major obstacle and intrusion for pedestrians.
- The sky bridges over Pitt Street and Castlereagh Street represent a poor urban design outcome and obstruct daylight access and sky view from the public domain.
- The existing site frontage to Pitt Street and Castlereagh Street includes colonnades which 'breaks up' the frontage and diminishes its activation to the street.

The redevelopment of the site presents the opportunity to rectify these elements of the existing Piccadilly Complex in the following ways:

- The building envelope proposed through this Planning Proposal is consistent with the Hyde Park SAP resulting in no overshadowing of Hyde Park. This will ensure that the public can enjoy improved daylight access to Hyde Park between 10am and 2pm all year.
- The existing car park entry ramp is proposed to be consolidated with the existing exit ramp aligned to the south eastern site boundary at Castlereagh Street.
- The existing sky bridges will be removed.
- The colonnades are proposed to be filled in to enhance the amenity and activation of the Pitt Street frontage.

These measures will result in a greatly improved public domain outcome for the site and would only be possible through the comprehensive redevelopment of the site facilitated by this Planning Proposal.

The delivery of significant public benefits to support employees and visitors

The redevelopment of the site provides the opportunity to deliver significant public benefits which will be secured by the mechanisms detailed at **Appendix T**.

Public benefits committed to as part of the project delivery include:

- The creation of a pedestrian through-site link which is accessible at all times
- The removal of the Castlereagh Street vehicle ramp that disrupts the footpath alignment
- The removal of the two sky bridges across Pitt and Castlereagh Street
- The provision of end of trip facilities and bicycle parking to the benefit of future tenants
- The removal of "public parking" from the site to be replaced by a reduced car park capacity and restriction of use
- The removal of the breach to the sun access plane and consequently improved sunlight access to Hyde Park
- The enhanced amenity and activation of the street frontages and the removal of colonnades at the Pitt Street and Castlereagh Street frontages.

A large scale site in the Sydney CBD context with the ability to be fully redeveloped in accordance with strategic plans and policies

The site possesses distinctive characteristics within the Sydney CBD context which renders it an attractive proposition for redevelopment. These characteristics include:

- Large site for renewal extending to a total area of 4,800m^2
- Two significant street frontages, being Pitt Street to the west and Castlereagh Street to the east
- Iconic views to Hyde Park and Sydney Harbour beyond
- Close proximity to both new and existing public transport infrastructure
- The site is under single ownership and does not require amalgamation.

These characteristics enable the comprehensive redevelopment of the site which has the ability to:

- Deliver a variety of large, efficient, and flexible office floorplates to accommodate future tenant needs and satisfy the shortfall in the market
- Deliver larger floorplates allowing greater access to daylight through the use of a centralised building core
- Address both site frontages resulting in an improved urban design outcome
- Deliver an east west link between the two street frontages at Castlereagh and Pitt Street.

For these reasons, we request that City of Sydney Council (as the relevant planning authority) resolve to initiate the amendment process under Section 3.33 and 3.34 of the EP&A Act and seek a 'Gateway Determination' from the NSW Department of Planning, Industry and Environment

5. DEVELOPMENT CONCEPT

5.1. OVERVIEW

The objective and intended outcomes of the proposed amendments to the LEP and supporting site specific DCP is to facilitate the redevelopment of the site for a commercial office tower development above a retail podium, including Wesley Mission facilities at lower ground level, together with basement car parking, a through-site link and associated facilities.

To facilitate the objective and intended outcome of the Planning Proposal, a building envelope is proposed which establishes the built form parameters for which future consent will be sought through a DA process. This Planning Proposal seeks to establish both a site-specific FSR provision included in Part 6, Division 5 of the LEP and key built form and design principles of the scheme facilitated by a site-specific provision in the DCP, as described in **Section 5.2** below.

To establish the site-specific FSR provision, a concept reference scheme has been prepared (refer **Appendix A)** which sets the maximum GFA achievable within the building envelope. This calculation has excluded certain area from the GFA calculation in accordance with the applicable LEP definition including building plant, circulation area, car parking, and servicing area. It also excludes design measures including building articulation zones, building core, and floor to floor heights.

The reference scheme is indicative only and the final detailed design of the scheme will be the subject of a competitive design process and detailed DA.

The future redevelopment of the site is expected to deliver the following key components:

- A 36-storey commercial office tower capable of achieving approximately 103,300m^2 of total GFA indicatively comprising:
  - 93,000m^2 of office space GFA
  - 6,000m^2 of retail space GFA
  - 4,000m^2 of GFA allocated to the Wesley Mission facilities
- A basement car park with capacity for 250 parking spaces accessed a ramp from Castlereagh Street
- End of Trip facilities
- An east west through-site link between Pitt Street and Castlereagh Street
- Activated building frontages to Pitt and Castlereagh Streets.
- Improved vehicle access via a ramp perpendicular to the road reserve.

5.2. PUBLIC BENEFITS

A statement of intent – public benefits accompanies the Planning Proposal at **Appendix T**. Stockland is committed to delivering an exemplary development in terms of architectural design, environmentally sustainable design and a greatly enhanced urban experience for the community in terms of street activation, through-site access, commercial and retail floor space and the pedestrian experience.

As part of the delivery of the project, Stockland has set out specific tangible public benefits in addition to monetary contributions in force at the time of DA consent including the purchase of heritage floor space and affordable housing levy that will be committed to as part of the project delivery. These benefits can be secured through a number of mechanisms including the amended LEP and DCP as well conditions associated with future development consents. Public benefits committed to as part of the project delivery include:

- Creation of a 24/7 pedestrian access through site link
- Removal of the parallel Castlereagh Street vehicular access ramp and reinstatement of the footpath
- Removal of the existing sky bridges connecting to site
- Removal of the sun access plane breach.

5.3. BUILDING ENVELOPE

The Planning Proposal seeks amendments to the LEP through a site specific provision into Part 6, Division 5 of the LEP which will allow a greater maximum allowable FSR on than that currently allowed pursuant to the LEP. To support this, amendment to the LEP, a draft site specific DCP accompanies the Planning Proposal at **Appendix D** which defines a building envelope within which a future commercial office tower and mixed use development will be located. The building envelope has been designed in accordance with the key built form controls identified in the LEP, DCP, and Draft CSPS DCP Amendment detailed in **Section 3** of this report.

The building envelope has intentionally been designed to allow flexibility and scope for alternate design approaches which will arise during the design excellence process.

An Urban Design Study accompanies the Planning Proposal at **Appendix A** which includes a detailed description of the proposed building envelope. The key built form elements of the building envelope are described as follows:

5.3.1. Building and Podium Height

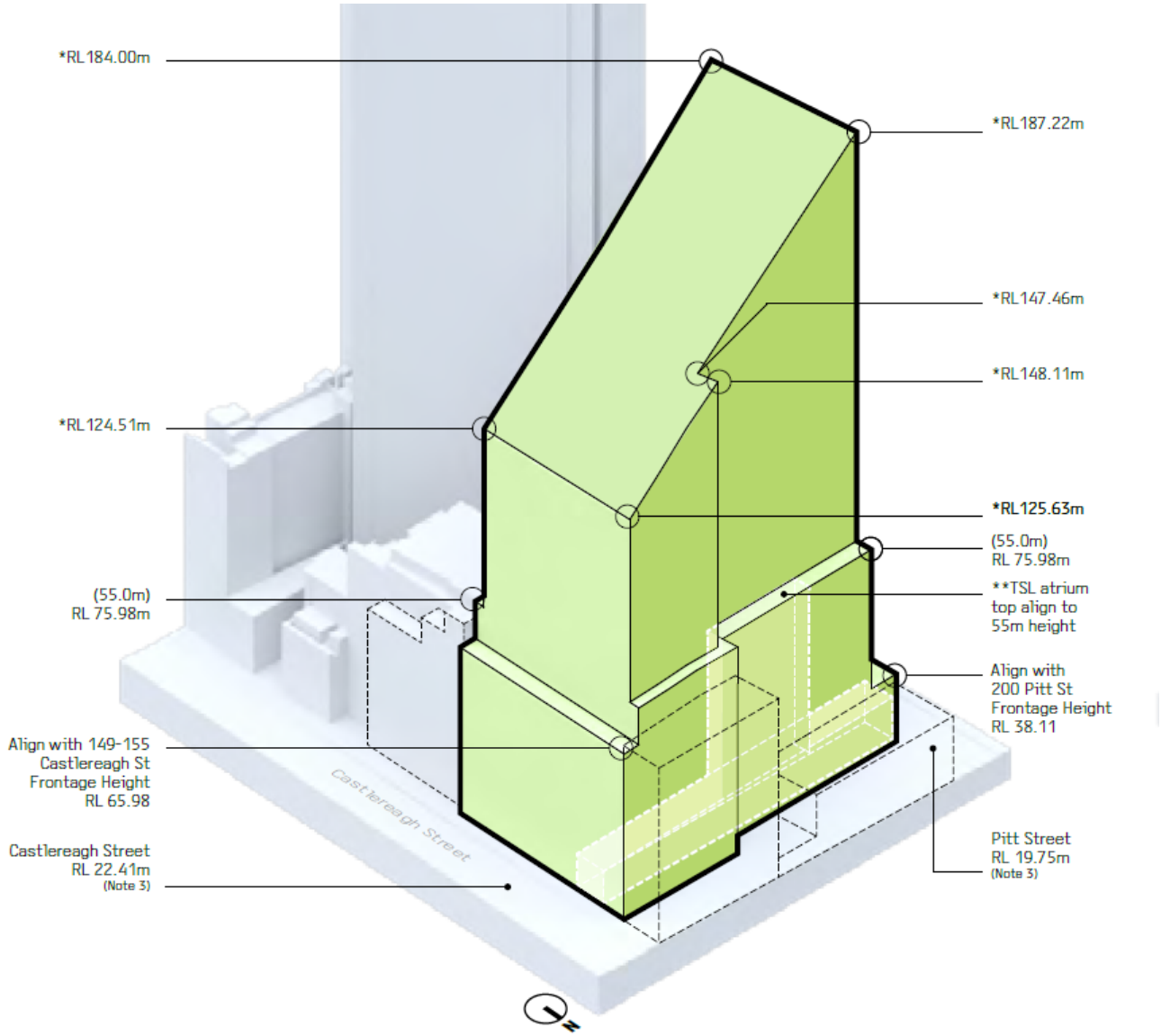
The height of the building envelope varies at different points due to the site topography. The maximum height of the building envelope 167.47m at the north western corner of the building fronting Pitt Street set by the Hyde Park sun access plane. The maximum building height at the north eastern corner of the building fronting Castlereagh Street is 103.22m set by the sun access plane.

As displayed in **Figure 18** and **Figure 19** the building height is stepped down in accordance with the sun access plane. The relevant RLs of each corner of the building envelope are specified on the plans to define its extent.

Table 7 Podium Heights

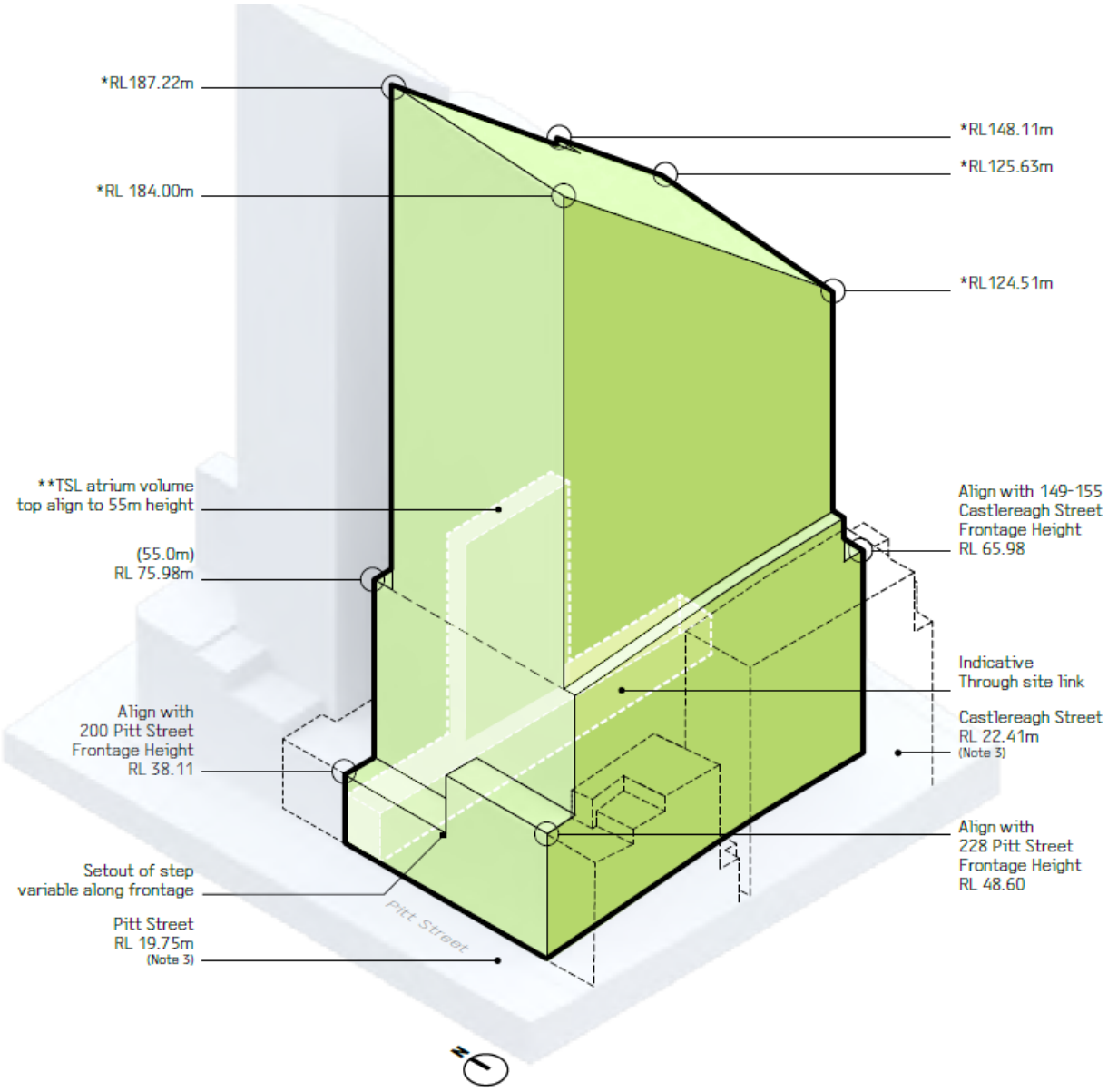
Frontage	Podium Height
North (77 Market Street – David Jones Building, and 194 Pitt Street – City Tattersalls Club)	▪ 45m for 4.8m at the north eastern corner ▪ Stepping to 55m from the 4.8m street frontage setback to the east at Castlereagh Street and 8m to the west at Pitt Street
East (Castlereagh Street)	▪ 45m aligning with the street frontage height of 77 Market Street to the north
South (151 Castlereagh Street and 228 Pitt Street)	▪ 45m for 4.8m from the north eastern corner ▪ Stepping to 55m from the 4.8m street frontage setback to the east and 8m to the west at Castlereagh Street
West (Pitt Street)	▪ 27m at the southern boundary to align with 228 Pitt Street ▪ Stepping down to 20m at the northern boundary to align with 200 Pitt Street

Figure 18 Building Envelope – North Eastern Perspective



Source: 3XN

Figure 19 Building Envelope – South Western Perspective

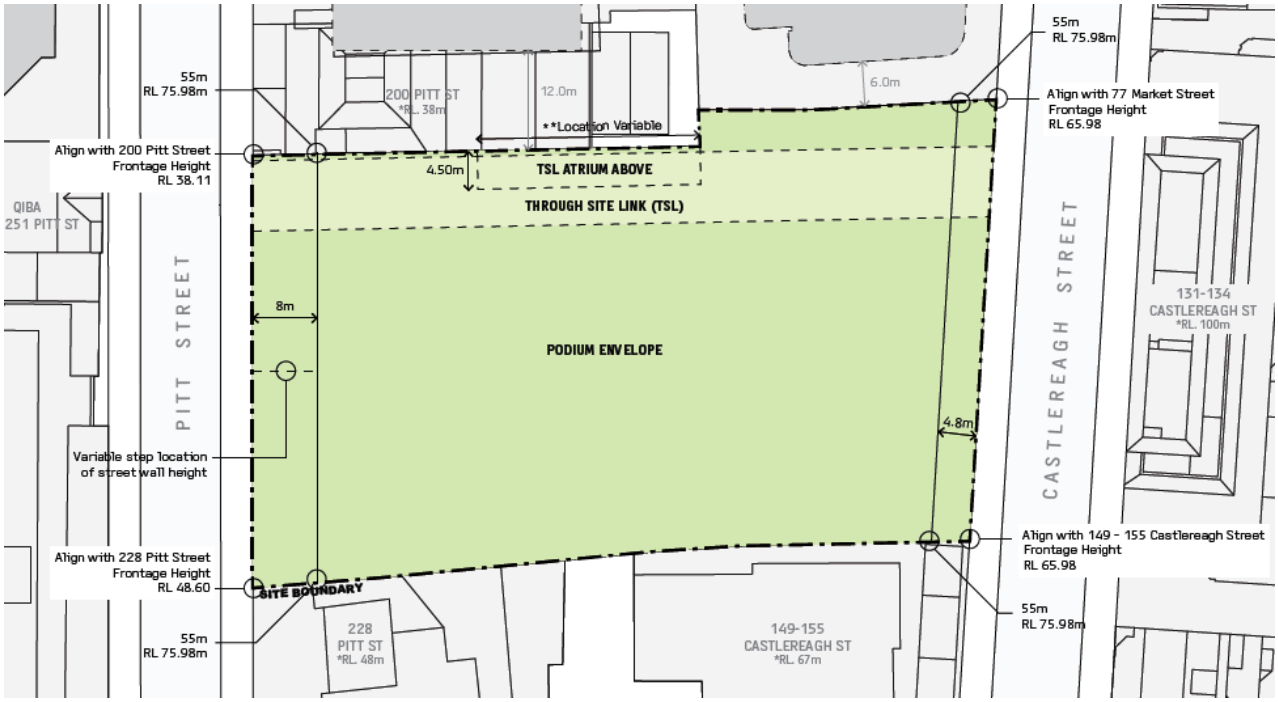


Source: 3XN

5.3.2. Setbacks

Above the podium height at 55m the building envelope provides the following tower setbacks detailed in **Table 8** and **Figure 20**. The compliance of the proposed setbacks controls with the existing DCP and Draft CSPS DCP Amendment is further discussed in **Section 10.1** of this report.

Figure 20 Building Setbacks – 0m – Maximum Podium Height (55m)



Source: 3XN

Figure 21 Building Setbacks – 55m – Maximum Height of Building (167.47m)

Source: 3XN

Table 8 Building Envelope – Tower Setbacks

Frontage	Tower Setbacks (55-167.8 Metres)
North (77 Market Street – David Jones Building, and 194 Pitt Street – City Tattersalls Club)	Portion of the site fronting 194 Pitt Street – 4.5m Portion of the site fronting 77 Market Street – 3m
East (Castlereagh Street)	4.8m to 103 metres in height Setback gradually increases from 4.8m at 103m to 37m at the maximum building height at 167.8m in line with the Hyde Park sun access plane.
South (151 Castlereagh Street and 228 Pitt Street)	3m
West (Pitt Street)	8m

5.3.3. Gross Floor Area and Floor Space Ratio

An area schedule accompanies the Planning Proposal within the Concept Reference Scheme Plans at **Appendix A**.

The area schedule confirms that the building envelope is capable of accommodating a total GFA of 103,338m^2:

- A maximum above ground GFA of 99,212m^2
- A maximum below ground GFA of 4,126m^2 (excluding car park use)
- A maximum 7,563m^2 of car park use GFA in basement levels
- A notional GFA of 1,045m^2 for the purposes of end of trip facilities, however the final area will be determined in accordance with clause 6.13 of the LEP

This results in a maximum achievable FSR of 21.53:1 based on a site area of 4,800m^2.

For the purposes of the site specific LEP clause the maximum FSR achievable is 19.57:1 which can be increased to 21.53:1 through a 10% design excellence bonus.

5.3.4. Land Uses

The building envelope will predominantly accommodate commercial premises comprising of office premises and retail premises at the ground and podium levels. The lower ground and basement level of the building will accommodate the Wesley Mission facilities.

The dominant purpose of the Wesley Mission and the reason for their existence is as *a place of public worship* and the associated community support services it offers as part of its holistic mission. The use of the spaces at other times for conference facilities and the like are subordinate and subservient to this purpose and intent.

Notably, the uses will not comprise, residential accommodation, or serviced apartments. All proposed land uses are permissible with consent within B8 zone.

5.4. CAR PARKING AND VEHICULAR ACCESS

The site redevelopment to be facilitated by the Planning Proposal will result in the rationalisation of car parking and access to the site. The proposal seeks to reduce the overall quantum of car parking provided on the land to a maximum of 250 car spaces (a circa 10% reduction on the current supply) and to manage this in a manner that reduces the number of vehicle movements to and from the site.

As part of the redevelopment of the site, the existing car park entry ramp is proposed to be consolidated with the existing exit ramp aligned to the southern site boundary at Castlereagh Street. A provision to this effect is also proposed within the site specific DCP at **Appendix D**.

The future parking arrangements for the site seek to balance the following considerations:

- The existence of the existing public car parking on the site which currently provides for 274 car parking spaces on the site, within an existing substantial basement excavation.
- The acknowledgement of strategic planning objectives to reduce vehicle movements in Central Sydney over time, by:
- Reducing the total parking provision of circa 10% compared to that currently existing; and
- Removing the existing casual parking arrangements in place currently as a public car parking facility.
- The provision of car parking that is within the maximum requirements of the LEP acknowledging the mixed use nature of the future intended development. The assessment based on the current land uses envisaged in the concept reference design allows for approximately 290 car spaces under the LEP.
- The ability for some flexibility in the management of this car parking to address ground lease obligations with the Uniting Church as an on-going user. In practice, this means that while the full capacity of the car park (250 spaces) would be required for the Uniting Church on Sundays, Easter and Christmas, at other times of the week (specifically Monday to Friday), the intention is the car park (excluding the 35 permanent spaces for the Church) is available for the use of tenants of the building or nearby land. It is proposed that this would be established on a “reserved basis” from Monday to Saturday forming a “managed car parking” use, as opposed to a public car parking operation that supports casual parking use.

This is further addressed in Section **10.4** of this report.

5.5. THROUGH SITE LINK

The Planning Proposal seeks to establish a through site link between Castlereagh Street (to the east) and Pitt Street (to the west) by way of a provision in the site specific DCP (refer **Appendix D**). This through site link is to be activated where possible and will be open and accessible to the public 24/7.

The site specific DCP provisions seek to establish a minimum width, height and gradient of the through site link to ensure that the pedestrian link can accommodate activation and an appropriate pedestrian pathway width (refer **Figure 22**).

Daylight access to the through site link is to be facilitated by an atrium with a maximum total area equivalent to 1,500m^2. To allow flexibility for the detailed design of the future building, the exact location and width of the atrium has not been specified.

Figure 22 Through site link map and typical section

Source: 3XN

5.6. CONCEPT REFERENCE SCHEME

5.6.1. Overview

A concept reference scheme accompanies the Planning Proposal for the purposes of demonstrating that the proposed building envelope is capable of accommodating a commercial officer tower with retail tenancies and basement car parking and uses associated with Wesley Mission. An Urban Design Study and Concept Reference Scheme Plans accompanies this report at **Appendix A**.

The reference scheme is indicative only and the final detailed design of the scheme will be the subject of a competitive design process and detailed DA.

To establish the site-specific FSR provision, a concept reference scheme has been prepared (refer **Appendix A)** which sets the maximum GFA achievable within the building envelope. This calculation has excluded certain area from the GFA calculation in accordance with the applicable LEP definition including building plant, circulation area, car parking, and servicing area. It also excludes design measures including building articulation zones, building core, and floor to floor heights.

The Planning Proposal is expected to facilitate a 36-storey new commercial tower development with a total cost of works of approximately $800 million. Specifically, the reference scheme demonstrates the building envelope is capable of achieving a total GFA of 103,338m^2 resulting in an FSR of 21.53:1 which includes a 10% design excellence bonus. The following table provides an approximate breakdown of the GFA attributed to each use in the concept reference scheme.

Table 9 Reference Scheme Key Development Metrics

Use	Concept Reference Scheme Approximate GFA
Commercial	93,000m^2
Retail and Lobby	6,000m^2
Wesley Mission	4,000m^2

The concept reference scheme nominates the following uses, level by level:

- Basement Levels 5 – 3: Car parking and mechanical plant
- Basement Levels 2 -1: Wesley Mission facilities including the Church, Theatre and Lyceum, as well as supporting offices
- Basement Level 1: End of trip, back of house area and plant
- Ground Floor: Lobby space, and a northerly aligned east-west pedestrian through-site link connecting Pitt Street and Castlereagh Street activated by retail tenancies
- Levels 1 – 10: Podium levels comprising commercial office space
- Levels 11 – 34: Tower levels comprising commercial office space
- Levels 9, 19, 35 and 36: Mechanical plant.

A photomontage of the reference scheme is provided at **Figure 23** and **Figure 24**.

Figure 23 Photomontage of the Refence Scheme from Hyde Park looking west

Source: 3XN

Figure 24 Photomontage of the Reference Scheme from Pitt Street looking east

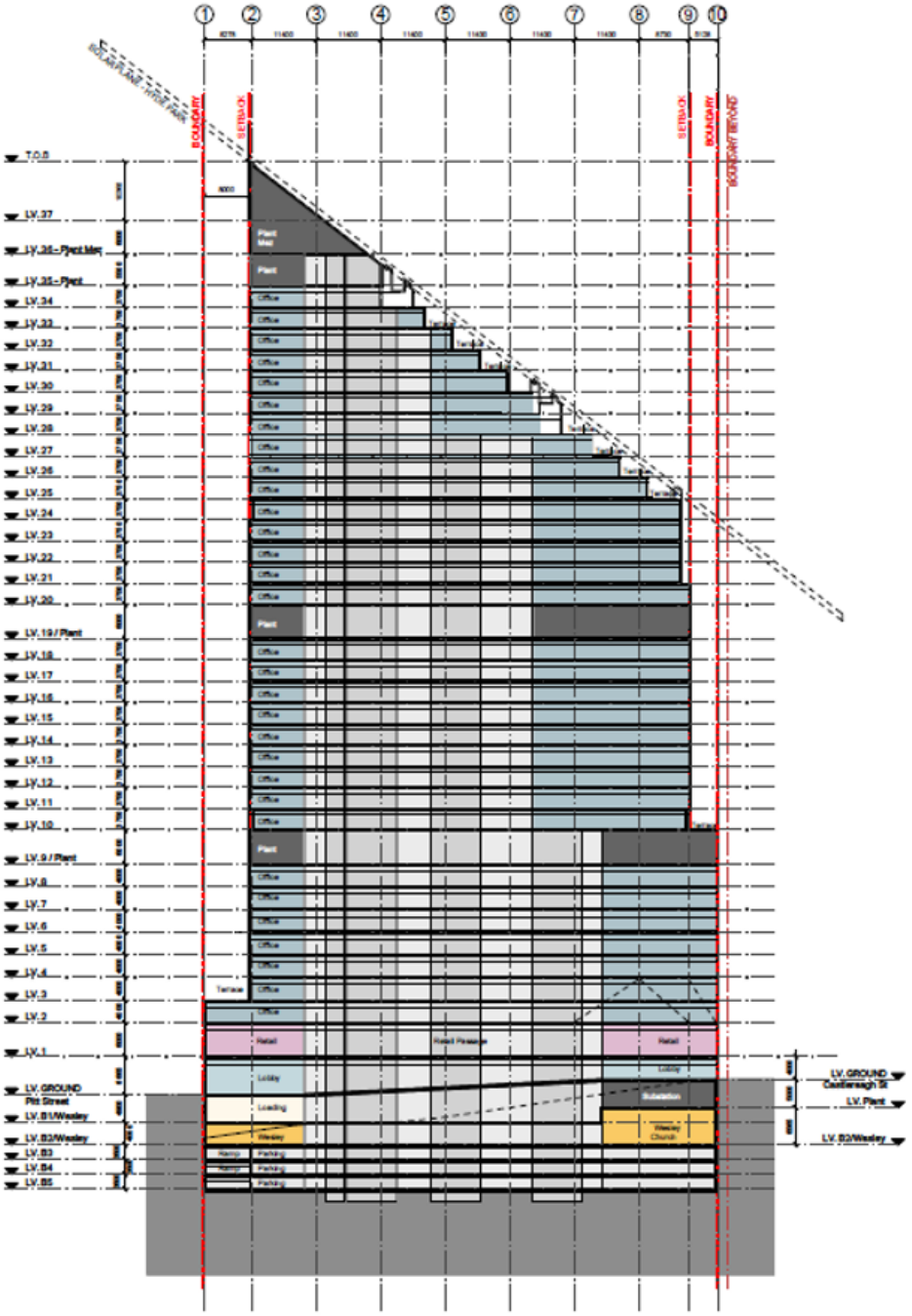
Source: 3XN

5.6.2. Commercial Tower

The reference scheme demonstrates that the building envelope is capable of accommodating a 36 storey commercial office tower with 31 levels of commercial office space, 4 levels of plant area and ground floor and level 1 retail floor space.

The concept reference scheme details that commercial office floor plates can range from a GFA of approximately 4,000m^2 at the podium levels gradually decreasing in size to 1,100m^2 at the top of the tower in line with the sun access plane. A section of the reference scheme is displayed at **Figure 25**.

Figure 25 Building East West Section – Reference Scheme



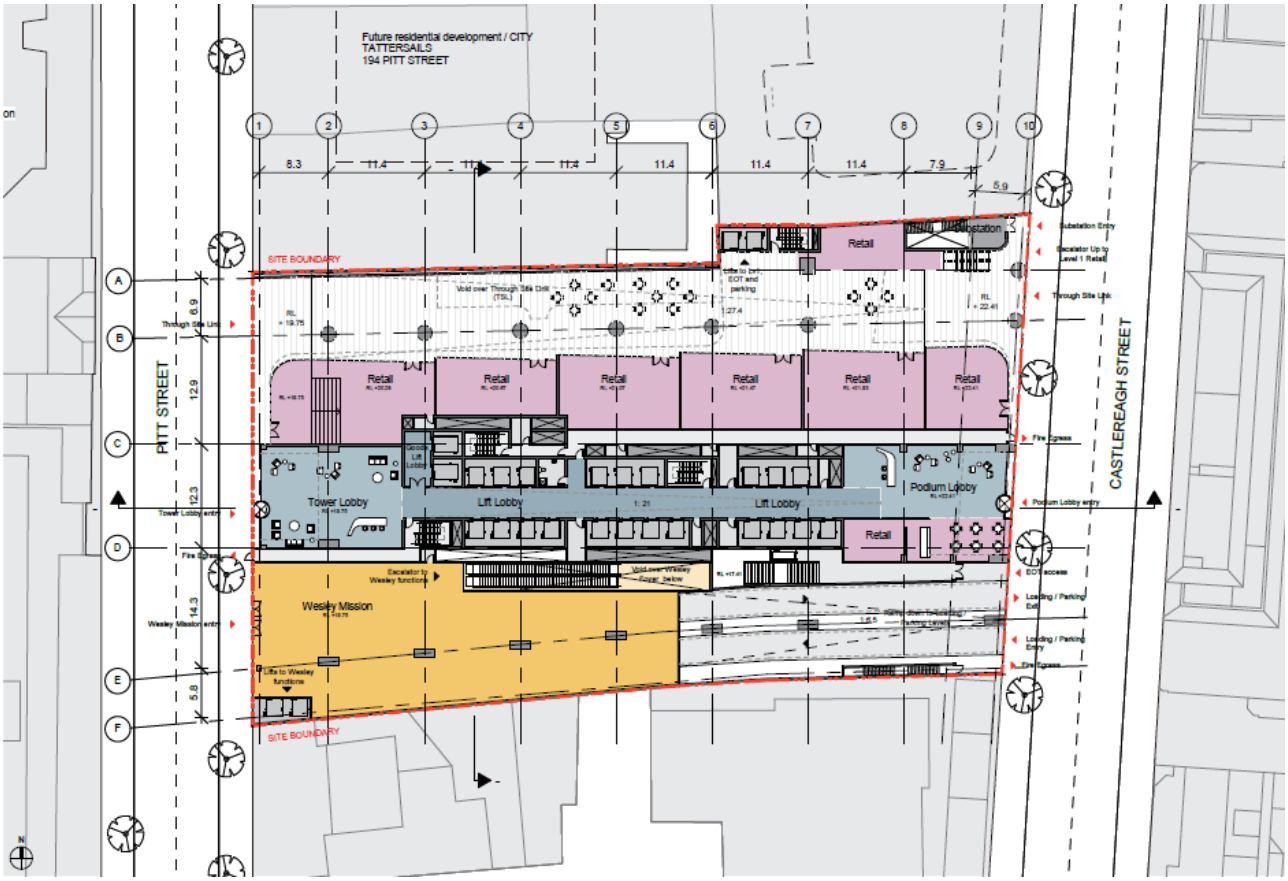
Source: 3XN

5.6.3. Ground Floor Through-Site Link

The reference scheme includes a through site link between Castlereagh Street (to the east) and Pitt Street (to the west). The through site link is activated where possible and accessible to the public at all times.

The ground floor level also comprises Wesley Mission floor space, commercial tower lobby space, and an access ramp to the basement car park and end of trip facility (refer **Figure 26**).

Figure 26 Ground Floor – Reference Scheme



Source: 3XN

5.6.4. Car Parking and Site Access

The concept reference scheme includes a vehicular ingress and egress access to the building basement levels at the south eastern corner combining the existing exit only vehicular access point.

Four levels of basement car parking are included within the concept reference scheme. The ramp would connects loading and servicing on Basement Level 1 and continue to Level 3 where additional courier bays would be provided. Beyond this area, car parking is provided at Basement Level 5.

The concept reference scheme allows for a total of 250 car parking bays from Level P2 to P5; with additional 6 Medium Rigid Vehicle bays within the loading dock. Car parking provision provided by the concept reference scheme is detailed as follows:

- 250 standard car parking bays.
- 12 accessible car parking bays.
- 10 courier bays.
- 1 courier bay dedicated to the Wesley Mission.
- 4 contractor bays.

5.6.5. Wesley Mission

The ground floor and basement levels of the reference scheme includes approximately 4,000m^2 of GFA allocated to the Wesley Mission.

5.6.6. Excavation

The majority of the existing basement extent reaches approximately 15m below ground comprising 5 basement levels, except for below the Piccadilly Court building which comprises only one basement level at

approximately 4m below ground level. As part of the redevelopment of the site, the existing car park entry ramp is proposed to be consolidated with the existing exit ramp aligned to the southern site boundary.

The realignment of the ramp and central core location will necessitate excavation within the south western corner of the site below the Piccadilly Court Building to bring the basement to the same level as remainder of the site basement at approximately 15m below ground level.

5.6.7. Public Art

A preliminary public art strategy accompanies the Planning Proposal at **Appendix M** which provides initial concepts for the implementation of public art within the site which will be finalised at the detailed DA stage. The strategy identifies possible narratives and opportunities for the implementation of public art in the site specifically within the future lobby space, and the future northerly aligned east-west through site link.

6. THE PLANNING PROPOSAL

This Planning Proposal has been prepared in accordance with Sections 3.33 (1) and (2) of the EP&A Act with consideration of the relevant guidelines, namely *A Guide to Preparing Planning Proposals*, issued by DPIE in August 2016.

Accordingly, the proposal is discussed in the following parts:

- **Part 1** – A statement of the objectives and intended outcomes.
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – The justification for the Planning Proposal and the process for the implementation.
- **Part 4** – Mapping.
- **Part 5** – Details of community consultation that is to be undertaken for the Planning Proposal.
- **Part 6** – Project timeline.

Discussion for each of the above parts is outlined in the following sections.

7. PART 1: OBJECTIVES AND INTENDED OUTCOMES

The intended outcome of this Planning Proposal is to amend the LEP in order to facilitate the redevelopment of the site for a commercial office tower development above a retail podium, including Wesley Mission facilities at lower ground level, together with basement car parking and associated facilities.

The intended outcomes of the requested amendments include:

- To satisfy State Government objectives to increase employment floor space in Central Sydney.
- Align with the Draft CSPS to facilitate additional commercial floor space capacity in Central Sydney while also delivering improved public domain outcomes.
- To deliver significant public domain improvements including a through site link between Pitt and Castlereagh Streets and enhanced pedestrian amenity and activation at the ground plane.
- To rectify the existing sun access plane breach to ensure that Hyde Park achieves unobstructed sunlight access between 10am and 2pm all year.
- To improve the current public domain outcome along Castlereagh Street through removal of the existing parallel basement parking ramp which disrupts the footpath
- To remove the sky bridges over Pitt and Castlereagh Street which result in a poor public domain outcome.
- Clarify the existing car parking arrangements.
- To ensure that the new building achieves a high level of environmental performance.

Ultimately, this will enable the achievement of a range of both State and local strategic planning objectives, whilst ensuring a site-specific and sensitive response as informed by the surrounding land use and built form character.

8. PART 2: EXPLANATION OF THE PROVISIONS

The objectives and intended outcomes of the Planning Proposal will be achieved by implementing a site specific provision into Part 6, Division 5 of the LEP which will allow a maximum allowable FSR on the site of 19.57 which can achieve an FSR of 21.53:1 if a competitive design process has been held and the building demonstrates design excellence through a 10% FSR bonus.

The provision is to be worded as follows subject to legal drafting:

6.xx 133-145 Castlereagh Street, Sydney (Piccadilly Centre)

(1) This clause applies to 133-145 Castlereagh Street, Sydney, being Lot 10, DP828419.

(2) The objective of this clause is to provide for additional employment floorspace on the land as part of a comprehensive site redevelopment, but only if the development of the land to which this clause applies—

(a) improves the existing sun access to Hyde Park in midwinter in accordance with the relevant sun access plane control, and

(b) optimises the amount of daylight and sky view from the public domain, and

(c) provides for a publicly accessible through site link on the land, and

(d) provides improved vehicle access arrangements and reduce the impact of vehicle movements.

(3) Despite any other provisions of this Plan, a building on land to which this clause applies may have a maximum floor space ratio of—

(a) 19.57:1, or

(b) if a competitive design process has been held under clause 6.21 and the building demonstrates design excellence within the meaning of that clause—21.53:1.

(4) Development for the purposes of a car park comprising a maximum of 168 spaces is permissible with consent on the land to which this clause applies, and clause 7.18 shall not apply to an application for consent to such development.

(5) Nothing in clause (4) affects the permissibility of car parking ancillary to other development which may be permitted under Part 7 Division 1 of this Plan.

(6) Notwithstanding any other provision of this Plan, the maximum car parking spaces to be provided on the land must not exceed 250 spaces.

(7) For the purposes of calculating a floor space ratio in respect of any building on the land to which this clause applies, despite any other provision of this Plan any gross floor area located at basement level used for the purposes of a car park, up to a maximum FSR of 1.58:1, shall be disregarded.

(8) For the purposes of calculating the allocation of heritage floor space in accordance with Clause 6.11 of this Plan, the maximum floor space ratio set out in subclause 3(a) is to be taken as including a maximum of 4.5:1 of accommodation floor space and 1.25:1 of additional floor space pursuant to clause 6.21.

(9) Except for the provisions of clause 6.5 and 6.6 of this Plan, a building on land to which this clause applies is not entitled to any other additional floor space permitted by this Plan.

(10) Development consent must not be granted for development under subclause (3) unless the consent authority is satisfied that—

(a) the proposal meets the objectives of subclause (2);

(b) if subclause (3)(b) applies—the floor space ratio of the above ground levels of the building does not exceed 20.67:1 and

(b) the total amount of heritage floor space is allocated to the building in accordance with subclause (8).

(c) the building height does not exceed the maximum height set by Hyde Park Sun Access Plane Map and

(d) the building does not include any additional height granted under clause 5.6 or 6.21, and

(e) the building includes end of journey facilities, and

(f) the building will not be used for the purposes of residential accommodation or serviced apartments.

In addition, the Planning Proposal is accompanied by the preparation of a draft site-specific Development Control Plan (see **Appendix D**) that will be further detailed and finalised as the Planning Proposal progresses through the planning process. The draft site-specific DCP details objectives and site specific provisions which will apply to the site despite other provisions of the DCP.

Provisions detailed in the draft site-specific DCP include:

- Minimum building setback and maximum building envelope controls to establish the maximum extent of the built form of the future building.
- Establish the location, size, and operation of an activated east west through-site link with daylight access provided by an atrium above.
- Establish a vehicular access location at the south eastern corner of the site from Castlereagh Street and removal of the existing parallel ramp.
- Removal of the existing sky bridges above Pitt Street and Castlereagh Street as part of any comprehensive redevelopment of the site.
- Establish sustainability criteria to be achieved by the future building.
- Ensure the redevelopment of the site responds appropriately to the adjoining heritage items.
- Ensure the redevelopment of the site does not overshadow Hyde Park in accordance with the SAP provisions.

9. PART 3: JUSTIFICATION

9.1. SECTION A – NEED FOR THE PLANNING PROPOSAL

9.1.1. Q1 - Is the Planning Proposal a result of any strategic study or report?

Yes, the Planning Proposal is entirely consistent with A Metropolis of Three Cities: Greater Sydney Region Plan (GSC 2018) and Eastern City District Plan (GSC 2018), which was adopted by the NSW Government in March 2018.

In addition, the Planning Proposal is also consistent with the Draft CSPS which encourages additional employment floor space in Central Sydney.

In addition to the objectives of these strategies, this Planning Proposal has been informed by a comprehensive evaluation of the site's physical and strategic attributes. This built form analysis included the preparation of indicative design concepts and urban design analysis to inform an appropriate bulk and massing scenario in keeping with the Hyde Park Sun Access Plane which is responsive to the metropolitan context, but not unreasonable with regards to impacts on surrounding amenity-sensitive land uses.

The analysis undertaken demonstrates that the site's characteristics make it a unique, highly strategic and prominent site that can realise the objectives and intended outcomes of the applicable strategic planning policies, whilst also suitably accommodating the proposed density as sought within this Planning Proposal request.

9.1.2. Q2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes is there a better way?

Yes, the proposed amendments to the LEP are required to increase the floor space development standard on the site to facilitate a new commercial tower on the site as the current development standards under the LEP do not enable the proposed concept reference scheme or full employment potential of the site. A Planning Proposal will achieve the anticipated built form and development outcomes outlined in **Section 4** of this report.

9.2. SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

9.2.1. Q3 – Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, the Planning Proposal is consistent with the objectives and actions of the following regional and district strategic planning policies.

Greater Sydney Regional Plan – A Metropolis of Three Cities

The *Greater Sydney Region Plan – A Metropolis of Three Cities* (GSRP 2018) was released by the Greater Sydney Commission in March 2018 and provides guidance for land use planning into the future for the three cities of Greater Sydney. These include the Western Parkland City; the Central River City; and the Eastern Harbour City. The site is located on the Eastern Harbour City.

The Harbour CBD (which includes Sydney City & North Sydney CBDs) is planned to be economically strengthened with focus on innovation and global competitiveness. Key infrastructure projects include the CBD and South East Light Rail, expected to be completed in 2020, and the Sydney Metro City and Southwest, expected to be completed in 2024. An assessment of the proposal against relevant planning priorities in the GSRP 2018 is provided in **Table 10**.

Table 10 Consistency with the Greater Sydney Regional Plan

Objective	Comment
Objective 9 – Greater Sydney celebrates the arts and supports creative industries and innovation	The Planning Proposal is supported by a public art strategy at **Appendix M** and described in **Section 5.5.7**. Opportunities to integrate public art will be further detailed at DA stage.
Objective 12 – Great places that bring people together	The Planning Proposal seeks to establish an east west through site link at the ground floor level which to the benefit of pedestrians.
Objective 13 – Environmental heritage is identified, conserved, and enhanced	The site is not identified as containing a heritage item or being located within a heritage conservation area. Notwithstanding this, the site is located within close proximity to a number of items with heritage significance. A statement of heritage impact accompanies the Planning Proposal at **Appendix G** which confirms that the building envelope sought through this planning proposal is acceptable from a heritage perspective.
Objective 14 – *A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*	The Planning Proposal is entirely consistent with this direction in that it will result in commercial office space and retail tenancies within close proximity to public transport nodes. This will assist the delivery of a 30-minute city in that future occupants of the site will benefit from accessible public transport.
Objective 18 – Harbour CBD is stranger and more competitive	The Planning Proposal will provide commercial office space with large floorplates with the flexibility to attract a range of future tenants. This will ultimately contribute to growth in investment in the Harbour CBD.
Objective 31 – Public open space is accessible, protected and enhanced	Future redevelopment of the site will improve the current solar access to Hyde Park due to an existing breach of the Piccadilly Tower above the sun access plane.
Objective 33 – A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The Planning Proposal will facilitate a future building which capable achieving a high level of environmental performance. (refer **Appendix K** and **Section 10.5**).

Eastern City District Plan

The Eastern City District Plan was released by the Greater Sydney Commission in March 2018. The site is located within the Eastern Harbour CBD which is the metropolitan centre of the Eastern City District. The Eastern Harbour CBD is Australia's global gateway and financial capital.

The District Plan highlights the tension between residential and commercial office uses within the Sydney CBD and highlights the importance of retaining a strong commercial core in order to accommodate the 45,000 – 80,000 future jobs forecast for the District. Policy settings are designed to support innovative and creative industries, aligning growth with infrastructure, and increasing the supply of A-grade commercial office space. An assessment of the Planning Proposal's consistency with relevant key planning priorities in the Eastern City District Plan is provided in **Table 11**.

Table 11 Consistency with Eastern City District Plan

Planning Priority	Comment
E1 – Planning for a city supported by infrastructure	The Planning Proposal demonstrates consistency with this objective in that it will facilitate commercial floor space serviced by several public transport modes including rail, light rail, bus, and a future Sydney metro station. The future development of the site will also be subject to development contributions.
E7 – Growing a stronger and more competitive Harbour CBD	The Planning Proposal will result in the delivery of additional high-quality office floor space on the site. This will assist in the growth of a stronger and more competitive Harbour CBD.
E10 - Delivering integrated and land use and transport planning for a 30-minute city	The Planning Proposal is entirely consistent with this direction in that it will result in commercial office space and retail tenancies within close proximity to public transport nodes. This will assist the delivery of a 30-minute city in that future occupants of the site will benefit from accessible public transport.
E11 – Growing investment, business opportunities and jobs in strategic centres	The Planning Proposal will provide commercial office space with large floorplates with the flexibility to attract a range of future tenants. This will ultimately contribute to growth in investment in the Harbour CBD.
E13 – Supporting growth and targeted industry sectors	The Planning Proposal will facilitate commercial office space which will be able to ultimately accommodate a wide range of tenants.
E19 – Reducing carbon emissions and managing energy water and waste efficiency	The planning proposal will facilitate a future building which capable achieving a high level of environmental performance. (refer **Appendix K** and **Section 10.5**).

9.2.2. Q4 – Is the Planning Proposal consistent with a Council's local strategy or other local strategy plan?

Central Sydney Planning Strategy

The Central Sydney Planning Strategy is a 20-year growth strategy that builds upon the strategy of Sustainable Sydney 2030 and revises planning controls for Central Sydney. The Strategy outlines 10 key moves. The Planning Proposal is consistent with the key moves of the Draft CSPS as demonstrated in **Table 12**.

Table 12 Consistency with Draft Central Sydney Planning Strategy

Key Move	Comment
1. Prioritise employment growth and increase capacity	The Planning Proposal is entirely consistent with this key move in that it will increase premium office space and ancillary retail tenancies within Central Sydney which will accommodate for projected jobs growth.
2. Ensure development responds to context	The Planning Proposal seeks to establish a building envelope through a site specific DCP provision which will accommodate

Key Move	Comment
	commercial uses within a mixed-use CBD locality. A detailed assessment of environmental impacts of the proposal is provided at **Section 10** of this report.
5. Ensure infrastructure keeps pace with growth	The Planning Proposal demonstrates consistency with this objective in that it will facilitate commercial floor space serviced by several public transport modes including rail, light rail, bus, and a future Sydney metro station. The future development of the site will also be subject to development contributions.
6. Move towards a more sustainable city	The Planning Proposal will facilitate a future building which capable achieving a high level of environmental performance. (refer **Appendix K** and **Section 10.5**).
7. Protect, enhance, and expand Central Sydney's heritage, public places and spaces	The Planning Proposal will improve the current sun access provision to Hyde Park through the removal of existing floor space which breaches the sun access plane. The proposed envelope is consistent Hyde Park West sun access plane provisions.
8. Move people more easily	The site is highly accessible to public transport, footpaths, and cycling links. In addition, the future building will provide end of trip facilities which will encourage walking and cycling to the site. A through site link is also proposed, facilitating an improved mid block pedestrian link.
9. Reaffirm commitment to design excellence	The future detailed design development application for the site will be subject to a design competition in accordance with the draft design excellence strategy at **Appendix E**.

Draft Guidelines for Site Specific Planning Proposals

An assessment against the minimum site test criteria listed in the Guidelines is provided in the following table. We also note that this assessment is based on the only available guidelines exhibited in March 2019, as a more recent version was not exhibited in 2020 with the CSPS Planning Proposal.

Table 13 Assessment of the Planning Proposal against the minimum site test under the Guidelines

Control and Site Test	Compliance
Land Use ▪ Proposed new buildings (or altered buildings) that rely on increased maximum heights and/or FSR controls may be any use permitted by Sydney 2012 except for residential accommodation and serviced apartments.	The proposal does not seek residential accommodation or serviced apartments.
Erection of a tall building ▪ Sites must have a minimum site area of 1,000m^2	The site area is 4,800m^2 which exceeds the requirement.
Height of Buildings	No increase to the maximum building height set by the Hyde Park Sun Access Plane control is

Control and Site Test	Compliance
▪ The objective for setting maximum building heights is to ensure no additional overshadowing of protected spaces during the protected times, as identified in the Strategy.	proposed. The proposal will result in the resolution of an existing breach to the sun access plane.
Protection of Public Views ▪ Proposed new buildings (or altered buildings) that rely on increased maximum heights may exceed the maximum height shown for the land on the Height of Buildings Map but may not exceed Public view protection planes, identified in Sydney LEP and the Strategy.	N/A due to the sun access plane control. No increase to the maximum building height is proposed.
Floor Space Ratio ▪ Permitted envelopes are determined first by the maximum permitted height under the Guideline and the shaped by Sydney LEP and Sydney DCP Built Form, Special Character Area and Heritage controls. ▪ Once a permitted envelope is determined the maximum FSR is set by considering floor space efficiencies, a requirement for architectural expression and the requirement for 10% of the total floor space to be conditional on demonstrating design excellence.	To establish the site-specific FSR provision, a concept reference scheme has been prepared (refer **Appendix A**) which sets the maximum GFA achievable within the building envelope. The building envelope considers of a range of factors including: ▪ the Hyde Park SAP ▪ the built form provisions of the Draft CSPS DCP Amendments ▪ the adjacent built form and heritage context 10% of the total GFA will be subject to design excellence
Ecologically Sustainable Development ▪ Proposed new buildings (or altered buildings) that rely on increased FSR and/or height must achieve an Office and Environment and Heritage (OEH) National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of at least 5.5 stars for office and 4.5 star for hotel. ▪ Sites subject to a Request must achieve net-zero carbon, zero waste and water efficient outcomes across the site.	The Planning Proposal will facilitate a future building which is capable achieving a high level of environmental performance. (refer **Appendix K** and **Section 10.5**).
Heritage Floor Space ▪ Proposed new buildings must be allocated an amount of heritage floor space as required by Sydney LEP. ▪ Strategic Floor Space permitted by the planning proposal is not subject to allocation of heritage floor space.	Stockland's commitment to monetary contributions in force at the time of DA consent including the purchase of heritage floor space is detailed at **Appendix T**.

Control and Site Test	Compliance
Heritage Conservation ▪ Planning proposals is subject to Sydney LEP's heritage controls.	The site is not identified as containing a heritage item or being located within a heritage conservation area. Notwithstanding this, the site is located within close proximity to several items with heritage significance. A statement of heritage impact accompanies the Planning Proposal at **Appendix G** which confirms that the building envelope sought through this planning proposal is acceptable from a heritage perspective..
Design Excellence ▪ Development as a result of a planning proposal is subject to Sydney LEP's design excellence controls. ▪ The future building must participate in an architectural design competition as opposed to a competitive design alternative process.	The future detailed DA will be the subject of an architectural design competition. A draft Design Excellence Strategy is provided at **Appendix E**.
Car Parking ▪ Car parking spaces (including existing car parking spaces) are limited to the total number of existing car parking spaces within existing developments on site, or the maximum permitted under Sydney LEP for the site, whichever is less.	This Planning Proposal, by way of a provision in the site specific to be implemented in Part 6, Division 5 of the LEP, seeks to enable a maximum car parking provision of 250 spaces located within the basement levels of the site. As part of the redevelopment of the site, the existing car park entry ramp is proposed to be consolidated with the existing exit ramp aligned to the southern site boundary at Castlereagh Street. A provision to this effect is also proposed within the site specific DCP at **Appendix D**. Refer to **Section 10.4.1** of this report and **Appendix F** for detailed justification for the quantum of car parking provision on site.
Affordable Housing ▪ Development as a result of a Request is subject to Sydney LEP's affordable housing controls.	Stockland's commitment to monetary contributions in force at the time of DA consent including the affordable housing levy is detailed at **Appendix T**.
Section 61 contributions ▪ Development contributions authorised by Section 61 of the City of Sydney Act 1988 apply in full to all sites subject to a planning proposal, irrespective of community infrastructure contributions.	Stockland's commitment to monetary contributions in force at the time of DA consent is detailed at **Appendix T**.

Sustainable Sydney 2030

Sustainable Sydney 2030 is a long-term plan prepared by the City of Sydney to achieve a green, global, and connected city. It contains ten strategic directions, of which the following are relevant and will be delivered by the Planning Proposal:

Table 14 Consistency with Sustainable Sydney 2030

Direction	Comment
1. A globally competitive and innovative city	The Planning Proposal will facilitate the construction of modern commercial floor space in Central Sydney. The reference design and building envelope appropriately responds to the site constraints resulting in a high-quality urban design outcome which will contribute to Sydney's global status and attractiveness.
2. A leading environmental performer	The Planning Proposal will facilitate a future building which capable achieving a high level of environmental performance. (refer **Appendix K** and **Section 10.5**).
3. Integrated transport for a connected city	The Planning Proposal will facilitate increased employment floor space in a location that benefits from excellent access to public transport nodes.
4. A city for walking and cycling	The site is highly accessible via footpaths along Castlereagh and Pitt Street and the City of Sydney cycle path network. A cycle path is planned along Castlereagh street as part of the regional cycle network. The future building will provide end of trip facilities which will encourage walking and cycling to the site.
5. A lively and engaging city centre	The Planning Proposal will achieve the objectives of this direction in that it facilitates active frontages to Pitt and Castlereagh Streets and an east west through site link.
7. A cultural and creative city	Public art will be provided within the future development of the site as demonstrated in the public art strategy at **Appendix M**.
9. Sustainable development, renewal, and design	The Planning Proposal represents a sustainable development in that it will facilitate employment floor space that is capable of meeting sustainability requirements in an accessible location with access to public transport nodes.

City Plan 2036 – City of Sydney Local Strategic Planning Statement

City Plan 2036 is the draft Local Strategic Planning Statement (LSPS) for the City of Sydney and links the state and local strategic plans with the planning controls to guide future development and the Local Environmental Plan review. Notably, the LSPS stipulates that the LGA will accommodate 200,000 additional jobs to 2036.

The City Plan sets 13 priorities to achieve the City's Green, Global, Connected vision and guide future changes to the City's planning controls. The Planning Proposal is consistent with the LSPS as demonstrated in the Table below.

Table 15 Consistency with the LSPS

Planning Priority	Comment
1. Movement for walkable neighbourhoods and a connected city	The Planning Proposal will facilitate employment floor space in a highly walkable location in Central Sydney.
2. Align development and growth with supporting infrastructure	The future development application will be subject to monetary infrastructure contributions.
5. Creating great places	Future development of the site will improve the current solar access to Hyde Park. In addition, the future development will provide a northerly aligned through-site link from Pitt Street to Castlereagh Street to the benefit of pedestrians.
6. Growing a stronger, more competitive Central Sydney	The Planning Proposal will result in increased modern employment floor space in Central Sydney.
11. Creating better buildings and places to reduce emissions and waste and use water efficiency	The Planning Proposal will facilitate a future building which capable achieving a high level of environmental performance. (refer **Appendix K** and **Section 10.5**).

9.2.3. Q5 – Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the following applicable State Environmental Planning Policies (SEPPs) as identified in the Table below.

Table 16 Assessment of the Planning Proposal against relevant SEPPs

SEPP	Requirement	Comment
State Environmental Planning Policy (Infrastructure) 2007	Part 3, Division 15 Subdivision 2 Development in Rail Corridors: A portion of land in the north western corner of the site is located within the Sydney Metro corridor.	Any future development application will need to consider the provision of the Infrastructure SEPP. Concurrence of the Sydney Metro Authority will be required for the future detailed development application.
	Clause 104 Traffic - Generating development	Concurrence of Transport for NSW will be required for the future detailed development application.
State Environmental Planning Policy No. 55 Remediation of Land	Ministerial Direction 2.6 has recently replaced clause 6 of the SEPP which requires a consent authority to consider whether the land is contaminated and if the land is suitable for the proposed environmental planning instrument.	Ministerial Direction 2.6 addressed in **Table 17** below.

9.2.4. Q6 - Is the Planning Proposal consistent with applicable Ministerial Directions (s. 9.1 directions)?

The Planning Proposal is consistent with the following applicable section 9.1 Ministerial Directions as identified in the Table below.

Table 17 Consistency with Section 9.1 Ministerial Directions

Direction and Objective	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones *(1) The objective of this direction are to:* *a. encourage employment growth in suitable locations,* *b. protect employment land in business and industrial zones, and* *c. support the viability of identified centres.*	The Planning Proposal is entirely consistent with this Ministerial Direction in that it retains the B8 Metropolitan Centre zone. The proposal seeks to provide a variety of employment uses including commercial, retail, entertainment facilities, and places of public worship.
1.2 - 1.5	Not applicable.
2. Environment and Heritage	
2.1 Environmental Protection Zones	Not applicable.
2.2 Coastal Management	Not applicable.
2.3 Heritage Conservation *(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance*	The site is not identified as containing a heritage item or being located within a heritage conservation area. Notwithstanding this, the site is located within close proximity to a number of items with heritage significance. A statement of heritage impact accompanies the Planning Proposal at **Appendix G** which confirms that the building envelope sought through this planning proposal is acceptable from a heritage perspective..
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Applicable Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP	Not applicable.
2.6 Remediation of Contaminated Land *(1) The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.*	This Ministerial Direction is not applicable, noting that the site has not been used for any of the purposes referred to in Table 1 to the contaminated land planning guidelines. Notwithstanding this, the objectives of the direction have been considered in relation to the excavation required in the south western corner of the site. This excavation is required to lower the existing basement level in this portion so that it is level with the remainder of the

Direction and Objective	Comment
	site. This excavation is to reach depths of approximately RL 3m. The site has been used for commercial purposes for some time. The Planning Proposal seeks to continue the existing use of the site for commercial purposes. Therefore, it is expected that the site will continue to be suitable for this use.
3. Housing, Infrastructure and Urban Development	
3.1 – 3.3	Not applicable.
3.4 Integrating Land Use and Transport *(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:* *(a) improving access to housing, jobs and services by walking, cycling and public transport, and* *(b) increasing the choice of available transport and reducing dependence on cars, and* *(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and* *(d) supporting the efficient and viable operation of public transport services, and* *(e) providing for the efficient movement of freight.*	The Planning Proposal demonstrates consistency with this objective in that it will facilitate commercial floor space serviced by several public transport modes including rail, light rail, bus, and a future Sydney metro station.
3.5 Development Near Regulated Airports and Defence Airfields *(1) The objectives of this direction are:* *(a) to ensure the effective and safe operation of regulated airports and defence airfields;* *(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or*	The Planning Proposal seeks consent for a building envelope which is located above RL156 which is the Obstacle Limitation Surface (OLS) airspace surrounding the Sydney Kingsford Smith Airport (Sydney Airport). Notwithstanding this, the Planning Proposal does not seek an increase in the maximum height of building control applicable to the site. If necessary, consultation with the operator of Sydney Airport will be undertaken as condition of Gateway Determination.

Direction and Objective	Comment
potential hazard to aircraft flying in the vicinity; and *(c) to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*	
3.6 – 3.7	Not applicable.
4. Hazard and Risk	
4.1 Acid Sulfate Soils *(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.*	The site is identified in the LEP as containing class 5 acid sulfate soils. Pursuant to Clause 7.4 of the LEP consent is required for works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. The LEP map identifies class 2 acid sulfate soils located at Sussex Street approximately 400m from the site. Notwithstanding this, excavation required for the south western corner of the site is only expected to reach depths of approximately RL 3m. It is, therefore, not expected that an acid sulfate soils management plan will be required to accompany the detailed DA for redevelopment of the site.
4.2 Mine Substance and Unstable Land	Not applicable.
4.3 Flood Prone Land	ARUP have reviewed the City Area Catchment Flood Study prepared by BMT WBM in October 2014 and the City Area Catchment Floodplain Risk Management Plan both prepared for the City of Sydney Council. These studies confirm that the site is subject to some flooding risks which can be mitigated through implementation of measures to be explored at the detailed DA stage.
4.4 Planning for Bushfire Protection	Not applicable.
5. Regional Planning	
5.1 – 5.9	Not applicable.
5.10 Implementation of Regional Strategies *(1) The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.*	Consistency with relevant regional strategies is achieved as outlined in detail at **Section 9.2.1** of this report.

Direction and Objective	Comment
5.11 Development of Aboriginal Land Council Land	Not applicable.
6. Local Plan Making	
6.1 Approval and Referral Requirements	This is an administrative requirement of the relevant planning authority.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions *(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.*	The objectives and intended outcomes of the Planning Proposal will be facilitated by a site specific provision enabling FSR on the site which is greater than otherwise allowed by the LEP. The *Sydney Local Environmental Plan 2012* is somewhat unique in that it includes site specific provisions within the LEP to vary the development standards applying to a site rather than amending the relevant map, predominantly in Central Sydney. Part 6, Division 5 of the LEP includes 28 site specific controls which vary development standards, consistent with that sought by the Planning Proposal. In the circumstances of the case, it is appropriate and necessary to implement site specific development controls to the site.
7. Metropolitan Planning	
7.1 Implementation of a Plan for Growing Sydney *(1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.*	The Planning Proposal is entirely consistent with the objectives and actions of A Plan for Growing Sydney (2014) in that it will assist the growth of a more internationally competitive Sydney CBD.
7.2 – 7.10	Not applicable.

9.3. SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

9.3.1. 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?

No, the site is situated within an urban context and was historically used for commercial purposes. The site is highly modified and therefore it is expected that the Planning Proposal will not affect any critical habitat or threatened species, populations, or ecological communities.

9.3.2. Q8 – Are there any other likely environmental effects as a result of the Planning Proposal and how they are proposed to be managed?

The Planning Proposal is not expected to give rise to any unreasonable environmental impacts. Where potential environmental impacts have been identified, mitigation and management measures have been provided. **Section 10** provides a summary of the potential environmental impacts and management measures.

9.3.3. Q9 – Has the Planning Proposal adequately addressed any social and economic effects?

The intended outcomes of the Planning Proposal will have an overwhelmingly positive social and economic impact on the local community. The Urban Design Study and Concept Reference Scheme (**Appendix A**) demonstrates how the site can accommodate the increased density to increase the employment generating capacity of the site that is a significant improvement to the existing site condition.

Specifically, the Planning Proposal will have the following positive social and economic effects on the immediate and surrounding locality:

- The proposal will generate jobs both during construction and operation of the proposed development which will have flow on effects to the local economy.
- The proposal aligns with the Draft CSPS to facilitate additional commercial floor space capacity in Central Sydney while also delivering improved public domain outcomes.
- The proposal will deliver significant public domain improvements including a through site link between Pitt and Castlereagh Streets and enhances pedestrian amenity and activation at the ground plane.
- The proposal will rectify the existing sun access plane breach to ensure that Hyde Park achieves unobstructed sunlight access between 10am and 2pm all year.
- The proposal will improve the current public domain outcome along Castlereagh Street through removal of the existing parallel basement parking ramp which disrupts the footpath
- The proposal will remove the sky bridges over Pitt and Castlereagh Street which result in a poor public domain outcome.
- The proposal will result in the rationalisation and improvement of car parking and vehicular access arrangements to the site.
- The new building will achieve a high level of environmental performance.
- The future development consent will require payment of monetary contributions toward the cost of public amenities and public services, which the council has determined is required to meet the demand created by the redevelopment.

9.4. SECTION D – STATE AND COMMONWEALTH INTERESTS

9.4.1. Q10 – Is there adequate public infrastructure for the Planning Proposal?

The site is located within a CBD context within close walking distance to all major public transport services including Bus, heavy rail, and light rail. The future Sydney Metro City and Southwest Pitt Street North station will be located south of the site within the same street block.

A statement of intent – public benefits accompanies the Planning Proposal at **Appendix T** which is summarised in **Section 5.2** of this report.

As part of the delivery of the project, Stockland has set out specific tangible public benefits including monetary contributions that will be committed to as part of the project delivery. These benefits can be secured through a number of mechanisms including the amended LEP and DCP as well conditions associated with future development consents.

9.4.2. Q11 – what are the view of State and Commonwealth public authorities consulted in accordance with Gateway Determination

No consultation with State or Commonwealth authorities has been carried out to date on the subject Planning Proposal.

The Gateway Determination will advise the public authorities to be consulted as part of the Planning Proposal process. Any issues raised will be incorporated into this Planning Proposal following consultation in the public exhibition period. In accordance with the Gateway Determination, public exhibition of the v is required for a minimum of 28 days. The relevant planning authority must comply with the notice requirements for public exhibition of Planning Proposals in Section 5.5.2 of *A guide to preparing local environmental plans.*

10. ENVIRONMENTAL IMPACT ASSESSMENT

10.1. BUILT FORM AND URBAN DESIGN

10.1.1. Overview

An urban design study and concept reference scheme prepared by 3XN accompanies this Planning Proposal at **Appendix A**. The study provides a comprehensive site analysis including review of the existing and future constraints and opportunities presented by the site to inform the building envelope sought via this Planning Proposal and the concept reference scheme. The outcome of these investigations created an indicative design that reflects existing site characteristics and optimises site opportunities, enabling the provision of additional floor space density without compromising the amenity of surrounding landholders.

The following section provides a built form and urban design assessment of the building envelope sought via this Planning Proposal.

10.1.2. Building Podium Height and Tower Setbacks

The proposed envelope has been devised with consideration of the objectives and controls in the planning policies as well as an appropriate urban contextual response.

The site is mid-block and in a high-density mixed-use environment, whereby compatibility and integration of the proposed envelope in this context is a key consideration. Not only is the existing built form relationship viewed as important, but the future character, including podium and tower setbacks. Three sites located within the same street block as the site have recently been the subject of major redevelopment applications. This future context is important to draw reference to, particularly the adjoining developments to the north of City Tattersalls Club (194 Pitt Street) and David Jones Building (65-77 Market Street).

Therefore, having regard to the established and approved future urban context, the building envelope podium and tower setbacks sought via the site specific DCP include some variations to seek to vary the built form controls provided in the Draft CSPS DCP Amendment.

Podium

The podium heights have been established to align with the predominant or prevailing podium height of the adjoining developments. This creates a consistent streetscape character, and also achieves a comfortable street environment for pedestrians with adequate daylight, scale, sense of enclosure and wind mitigation. This design response results in lower podium heights to Pitt Street reflecting the lower prevailing street wall height, while on Castlereagh Street the established street wall heights are higher.

Therefore, in response to context and aligning with the adjoining development podium heights, there is a technical non-compliance against the Draft CSPS DCP Amendment (refer to **Table 18**). This variance is very minor on Pitt Street (2 metres), and where the prevailing street wall height is well above the 20-35 metres requirement set out in the Draft CSPS DCP Amendment controls, the variance sought seeks to align with the adjoining development podium heights at 45m along Castlereagh Street.

Tower

Consistent with the approach to the podium, the proposed tower setbacks are responsive to context. On significant frontages such as Pitt Street where the built form will achieve its highest point, a compliant 8 metre front setback is provided. On Castlereagh Street, where the tower setbacks are varied and the built form is lower due to the sun access plane, the tower has been aligned with the approved development to the north.

The tower setbacks result in variable side setback requirements which is reflective of the distinctive sloped building height plane and as such also results in partial non compliances against the draft DCP (refer to **Table 19** for the numerical range).

The tower setbacks to the side boundaries are appropriate having regard to the side separation to the proposed residential developments to the north, including:

- Respecting the future City Tattersalls Club residential interface on the north western end, through a combined 16.5m setback between the towers.

- Provision of a combined 9m tower separation to 77 Market Street (which has no south facing apartments) to allow for adequate daylight and outlook to both developments.

The southern side tower setbacks are no less than 3m and is appropriate when considering:

- The development potential of 228 Pitt Street, being a heritage item and therefore being constrained by heritage considerations as well as the site area limiting the future building height.
- 149-155 Castlereagh Street is currently a commercial development and given the strong incentivisation of employment floor space under the Central Sydney Planning Strategy, it is likely that this future development would continue to be commercial in nature. As such a 3m side setback will allow ample daylight and building separation between the two sites should this site be developed into the future. Additionally, the variance to the Draft CSPS DCP Amendment controls is only 1 metre at the eastern end of the site.
- The tower setbacks ensure there is appropriate consideration of amenity in terms of daylight, outlook, view sharing, ventilation, wind mitigation and privacy for nearby residential buildings.

In additional to the urban contextual analysis, in order to vary these controls, detailed assessment has been undertaken in accordance with the procedure specified in Schedule 11 of the Draft CSPS DCP Amendment. Specifically, Procedure B requires a comparison of base case building massing to the proposed non-compliant building envelope sought via this Planning Proposal. Where equivalent or improved wind comfort, wind safety and daylight levels (determined by average Sky View Factor (SVF) in adjacent public places is demonstrated, variations may be permitted.

A summary of the outcomes of the SVF assessment and wind impact assessment undertaken to justify the variations to the built form controls is detailed in **Section 10.1.5** and **Appendix O**, and **Section 10.3** and **Appendix H** respectively. These assessments confirm that an equivalent outcome is achieved with regards to varying minimum street setbacks and side and rear setbacks, building form separations and tapering provisions.

The extent of variance from the Draft CSPS DCP Amendment podium height controls is detailed in **Table 18**, and the tower setback controls is detailed in **Table 19**. **Figure 27** and **Figure 28** provide justification for the variances sought from an urban design, heritage and built form perspective.

Table 18 Podium Height Compliance with the Draft CSPS DCP Amendment Controls

Frontage	**Podium Height**	**Variance of the Draft CSPS DCP Amendment**	**Justification**
North (77 Market Street – David Jones Building, and 194 Pitt Street – City Tattersalls Club)	45m for 4.8m at the north eastern corner Stepping up to 55m from the 4.8m street frontage setback Stepping down to 20m at the northern western boundary to align with 200 Pitt Street	10m-25m variance	Refer to **Figure 27** for the justification of each podium height from a built form and heritage perspective.
East (Castlereagh Street)	45m aligning with the street frontage height of 77 Market Street to the north	10m-25m variance	

Frontage	Podium Height	Variance of the Draft CSPS DCP Amendment	Justification
South (151 Castlereagh Street and 228 Pitt Street)	45m for 4.8m at the north eastern corner Stepping to 55m from the 4.8m street frontage setback Stepping down to 27m at the southern boundary to align with 228 Pitt Street	10m-25m variance	
West (Pitt Street)	27m at the southern boundary to align with 228 Pitt Street Gradually stepping down to 20m at the northern boundary to align with 200 Pitt Street	2m variance at the southern boundary	

Table 19 Proposed Tower Setbacks Compliance with the Draft CSPS DCP Amendment Controls

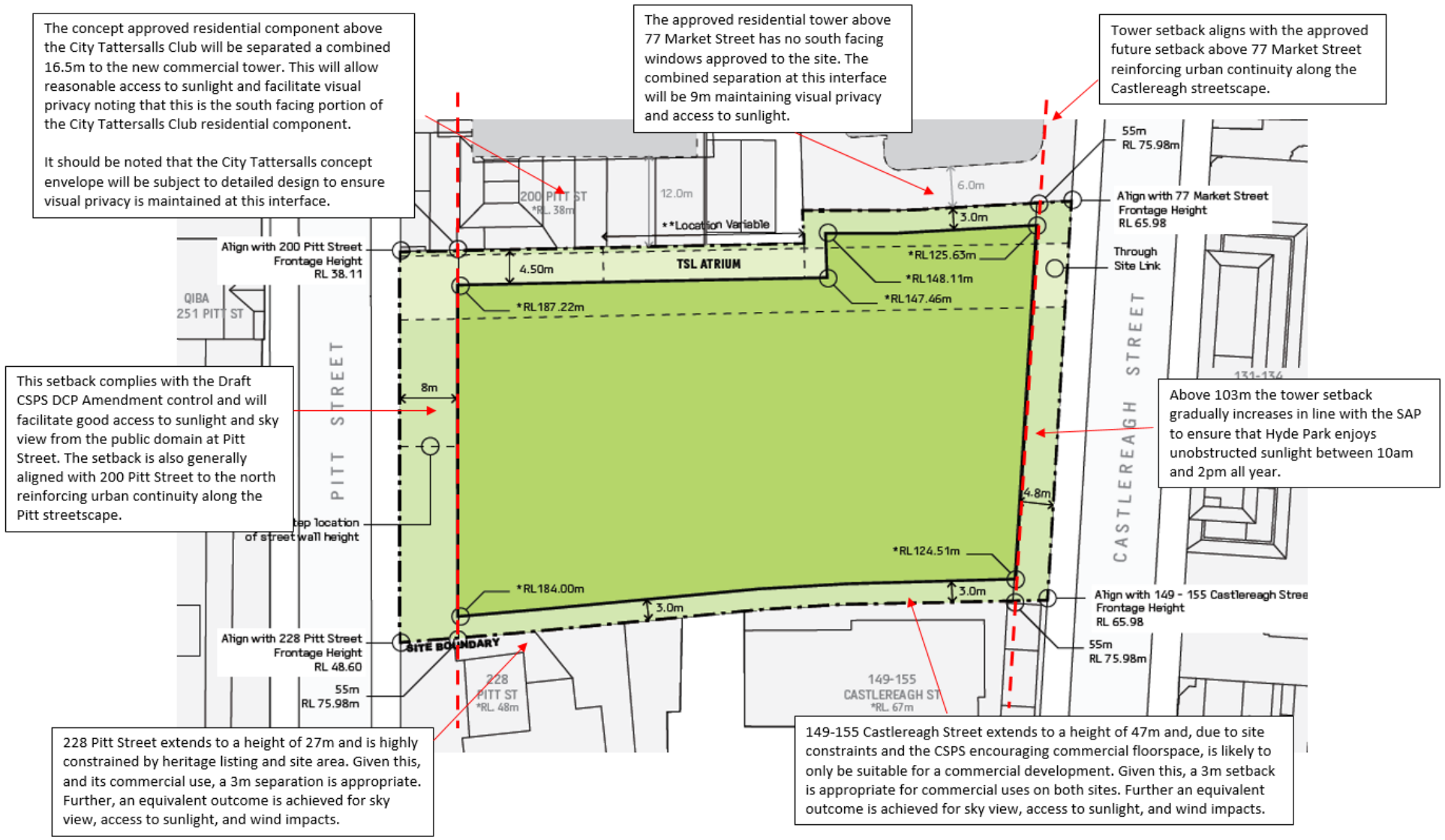
	Setback (55-170 Metres)	Variance of the Draft CSPS DCP Amendment	Justification
North (77 Market Street – David Jones Building, and 194 Pitt Street – City Tattersalls Club)	Portion of the site fronting 194 Pitt Street – 4.5m Portion of the site fronting 77 Market Street – 3m	Variance of approximately 1m Variance of 1m-0.5m proposed	Refer to **Figure 28** for the justification of each tower setback in from a built form and heritage perspective.
East (Castlereagh Street)	4.8m to a height of 103m Setback gradually increases from 4.8m at 103m to 37m at the maximum building height at 167.8m in line with the Hyde Park sun access plane.	Variance of 3.2m proposed	

	Setback (55-170 Metres)	Variance of the Draft CSPS DCP Amendment	Justification
South (151 Castlereagh Street and 228 Pitt Street)	3m	Variance of 1m-2.5m proposed	
West (Pitt Street)	8m	Complies	

Figure 27 Podium Height – Built Form and Heritage Response

Source: Base plan prepared by 3XN

Figure 28 Tower Setbacks – Built Form and Heritage Response

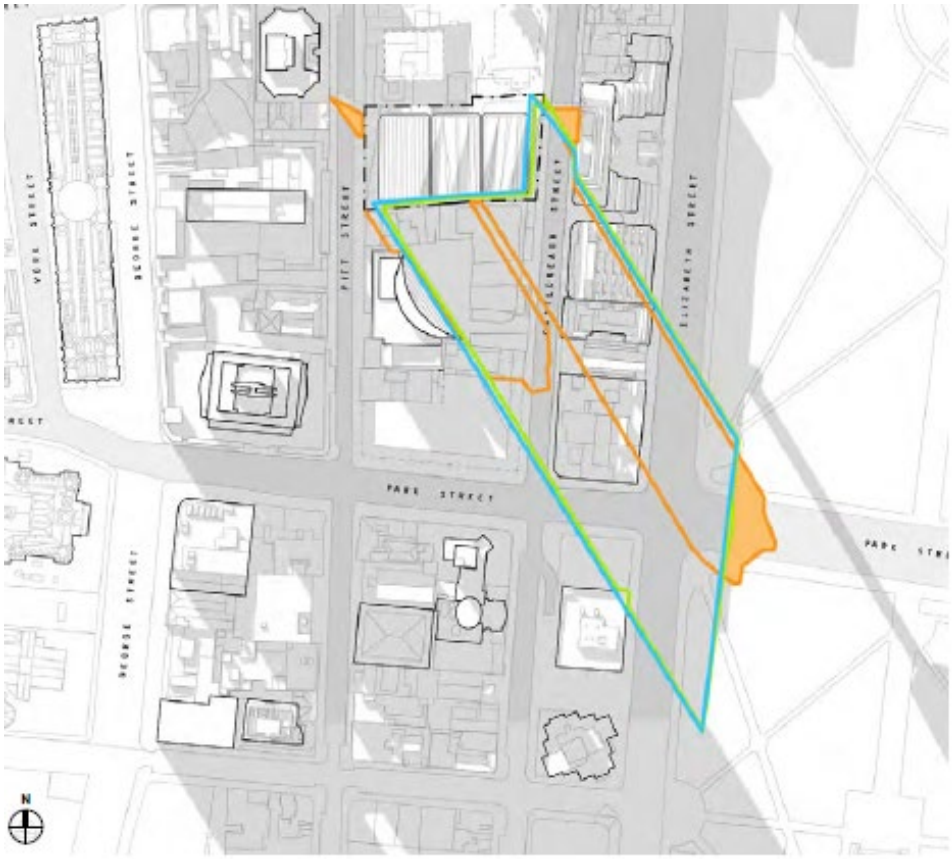


Source: Base plan prepared by 3XN

10.1.3. Overshadowing

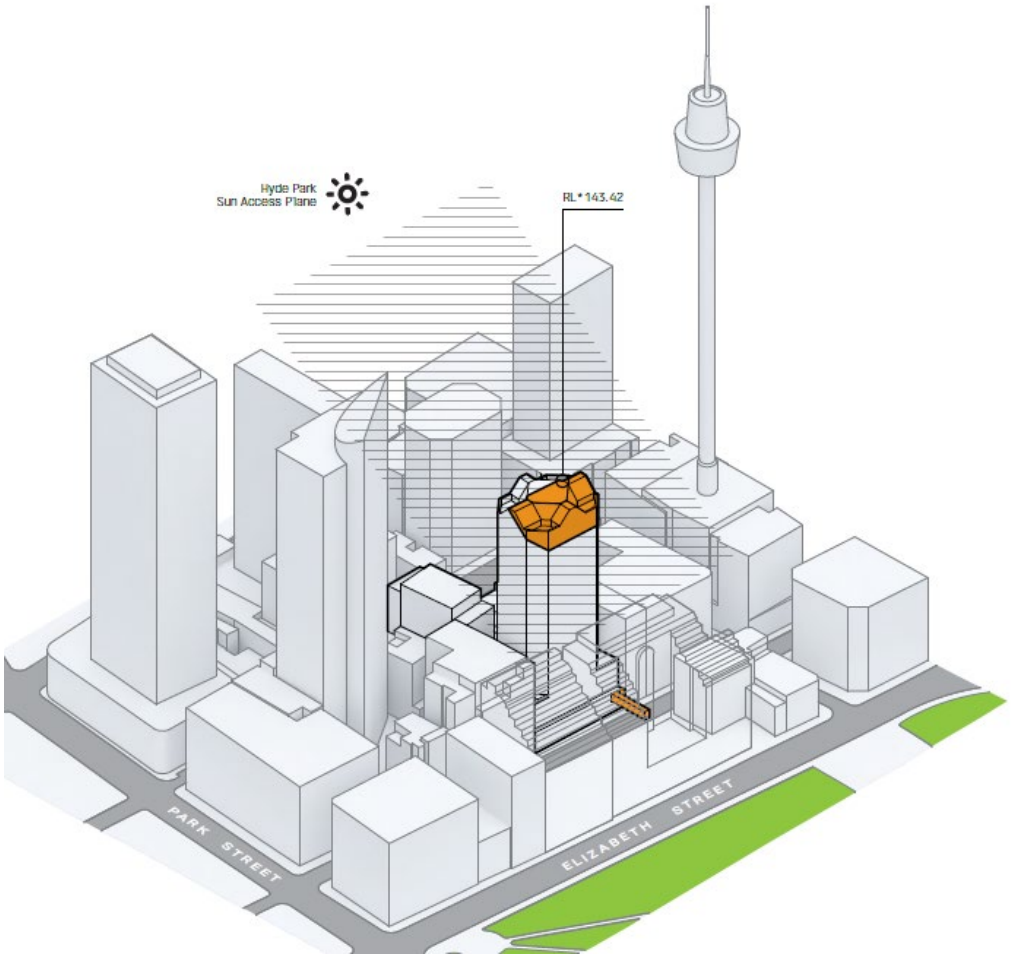
The eastern portion of the top of the existing building on the site breaches the Hyde Park SAP provisions (refer **Figure 30**). The building envelope proposed through this Planning Proposal is consistent with the Hyde Park SAP resulting in no overshadowing of Hyde Park as demonstrated in **Figure 29**.

Figure 29 Shadow Diagram – 2pm Winter Solstice



Source: 3XN

Figure 30 Existing Breach of the Sun Access Plane Provisions



Source: 3XN

10.1.4. Visual Impacts

To determine the visual impact assessment of the reference scheme compared to the existing Piccadilly Complex 3XN have prepared a series of building massing diagrams scheme from key vantage points in the public domain (refer **Figure 31**).

The visual impacts of the built form are most noticeable from Pitt Street noting that the existing Piccadilly tower is located toward the east of the site at Castlereagh Street. As noted throughout this report, the building envelope is appropriately setback at this frontage to allow access to sky view and daylight at the public domain. The removal of the sky bridges will result in an improved outcome from the public domain.

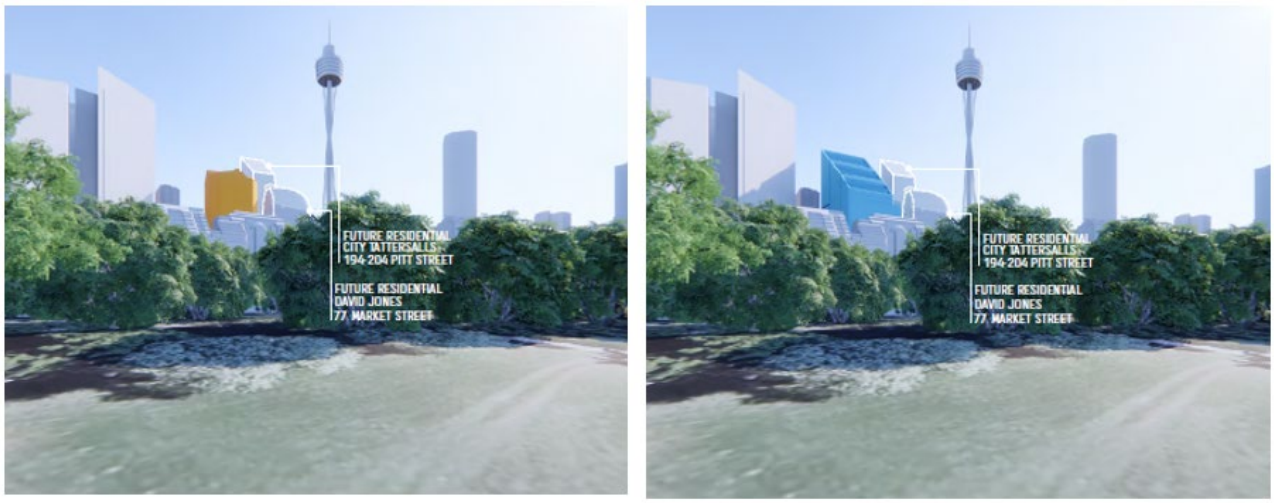
In addition, it is noted that the future surrounding development at City Tattersalls Club (194 Pitt Street) and the David Jones Building (65-77 Market Street) will conceal views of the building from the public domain at Pitt Street the corner of Pitt and Market Street (refer **Figure 31**).

The vantage point from Hyde Park presented in **Figure 31** demonstrates that the envelope will result in a built form outcome which is in keeping with the CBD context in which it is located. As a result of the Hyde Park Sun Access Plane, the future building is purposefully visible from the public domain noting that it will be assured of achieving design excellence through a competitive design process.

Figure 31 Building massing diagrams from key vantage points

Picture 1 Existing (left) and proposed (right) view from Pitt Street looking south

Source: 3XN



Picture 2 Existing (left) and proposed (right) view from Hyde Park looking west

Source: 3XN

10.2. SKY VIEW FACTOR ASSESSMENT

In accordance with the Section 11 of the Draft CSPS DCP Amendment with specific reference to 'Procedure B', a Sky View Factor (SVF) Report accompanies the Planning Proposal at **Appendix O** prepared by BIM Consulting Pty Ltd. The purposes of the SVF report is to demonstrate an equivalent outcome is achieved with regards to varying minimum street setbacks and side and rear setbacks, building form separations and tapering provisions.

10.2.1. Methodology

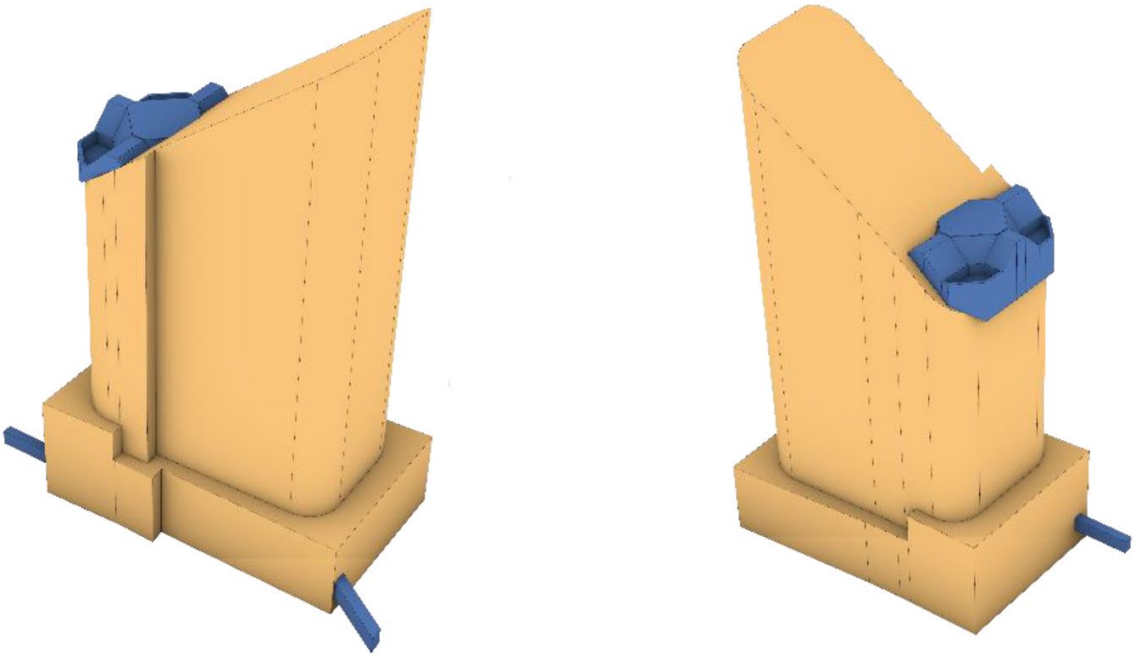
The SVF analysis was undertaken using the open source environmental plug in 'Ladybug for Grasshopper' which adds-in to Rhinoceros 3D.

As agreed with Council in consultation workshops, the Draft CSPS DCP Amendment compliant envelope utilised for the purposes of the comparative analysis included the elements of the existing Stockland Piccadilly Complex including the Hyde Park SAP breach and sky bridges (refer **Figure 32**).

This envelope was compared to the envelope sough via this Planning Proposal which seeks variations to the built form controls in the Draft CSPS DCP Amendment.

The SVF analysis undertaken extended 50 meters from the site boundary. Sky density (the resolution of the imagery generated by the analysis) was set to 3,000 patches (pixels) per test point. A total of 5,577 test points were analysed. A validation process was undertaken on a total of 690 test points on a 3m grid at 500 pixel sky density, at 50m from the site boundary.

Figure 32 Draft CSPS DCP Amendment compliant envelope with existing Hyde Park SAP Breach and Sky Bridges



Source: BIM Consulting Pty Ltd

10.2.2. Assessment

The analysis undertaken found that there will be an increase in sky visibility between the draft CSPS DCP Amendment compliant envelope and the proposed envelope sought under this Planning Proposal.

To verify this assessment, a validation process was undertaken using smaller grid spaces and a higher pixel sky density. This validation assessment confirmed the findings of the previous assessment in that there will be an increase in sky visibility between the draft CSPS DCP Amendment compliant envelope and the proposed envelope sought under this Planning Proposal.

10.3. WIND IMPACT

In accordance with the Section 11 of the Draft CSPS DCP Amendment with specific reference to 'Procedure B', a Wind Environment Report prepared by ARUP accompanies the Planning Proposal at **Appendix H**. The purpose of the Wind Environment Report is to demonstrate an equivalent outcome is achieved with regards to varying built form controls specified in the Draft CSPS DCP.

The report discusses the results of the wind-tunnel testing study conducted for the Planning Proposal and provides an interpretive discussion on the impact of the building on the pedestrian level wind comfort and safety.

10.3.1. Methodology

Wind tunnel testing was undertaken by Windtech to assess two scenarios being:

- The maximum permissible building envelope complying with the Draft CSPS DCP Amendment.
- The proposed building envelope under this Planning Proposal.

The construction of the physical models were based on the 3D models provided by 3XN. The tunnel testing programme conducted by Windtech was undertaken in accordance with relevant requirements with testing conducted for 16 wind direction locations.

Weather date recorded at Sydney Airport by the Bureau of Meteorology was utilised for the purposes of the modelling.

10.3.2. Assessment

The results of the wind study are summarised as follows:

- The majority of wind point study locations around the site are classified as suitable for pedestrian standing type activities from a comfort perspective, with some locations just meeting the sitting classification.
- The introduction of the through-site link allows pressure driven between the three openings to the laneway.
- In terms of comfort equivalence between the Draft CSPS DCP Amendment compliant envelope and proposed envelope, the average comparative difference of all results was 0.1 m/s. The wind conditions are equivalent within the test accuracy.

10.4. TRAFFIC AND TRANSPORT IMPACT

A Traffic and Transport Impact Assessment accompanies the Planning Proposal at **Appendix F** which provides an overview of the existing site conditions, parking and loading assessment, traffic generation, and road network assessment.

10.4.1. Car Parking

The site redevelopment to be facilitated by the Planning Proposal will result in the rationalisation and improvement of car parking and access to the site resulting in enhanced environmental outcomes for Central Sydney. The key considerations in relating to the provision of car parking are outlined as follows:

Acknowledging the Existence of an Existing Public Car Park

The site currently accommodates 274 car spaces located over a 4 level basement. The car park operates as a public car park allowing for permanent and casual users. The volume of the basement area is significant and is sought to be retained and enhanced as part of the future redevelopment.

It makes practical sense to retain the car parking and utilise the basement void. It should be recognised that the expansion of the basement area in the location of the current 'Piccadilly Court' building fronting Pitt Street is critical to unlocking the improved basement ramp redesign and removing the parallel ramp on Castlereagh Street.

Reducing the Overall Quantum of Car Parking

The proposal seeks to reduce the overall quantum of car parking provided on the land to a maximum of 250 car spaces (a circa 10% reduction on the current supply).

Removing the 'Public Car Park' function

The proposal seeks to remove the existing casual parking arrangements in place as part of the operation as a public car park. As a result, it would have the visual and operating characteristics of a private car park, typical of any commercial office building in the CBD.

It is proposed that car parking would be established on a "reserved basis" forming a "managed car parking" use, as opposed to a public car parking operation that supports casual parking use.

The benefit of this approach is that it reduces the available supply of public car parking, aligned with Council's long term strategy to reduce vehicle traffic in Central Sydney. It also will reduce the number of traffic movements in Central Sydney as set out further below.

Reducing the Ratio of Parking relative to Floor Space Provision

Noting that the redevelopment of the site facilitated by the Planning Proposal will essentially double the existing GFA on site, the quantum of car parking proposed is a significant reduction of car parking when

applied to the existing rate per sqm of GFA. Car parking as a proportion of the floor area is proposed to reduce thereby reducing car mode % for the site (i.e. from a current parking ratio of 1/200sqm GFA to approximately 1/400sqm GFA)

Quantum of Car Parking Aligns to Future Intended Uses and LEP requirements for Ancillary Parking

The total number of car spaces is less than the indicative maximum of 290 spaces that is permitted for "parking ancillary to development" under Part 7, Division 1 of the LEP. This analysis is based on the floor areas indicated on the reference scheme and includes the commercial, retail, childcare and place of public worship uses.

Supporting Flexibility Associated with Wesley Mission Use

Wesley Mission only requires the majority of the parking demand generated by the use (176 spaces per the LEP) to be available for use on a Sunday and major religious holidays. On this basis, flexibility is sought to make use of these residual parking spaces during the Monday to Saturday period.

Based on the floor space allocation of the various uses in the reference scheme, based on the ARUP Transport Report, the LEP would set a maximum of 111 spaces being "ancillary to development", being the parking generated by the indicative commercial, retail and childcare uses within the requirements of Part 7, Division 1 of the LEP.

Therefore, flexibility is sought to allow the available parking supply not used by Wesley (indicatively 140 spaces) to be used during the Monday to Saturday period either for building tenants on the subject land or in nearby locations.

To achieve this outcome, it would be necessary to classify at least part of the subject use as a "car park". A car park use is permissible in the zone and is subject to the provisions of Clause 7.18 of the LEP. Owing to the classification of part of the land as a "car park", it is therefore necessary to make allowance for the GFA associated with the areas set aside for such use as part of this Planning Proposal request.

As detailed in **Section 5** of this report, this area, or least a part as defined, would constitute GFA and is included as part of the FSR calculation.

10.4.2. Traffic Generation, Safety and Access Arrangements

The site redevelopment facilitated by the Planning Proposal will reduce traffic generation, improve pedestrian safety, and enhance site access and egress.

These outcomes will be achieved as follows:

- A reduction in traffic volumes as a result of the reduction in the number of car spaces on site – estimated 10%. reduction.
- A further reduction in traffic movements as a result of removing the casual parking arrangements. It is estimated that this will further reduce the number of traffic movements by 50%
- Pedestrian safety will be enhanced by the reduction in traffic movements and the rationalisation of the vehicle access and egress

10.5. ECOLOGICALLY SUSTAINABLE DEVELOPMENT

A Sustainable Design Strategy Report accompanies the Planning Proposal at **Appendix K** which outlines the sustainable design framework which will be utilised to guide the future development of the site. The report confirms that the future development of the site will seek to achieve the following benchmark sustainability standards:

- NABERS Energy of at least 5.5 stars for an office.
- NABERS water 4-star rating for an office.
- Net-zero carbon, zero waste and water efficient outcomes across the site.

In addition, the future development will seek to achieve a 6-star Green Star rating.

A range of measures are recommended in the report to assist in achieving sustainability targets which will be further detailed in the future DA. These measures include selection of energy efficient lighting and fixtures,

rainwater capture and reuse, potential for the site to be fully electric, and exploring carbon offset opportunities.

10.6. ACOUSTIC IMPACT ASSESSMENT

An Acoustic Impact Assessment accompanies the Planning Proposal at **Appendix L** which provides a high level acoustic assessment proposed land uses and built form elements. Noting that no built form components are proposed, a qualitative assessment is provided to confirm that the future building is capable of achieving relevant acoustic criteria.

10.6.1. Existing Acoustic Environment

The primary environmental acoustic factors with the potential to influence the development are:

- Existing road traffic noise from Pitt Street, Castlereagh Street, and to a lesser extent, Market Street and Park Street.
- Potential ground borne noise and vibration from operation of the future Stage 2 Sydney Metro City & Southwest.
- Potential building services and entertainment noise from future mixed-use development located 65-77 Market Street and 194-204 Pitt Street (City Tattersalls Club).

Long term noise monitoring was undertaken from 29 June to 5 July 2020 on level 3 of the existing Piccadilly Complex toward Pitt Street. In addition, long term noise monitoring results have been obtained from separate noise and vibration assessments for City Tattersalls development and David Jones development.

Observations on site and further analysis of the measurement data indicate that noise levels at the ARUP monitoring location are influenced by existing plant associated with the Piccadilly Complex and therefore future noise levels may be lower than measured post development. The ultimate noise impacts will, however, depend on future plant noise from the adjacent development sites and the future Piccadilly Complex.

10.6.2. Acoustic Impact

Noise emissions generated from the site during the operational stage of the development would not be anticipated to impact on surrounding land uses. The following section provides a high-level assessment of the anticipated acoustic impacts associated with the future development.

Pedestrian Link

While the Planning Proposal does not seek consent for specific uses within the northerly aligned pedestrian link, a preliminary assessment has been carried out by ARUP to evaluate potential implications upon nearby noise sensitive developments, including the future residential development approved for 77 Market Street and 194 Pitt Street. Given the desire to create a ‘destination’, it is anticipated that there may be desire for activity or events that may be of a higher intensity than a passive pedestrian link.

It is noted that future noise sensitive residential development to the north are required to achieve specific internal noise levels, which would be based on the existing ambient noise environment. Noise modelling has been carried out for the conceptual reference design, with a primary focus on noise propagation via the central void to the future development to the north.

The noise modelling undertaken has concluded that the through site link can achieve relevant acoustic criteria. A further detailed acoustic assessment of the impacts associated with the pedestrian link will be undertaken to accompany the future detailed DA.

Building Services

The primary operational noise associated with the reference scheme is expected to be building services equipment. ARUP recommend that appropriate selection of low noise equipment and standard noise control methods such as attenuators to mitigate acoustic impacts of mechanical services equipment.

Road Traffic Noise

Net road traffic increase associated with the Planning Proposal is expected to be negligible and is therefore unlikely to result in any increase in acoustic impacts.

Construction Noise and Vibration

Assessment of construction noise and vibration assessment will be further detailed at the detailed DA stage. This will include detailed assessment of potential vibration impacts associated with any excavation required.

10.6.3. Conclusion

The future building on the site is capable of achieving relevant acoustic policies and standards. Further detailed acoustic and vibration studies will accompany the detailed DA stage to inform the building design, confirm that the future building can meet relevant acoustic criteria, and recommend more specific mitigation and management strategies.

10.7. FLOOD IMPACTS

A preliminary flood impact assessment prepared by ARUP accompanies the Planning Proposal at **Appendix M**. The assessment provides a high-level desktop review of the flooding risks and constraints of the site to confirm that it the future development is capable of achieving relevant flooding criteria.

10.7.1. Existing Flooding Environment

ARUP have reviewed the City Area Catchment Flood Study prepared by BMT WBM in October 2014 and the City Area Catchment Floodplain Risk Management Plan both prepared for the City of Sydney Council. These studies confirm that the site is subject to the following flooding risks:

- The site is positioned near the top of the City North stormwater catchment. The critical duration is 25 minutes and 15 minutes for the 100-year Average Recurrence Interval (ARI) and the Probable Maximum Flood (PMF) event respectively in the vicinity of the site.
- During the 100-year ARI event, the peak flood depths are up to 0.1m in the entrance exit of the basement and at the front door of the lobby at Castlereagh Street and Pitt Street. The peak flood depth is 0.13m at the entrance of the walkway at Pitt Street.
- The PMF peak flood depths range from 0.2m to 0.3m along Castlereagh Street and Pitt Street adjacent to the site.

10.7.2. Assessment and Recommendations

ARUP have provided a range of recommended measures for the future detailed DA to ensure that the scheme can achieve the City of Sydney's Interim Floodplain Management Policy. These measures are to be further explored at the detailed DA stage.

10.8. GEOTECHNICAL IMPACTS

A geotechnical desktop analysis prepared by Douglas Partners accompanies the Planning Proposal at **Appendix P**. The report details the existing geotechnical conditions below the site, groundwater and vibration, and details initial recommended design parameters for foundations and shoring walls for the future detailed DA.

The existing ground conditions below the site are characterised by Triassic Age Hawkesbury Sandstone. A geological feature known as the Martin Place Joint Swarm passes through the site. The joint swarm zone comprises closely spaced steeply dipping joints in otherwise medium to high strength rock. Excavating vertical faces in this material may require a retention system or rock bolting to secure any potentially unstable rock wedges.

The groundwater level is expected to be lower than the bulk excavation level due to adjoining basement developments lowering the groundwater level. An existing Telstra runs along Pitt Street adjacent to the site.

Excavation would be required in the south western portion of the site below the existing Piccadilly Court Building to facilitate expansion of the basement extent to accommodate the re-positioned carpark access ramp and tower core.

Noting that the final details of excavation and the built form are not known at this stage, the geotechnical investigation details recommended measures to mitigate impacts during excavation required for the basement.

Douglas Partners have recommended that the following geotechnical work be undertaken to inform the detailed DA for the future redevelopment of the site:

- Geotechnical investigation of the site including:
  - Including on-site boreholes and in situ testing to develop a geological model and establish the likely in situ stress conditions and for foundation design
  - Test pits to investigate building footings and foundation conditions adjacent to the proposed excavation beneath the Piccadilly Court Basement
  - Inspection slots in existing basement walls to investigate the ground profile for shoring design.
- Numerical modelling to predict ground movements in relation to the Sydney Metro tunnels and the Telstra tunnel/services along Pitt Street. It is likely that three-dimensional modelling will be required.
- Geotechnical input into the engineering impact assessment report.
- Geotechnical input into the risk assessment report.
- Dilapidation survey of tunnels (subject to Sydney Metro access).

10.9. RAIL TUNNEL IMPACT

A rail impact report prepared by ARUP accompanies the Planning Proposal at **Appendix R**. The following section details the location of the existing metro tunnels below the site and provides an assessment of the impacts associated with the excavation proposed within the south western corner of the site below the existing Piccadilly Court Building to bring the basement to the same level as the same level remainder of the site basement.

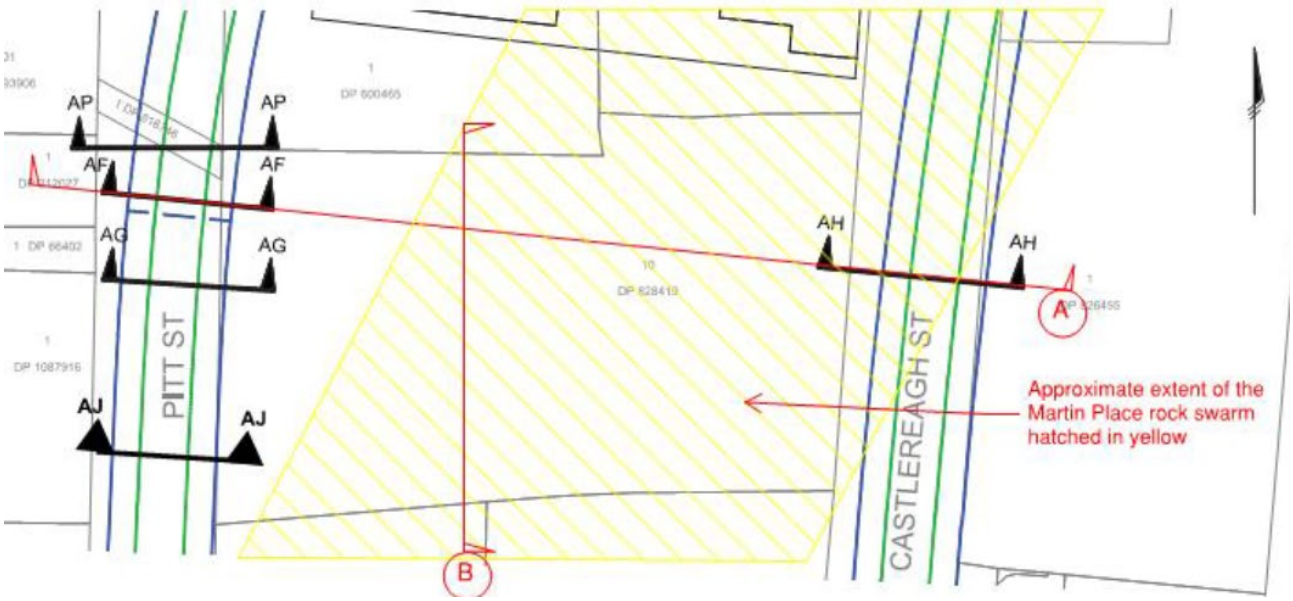
10.9.1. Existing Conditions

The existing Sydney Metro tunnels are located approximately 20-35m below the north western corner of the site adjacent to Pitt Street (refer **Figure 31** below). The majority of the existing basement extent reaches approximately 15m below ground comprising 5 basement levels, except for below the Piccadilly Court building which comprises only one basement level at approximately 4m below ground level.

The existing basement construction at the excavated faces comprise concrete columns built in front of but not generally in contact with the cut face.

The concrete shoring wall is typically propped by the level ground floor and the level B1 floor. Along the Castlereagh Street boundary, the vehicle entry ramp partially extends beyond the site boundary. The ramp is on fill and the wall stem supporting Castlereagh Street cantilevers from the ramp base.

Figure 33 Sydney Metro Tunnel Corridor Extent



Source: ARUP

10.9.2. Basement Shoring

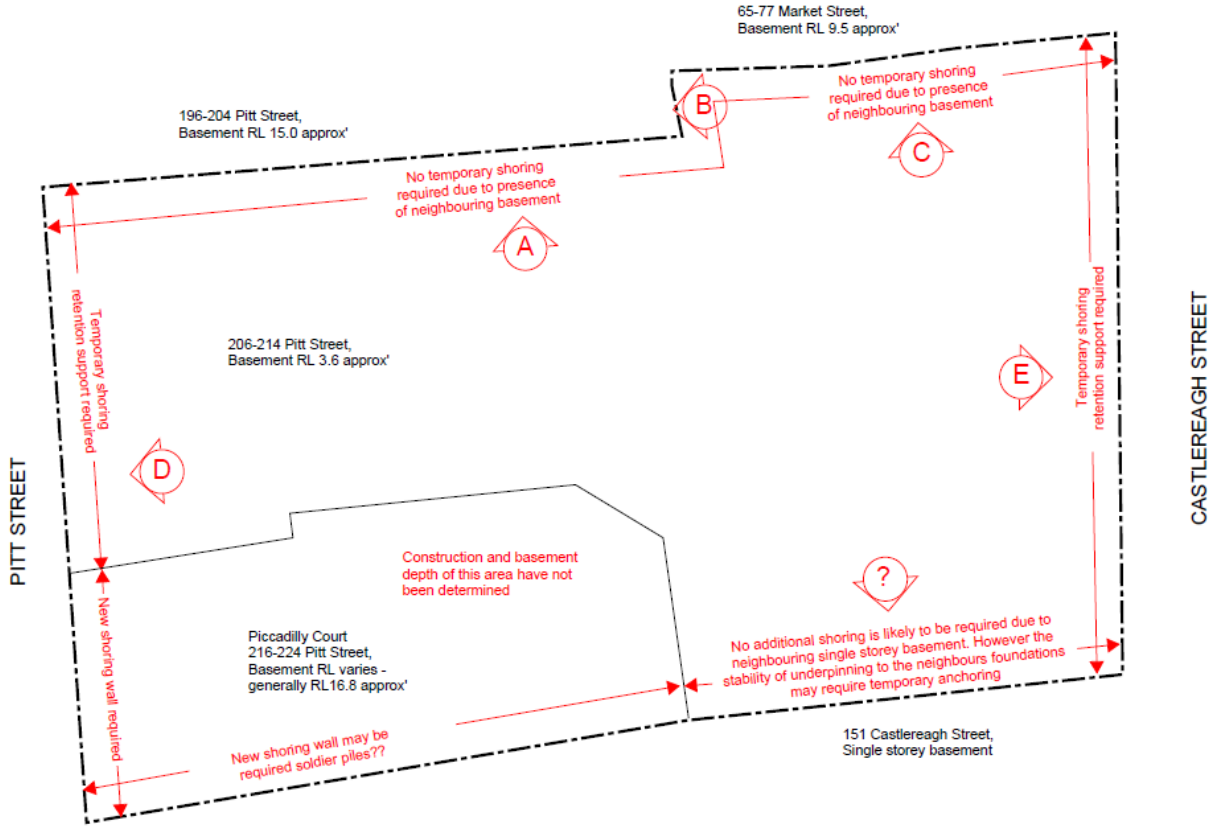
In order to demonstrate that the existing basement can be altered to accommodate the reference scheme, and further excavated in the south western portion of the site, ARUP have prepared an preliminary shoring concept at section 4 of the report at **Appendix R**.

The function of the existing shoring system on the site that support the existing vertical excavated faces are recommended to be preserved and incorporated into the new construction. To allow the demolition of the existing basement floors and the construction of new basement floors, temporary propping to the existing shoring is required. The simplest method to achieve this is to re-introduce temporary anchors and rock bolts through the existing shoring walls.

There are substantial underground services particularly under Pitt Street adjacent the site boundary which place restrictions on the location of temporary anchors proposed for the new development. The underground services are required to be accurately located to determine where temporary anchoring of the shoring can be located.

Figure 32 below provides an outline of the recommended shoring concept for basement construction. This is to be further detailed and finalised following detailed structural engineering advice accompanying the detail DA for the future redevelopment of the site.

Figure 34 Basement Shoring Required



Source: ARUP]

10.9.3. Assessment

Noting that the extent of the bulk excavation proposed is located in the south western corner of the site, impacts have only been assessed for the Pitt Street Metro tunnel. The works required to excavate the basement extent to the same level as the remainder of the site are expected to result in up to 20mm lateral displacement at ground level midway along the Pitt Street site boundary reducing to near zero lateral displacement at the base of the excavation (RL. 3.6). Therefore, ARUP recommend further geotechnical modelling of the rock mass to measure the impacts of excavation more accurately on the metro tunnel.

Most of the additional loading from the proposed building will found outside the zone of influence on the rail tunnels. Where tower foundations are located in close proximity to tunnels these will be located at a depth to minimise movement influence on the tunnels.

Further assessment is recommended at the detailed DA stage once structural engineering studies have been undertaken to ascertain any geotechnical, noise or vibration impacts of the future redevelopment.

10.10. UTILITY SERVICES ASSESSMENT

A utility services assessment prepared by ARUP accompanies the Planning Proposal at **Appendix J** which provides a review of the availability, capacity and location of utility services infrastructure in the vicinity of the site. The report confirms that existing utility services can be augmented to meet the increased demand generated by the proposal.

Table 20 details the existing utility services infrastructure availability and augmentation required to accommodate the proposal.

Table 20 Utility Services Infrastructure

Service	Existing Supply	Augmentation Required
Electricity	▪ Ausgrid connection ▪ 11kV and 400V cables including a substation.	▪ Estimated demand approximately 10kVA ▪ Three substations required to Ausgrid standards
Communications	▪ NBN services are currently within the area, as per the NBN Co roll outmaps. ▪ Optus - Optus services exist within Market Street and also enter the rear lane adjacent to the site. ▪ Further discussions are required with the service providers to confirm existing arrangements.	▪ Augmentation required will depend on future tenant services requirements. ▪ The future development will require lead in cable routs for multiple service provides. This includes conduit provides to allow for servicing from multiple services providers.
Potable Water	▪ Sydney Water mains are available along Pitt Street and Castlereagh Street.	▪ It is anticipated that a new connection will be required to meet increased water demand. ▪ Options to be taken forward to Sydney Water are detailed in the utility report which will be finalised at the detailed DA stage.
Sewer Service	▪ A Sydney Water 225VC Sewer main runs south to north along both Castlereagh Street and Pitt Street.	▪ It is anticipated that a new connection will be required to meet increased waste water demand. ▪ Options to be taken forward to Sydney Water are detailed in the utility report which will be finalised at the detailed DA stage.
Stormwater Drainage	▪ Existing stormwater drainage services are available along Pitt and Castlereagh Streets	▪ Stormwater is to be discharged to existing infrastructure. ▪ 75 cubic metres of On-Site-Detention will be required to be further detailed at the detailed DA stage.
Gas	▪ Multiple Jemena high and low pressure mains are located along Castlereagh Street and Pitt Street.	▪ One common connection point will be required to be established to an existing service along either Castlereagh or Pitt Street. ▪ Further consultation with Jemena is required at the detailed DA stage if connection is sought.

10.11. HERITAGE IMPACT

A Heritage Impact Statement (HIS) prepared by Urbis accompanies the Planning Proposal at **Appendix G**. The HIS provides an assessment of the potential heritage impact of Planning Proposal on the heritage listed items located in the vicinity of the subject site.

10.11.1. Methodology

The HIS has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 1999 (revised 2013).

10.11.2. Assessment

The HIS concludes that the building envelope sought through this Planning Proposal is acceptable from a heritage perspective noting the following:

- The Planning Proposal does not seek an amendment to Schedule 5 of the LEP. Therefore, all listed items identified in this report will continue to be protected by the provisions relevant to heritage set out in the LEP and DCP.
- There is no proposed change to the maximum height of building as part of this Planning Proposal. Therefore, there would be no impact on solar access to State listed Hyde Park or the enjoyment of the place as a result of the Planning Proposal.
- The proposed increase in density is in line with an uplift in density in the area generally. It is noted that substantial new developments are approved in close proximity to the site notably 185-256 Park Street, 194 Pitt Street and 77 Market Street. Further, it is generally noted that the site is located within an altered CBD context, which includes high rise development and juxtapositions of scale. Therefore, the increase in density is considered to be in line with the changing character of the CBD.
- The proposed increased density through the centre of the site would not be visually dominant when viewed from the public domain having regard for existing site constraints which limit views to the centre of the site.

It is proposed to implement a reduced setback from Castlereagh Street and reduced side setbacks adjacent to 65-77 Market Street and 228 Pitt Street in order to accommodate the proposed FSR increase. The reduction in setback is considered to be minor and is acceptable from a heritage perspective particularly when considered in conjunction with the proposed podium heights which at each corner maintain a relationship in terms of height with the adjacent heritage items.

In order to ensure that potential heritage impacts of the future redevelopment of the site on vicinity heritage items are avoided or mitigated, the HIS includes the following heritage principles:

- The articulation and fenestration of the podium built form should respond to and complement the adjoining heritage items, in particular the City Tattersall's Club buildings and former Banking House on Pitt Street and the David Jones Market Street building.
- The future subject site podium form should provide a considered transition between the smaller scale City Tattersalls Club heritage item to the north and the grand proportions of the former Banking House heritage item to the immediate south at 226-230 Pitt Street.
- Future development should adopt materiality and texture that adds a richness to the character of the Pitt Street and Castlereagh Street streetscapes. Materiality should not seek to replicate traditional detail, but provide a contemporary response to the immediate context while adding a new layer of design excellence to the CBD.

10.12. WASTE MANAGEMENT

A preliminary operational waste management plan accompanies the Planning Proposal at **Appendix S**. The report identifies principles for waste management for the future redevelopment of the site.

The report confirms that the future redevelopment of the site can adequately accommodate the indicative required equipment for the effective management of waste that it would generate. Further detailed design will

accompany the future DA for the redevelopment of the site which will ensure that the spatial design requirements of the waste management area can be accommodated.

10.13. PUBLIC DOMAIN AND PEDESTRIAN ACTIVITY

A pedestrian footpath analysis accompanies the Planning Proposal at **Appendix I**. The report provides an outline of the existing footpath conditions adjacent to the site and assess the impacts of the future redevelopment of the site on the performance of the footpaths adjacent to the site upon its completion.

10.13.1. Methodology

The pedestrian footpath analysis has been prepared in accordance with the requirements set by the City of Sydney Council Guidelines for Site Specific Planning Proposals which require that a Pedestrian Comfort Level (PCL) assessment be prepared in accordance with the Transport for London (TfL) pedestrian comfort guidance document.

The objective of the pedestrian footpath analysis is to understand existing and future pedestrian flows and behaviour on the footpaths adjacent to the proposed development. TfL's PCL tool requires that pedestrian activity and movement on footpaths and formal crossings be assessed under existing conditions. No mention is made of assessment of future year scenarios. The approach taken in the analysis considers the uplift demand generated by the building upon completion and qualitatively compares it to the available and potential footpath widths.

The footpaths assessed as part of the analysis are highlighted in pink in **Figure 33**. Noting that the assessment was undertaken during the COVID-19 pandemic, accurate pedestrian surveys were not able to be obtained noting that attendance at workplaces has dramatically reduced from normal levels. For this reason, ARUP have analysed recent development applications in the vicinity of the site which included pedestrian surveys prior to the COVID-19 pandemic. Specifically, the Chatswood to Sydenham EIS (May 2016) included pedestrian counts in the Pitt Street and Park Street area undertaken in 2015 to support the station development.

Figure 35 Pedestrian Footpaths Analysed

Source: ARUP

Observations of footpath infrastructure analysed in the study area was undertaken on 29 June 2020 and included a review of footpath widths and obstructions.

10.13.2. Existing Footpath Conditions

The existing footpath conditions within the study area can be summarised as follows:

- **Castlereagh Street**: a main north south thoroughfare providing direct access to the site. The average width of the footpath on the western side of Castlereagh Street is 2.8m. Adjacent to the site, there is an existing ramp to the car park which diverts the footpath (refer **Figure 10**). At this location the footpath width is approximately 3.4m.
- **Pitt Street**: a main north south thoroughfare that provides direct access to the site. There is an approximate total of 6.4m between the site building property and the kerb. At various locations along the road there are parking bays built into the kerb and protected by bollards. The effective width is generally in the order of 3.3m for the entire length of this road section.
- **Market Street**: the main east west thoroughfare with an approximate total width of 3.7m between the building property and kerb and an effective width of 3.1m.
- **Park Street**: is a main east west thoroughfare with an approximate width of 6.4m between building property and the kerb and an effective width of 4.7m.

As summary of effective footpath widths in the locality is provided at **Figure 34**.

Figure 36 Footpath Widths in the Site Locality

Source: ARUP

10.13.3. Assessment

A desktop based assessment has been undertaken by ARUP to evaluate the performance of the footpaths based on combination of the existing flows and estimated flows generated by the development. The locations where pedestrian counts were available were assessed against the following scenarios:

- Building completion AM peak base case: the future performance at building completion due to employment, with no development at the site.
- Building completion AM Peak with development: the future performance at building completion due to employment growth and the net impacts of the future development.

For locations where pedestrian counts were not available, the following scenarios were assessed:

- AM peak development only: PCL footpath width assessment to support the increased demand associated with the proposal.
- Qualitative assessment of the existing footpath's ability to support future increase in demand, based on the current allocation of roadside furniture.

Key findings of the assessment can be summarised as follows:

- The assessment against the TfL PCL criteria found the four footpaths that have been assessed that have existing count data achieved a PCL is C or better. (Noting that one of the locations is only 0.3ppl/m/min over the PCL C threshold). A PCL C rating is deemed to be acceptable.
- On the footpaths where no existing counts were available, the additional demand associated with the future redevelopment of the site is estimated to increase pedestrian flow rates by between 1.6 people/m/min to 10.9 people/m/min. These flows would require up to 1.3m of effective footpath width to perform at PCL C rating which is deemed to be acceptable.
- The footpaths on Market Street have limited opportunities to increase effective footpath widths and may experience performance worse than PCL C.
- The footpaths on Pitt Street are estimated to experience moderate uplift in pedestrian flows.

11. PART 4: MAPPING

It is expected that the objectives and intended outcomes of the Planning Proposal will be facilitated by a site specific provision in the LEP, as detailed in **Section 8** of this report. Thus, no mapping amendments are expected to be required.

A range of figures and maps have been prepared which are to be included in the proposed site specific DCP (refer **Appendix D**).

12. PART 5: COMMUNITY CONSULTATION

Section 3.34 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination.

It is anticipated that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of *"A Guide to Preparing Local Environmental Plans"*. It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the City of Sydney Council website.
- Written correspondence to adjoining and surrounding landowners.

As part of the public consultation process, the proponent will review all submissions, discuss with Council and DPIE as required, and provide written comments in response to assist in the assessment of the Planning Proposal.

A stakeholder management plan accompanies the Planning Proposal at **Appendix Q** which provides guiding principles and approach for engagement and a list of stakeholders which will be engaged at each stage during the planning approval process from the Planning Proposal through the design competition to the detailed DA. Key stakeholders include:

- Uniting Church and Wesley Mission
- Existing and future tenants of the building
- Transport for NSW
- Proponent and construction contractors for significant projects adjoining the site including the City Tattersall's Club, David Jones Development and Pitt Street North Over Station Development.
- Sydney Metro Authority
- Owners and tenants of adjoining buildings
- The broader community.

13. PART 6: PROJECT TIMELINE

In accordance with the requirements set out in *'A guide to preparing planning proposals'*, the following table sets out the anticipated project timeline, in order to provide a mechanism to monitor the progress of the Planning Proposal through the plan making process.

Table 21 Anticipated Project Timeline

Process	**Indicative Timeframe**
Consideration by City of Sydney Council/CSPC	August - December 2020
Planning Proposal referred to the DPIE	January 2021
Gateway Determination by DPIE	February 2021
Commencement and completion of public exhibition	April 2021
Consideration of submissions and consideration of the proposal post-exhibition	May – July 2021
Proposal reported back to Council for endorsement	August 2021
Date of submission to the DPIE to finalise the LEP	September 2021
Legal Drafting of the LEP	October – November 2021
Notification of the LEP	December 2021

14. CONCLUSION

The objectives and intended outcomes of this Planning Proposal will be achieved by implementing a site specific provision into Part 6, Division 5 of the LEP which will allow a maximum allowable FSR on the site of 19.57 which can achieve an FSR of 21.53:1 if a competitive design process has been held and the building demonstrates design excellence through a 10% FSR bonus.

This Planning Proposal also seeks amendments to the DCP to establish site specific provisions to guide the future development, including establishing a building envelope for the site as well as other key assessment criteria including the establishment of a through-site link, site vehicular access and car parking provision, and establish criteria for a future design excellence competition.

The amendments sought to the LEP and DCP have the ability to generate approximately an additional 45,000m^2 in employment floor space on the site.

This Planning Proposal request to amend the Sydney LEP 2012 and Sydney DCP 2012 has been prepared in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*, the regulations, applicable Local Planning Directions and the guidelines for the preparation of LEP amendments. The Planning Proposal has been assessed against relevant State and local planning considerations including relevant Strategic Merit Tests. The Planning Proposal is justified on planning merits for the reasons summarised as follows:

- The Planning Proposal demonstrates a high level of consistency with the strategic planning framework governing the Greater Sydney Region and Sydney CBD and specifically, the CSPS. The CSPS seeks additional commercial floor space capacity in Central Sydney while also delivering improved public domain outcomes.
- To ensure the Sydney CBD remains competitive and maintains its global status, both in terms of quantity, quality and availability of office floor space, the Planning Proposal seeks to significantly enhance the employment generating capacity of the site.
- The proposal will generate jobs both during construction and operation which will have flow on effects to the local and broader domestic economy.
- The Planning Proposal demonstrates strong site-specific merit due to the following:
  - The Urban Design Study and Concept Reference Scheme (**Appendix A**) demonstrates how the site can accommodate the increased floor space density to increase the employment generating capacity of the site which is a significant improvement to the existing site condition.
  - The proposal will deliver significant public domain improvements including a through-site link between Pitt and Castlereagh Streets and enhances pedestrian amenity and activation at the ground plane.
  - The proposal will significantly enhance the public domain along Castlereagh Street through removal of the existing parallel basement parking ramp which is a significant intrusion into the public realm.
  - The proposal will reduce the existing parking provision and remove the existing casual public parking arrangements.
  - The availability of a large site extending to 4,800m^2 in area is a significant opportunity to deliver larger premium grade floor plates with a centralised core maximising daylight access and improved amenity.
  - Redevelopment of the site provides the opportunity to deliver an efficient and sustainable site-specific outcome within proximity of the site to transport corridors and local, strategic and metropolitan centres. As explored within the Sustainability Strategy, this will ultimately slow emissions growth and contribute to a low-carbon city, aligning with the sustainability priorities of State and local policies.
  - The site is not subject to significant ecological or environmental constraints due to its development history and location within a built urban area, and local infrastructures and services have already been accommodated on the site.
- An environmental impact assessment has been undertaken to accompany the Planning Proposal which has found that:

- The redevelopment of the site will result in an improved equivalent outcome in terms of wind comfort when compared to a building envelope compliant with the Draft CSPS DCP Amendment built form controls.
- The redevelopment of the site will result in an improved outcome in terms of sky view factor when compared to a building envelope compliant with the Draft CSPS DCP Amendment built form controls.
- A utility services assessment prepared by ARUP confirms that existing utility services available to the site can be augmented to meet the increased demand generated by the proposal.
- Flooding advice confirms that the future development is capable of achieving relevant flooding criteria subject to implementation of flood mitigation measures to be detailed at the DA stage.
- The subterranean conditions are suitable to accommodate the future redevelopment of the site, noting that the site is already substantially excavated. Any future works will be managed to avoid the zone of influence of the rail tunnels.
- The future building on the site is capable of achieving relevant acoustic policies and standards.
- The building envelope proposed through this Planning Proposal is consistent with the Hyde Park SAP resulting in improved sunlight access to Hyde Park compared to the existing situation.
- The redevelopment of the site will result in the rationalisation and improvement of car parking and vehicular access arrangements.
- The building envelope is assessed to have acceptable from a heritage perspective.

In accordance with the above, it is submitted that the proposed amendments to the LEP are appropriate in that they are consistent with the State's strategic direction in that it will provide additional employment floor space in Central Sydney. We recommend that Council resolves to support this Planning Proposal to the NSW Department of Planning & Environment's Gateway Review Panel and the issuing of a Gateway Determination that facilitates the proposed amendments to the LEP.

DISCLAIMER

This report is dated 9 June 2020 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Stockland **(Instructing Party)** for the purpose of Planning Proposal **(Purpose)** and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A URBAN DESIGN STUDY AND CONCEPT REFERENCE SCHEME

APPENDIX B QUANTITY SURVEYOR LETTER

APPENDIX C SITE SURVEY

APPENDIX D DRAFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN

APPENDIX E DRAFT DESIGN EXCELLENCE STRATEGY

APPENDIX F TRAFFIC AND TRANSPORT IMPACT ASSESSMENT

APPENDIX G HERITAGE IMPACT STATEMENT

APPENDIX H PEDESTRIAN WIND ENVIRONMENT IMPACT ASSESSMENT

APPENDIX I PEDESTRIAN FOOTPATH ANALYSIS

APPENDIX J SERVICES REPORT

APPENDIX K ECOLOGICALLY SUSTAINABLE DEVELOPMENT REPORT

APPENDIX L ACOUSTIC IMPACT ASSESSMENT

APPENDIX M PUBLIC ART STRATEGY

APPENDIX N PRELIMINARY FLOODING ADVICE

APPENDIX O SKYVIEW FACTOR REPORT

APPENDIX P DESKTOP GEOTECHNICAL ASSESSMENT

APPENDIX Q STAKEHOLDER ENGAGEMENT PLAN

APPENDIX R RAIL IMPACT REPORT

APPENDIX S PRELIMINARY WASTE MANAGEMENT PLAN

APPENDIX T STATEMENT OF INTENT – PUBLIC BENEFITS

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