Attachment A

Planning Proposal
2 Chifley Square, Sydney

CITY OF SYDNEY

Planning Proposal:
2 Chifley Square, Sydney

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Executive Summary

The City of Sydney (the City) has prepared this planning proposal for 2 Chifley Square, Sydney (the site), in response to a request from the applicant, Ethos Urban (on behalf of Charter Hall), for the City to prepare a planning proposal for the site.

This planning proposal explains the intent and justification for the proposed amendments to the Sydney Local Environmental Plan 2012 (LEP) as it applies to the site. This planning proposal has been prepared by the City in accordance with Clause 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning, Industry and Environment's 'A guide to preparing planning proposals' and 'A guide to preparing local environmental plans'.

The planning proposal will enable development on the site that will be consistent with the Central Sydney Planning Strategy and contribute to the vision and aims of the Strategy through new employment space, design excellence, and funding for improvements to local infrastructure and the public domain.

The site and existing development controls

The site is 6,438 square metres in area, and irregular in shape. The existing building comprises a podium covering most of the site, with a commercial tower, known as 'Chifley Tower' in the northern part of the site. The site has three street frontages, to Hunter Street along the southern boundary, Phillip Street along part of the western boundary, and Bent Street along part of the northern boundary. The south-western part of the site adjoins Chifley Square, a public place.

The site adjoins three properties, 167 Macquarie Street to the north-east, and two heritage properties known as "Wyoming" and "Horbury House" on Macquarie Street to the east.

Under the existing LEP controls, the site is zoned B8 Metropolitan Centre, permitting a broad range of uses including office, retail, commercial and residential uses. The site has a mapped floor space ratio of 8:1, with additional floor space available, including where the development exhibits design excellence. The maximum building height is determined by The Domain Sun Access Plane.

The planning proposal

The City has prepared this planning proposal following a detailed review of the proponent's planning proposal request and accompanying documentation.

This planning proposal seeks to insert a new site-specific clause in Division 5 of the LEP to:

- deliver an additional 44,108 square metres of floor space to the site (inclusive of design excellence bonus)
- restrict development to non-residential uses only
- allow development consent to only be granted if the removal of the operation of the commercial car park is included in future development on the site.

The City has prepared a draft site-specific amendment to the Sydney Development Control Plan 2012 (draft DCP) to help ensure the objectives and intended outcomes of this planning proposal are achieved. The draft DCP includes controls relating to the built form of the proposed development, active frontages, public domain, public art, design excellence and sustainability. The City intends to publicly exhibit the draft DCP with this planning proposal.

This proposal seeks to provide for additional floor space on the site to support future redevelopment delivering the following key benefits:

- provision of business, office and retail space with flexible contemporary floor plates – the future commercial office tower will expand the non-residential floor space on the site and increase Central Sydney's capacity for business growth.
- improved built form outcome – the planning proposal will facilitate the delivery of a new commercial office tower to contain a net increase of up to approximately 44,108 square metres of commercial floor space. The proposed controls provide for a high-quality building to respond to surrounding development and public domain.
- public domain improvements – the draft DCP associated with the planning proposal includes controls for to the interface to Chifley Square, and activation of ground floor levels.
- car parking – the planning proposal will remove the commercial car parking from the site.
- ecologically sustainable development – the draft DCP associated with the planning proposal includes ambitious ecologically sustainable development benchmarks to ensure a net zero energy building is delivered.

1. Site identification

1.1 Site identification

This planning proposal relates to Lot 10 DP 777545, known as 2 Chifley Square, Sydney. This site is referred to in this report as 'the site' or '2 Chifley Square'. The site is shown at Figure 1.

Figure 1. Land affected by this Planning Proposal

1.2 Site location

The site is located in Central Sydney, within the City of Sydney local government area.

The site is within 500 metres of several transport connections including Circular Quay and Wynyard railway stations and light rail stops and within 400 metres of St James Station. The Martin Place North Metro station, currently under construction will feature an entrance on Hunter Street between Elizabeth and Castlereagh Streets, around 100 metres of the site.

An aerial photo of the site and surrounding area is shown at Figure 2.

Figure 2. Aerial photo of the site

1.3 Site characteristics and context

The site is irregular in shape, and has total area of 6,438m^2. The site's southern boundary fronts Hunter Street for a length of approximately 51 metres, and the western boundary fronts Phillip Street for a length of approximately 75 metres. Part of the northern boundary fronts Bent Street for a length of 47 metres.

The existing development was approved by Council in 1988 and consists of a 5-storey podium and a 42-storey tower known as Chifley Tower in the northern part of the site. This tower breaches The Domain Park Sun Access Plane.

The lower three storeys of the podium contain the office tower lobby, and a range of retail, food and beverage facilities, as well as a gym and child-care centre. The two upper storeys of the podium contain office floor space. The main entrances to the podium are from Chifley Square and Phillip Street, with secondary entrances from Hunter and Bent Street.

An internal pedestrian connection within the podium connects Bent Street and Hunter Street, over two levels.

Vehicular access to the basement is via a driveway from Bent Street, with separate entry and exit ramps. The existing basement contains 4 levels, with 13 loading dock spaces, and 361 car parking spaces, including 103 spaces operated as a public commercial car park. There also 200 bicycle spaces on the first basement level with end-of-trip facilities.

Figures 3 to 5 show the existing development on the site and adjoining land.

Figure 3. Looking east along Hunter Street

Figure 4. Looking north along Phillip Street

Figure 5. Looking east from The Domain

The south-western corner of the site adjoins Chifley Square, which is owned by the City and zoned RE1 Public Recreation. It is also a heritage item of local significance. The square includes two artworks, the “Ben Chifley” structure, and a glass wall structure alongside Hunter Street known as “Crucimatrilux”. A café adjacent to the Crucimatrilux artwork is located on a property within the square known as 1 Chifley Square, owned by the City. Several Cabbage Tree Palms are located within the square.

Figure 6. Chifley Square

Surrounding development comprises a mixture of commercial, retail, residential, and tourist accommodation uses. These are, in detail:

- West: On the western side of Phillip Street, Qantas House containing retail and office uses, the Sofitel Wentworth Hotel and 25 Bent Street, known as the Union, University and Schools Club on the corner of Phillip and Bent Streets.
- North: on the northern side of Bent Street is “Aurora Place” containing a 41-storey commercial tower and an 18-storey residential building, known at the “Macquarie Apartments”.
- South: on the opposite side of Hunter Street is 126 Phillip Street, known as Deutsche Bank Place, a 37-storey commercial tower, and 183 Macquarie Street, a 15-storey commercial building. To the south west is 8-12 Chifley Square, a commercial office building of approximately 24 storeys, which includes an extension of the public domain at street level.
- East: Located to the east of the site are two heritage listed properties in Macquarie Street: “Wyoming”, an 8-storey commercial building; and “Horbury House”, a three-storey commercial building. Further north, at 165-169 Macquarie Street (also known as 167 Macquarie Street) is a 20-storey mixed use building known as Macquarie House.

The subject site does not contain a heritage item, however it is located within the Chifley Square Special Character area which contains, and adjoins a number of heritage items, including:

- Chifley Square - I1708
- former “Qantas House”, 68-96 Hunter Street - I1811
- Wentworth Hotel, 61-101 Phillip Street - I1674
- Commercial Chamber “Wyoming”, 175-181 Macquarie Street - I1878
- Horbury House, 171-173 Macquarie Street – I1877

2. Existing planning controls

The LEP contains zoning and principal development standards for the site. These are discussed below.

2.1 Zoning

The site is zoned B8 Metropolitan Centre, as shown in Figure 7. The zone permits a broad range of uses, including commercial premises, community facilities, food and drink premises, as well as residential accommodation and tourist and visitor accommodation.

Figure 7. Extract from Zoning Map in the Sydney Local Environmental Plan 2012

2.2 Building height

The site is located within Area 3 on the Height of Building Map in the LEP as shown in Figure 8. No maximum height is identified on the map for land in Area 3, with the maximum height determined by the sun access plane extending over this land, as detailed in Clause 6.17 - Sun Access Planes of the LEP.

Clause 6.17 of the LEP aims to ensure that buildings maximise sunlight access to the public places set out in this clause, including The Domain, by not permitting buildings to project higher than the sun access plane. The sun access plane for The Domain is mapped in the Central Sydney Planning Strategy. This is shown in Figure 9.

Figure 8. Extract from Height of Building Map in the Sydney Local Environmental Plan 2012

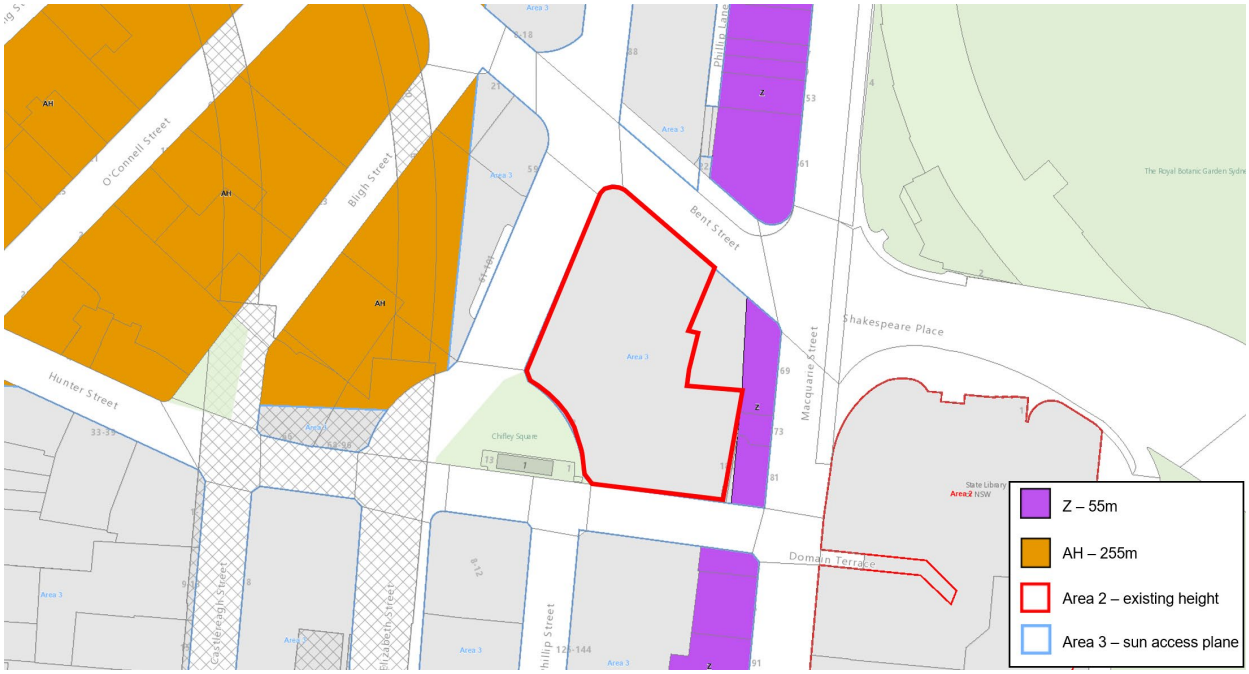


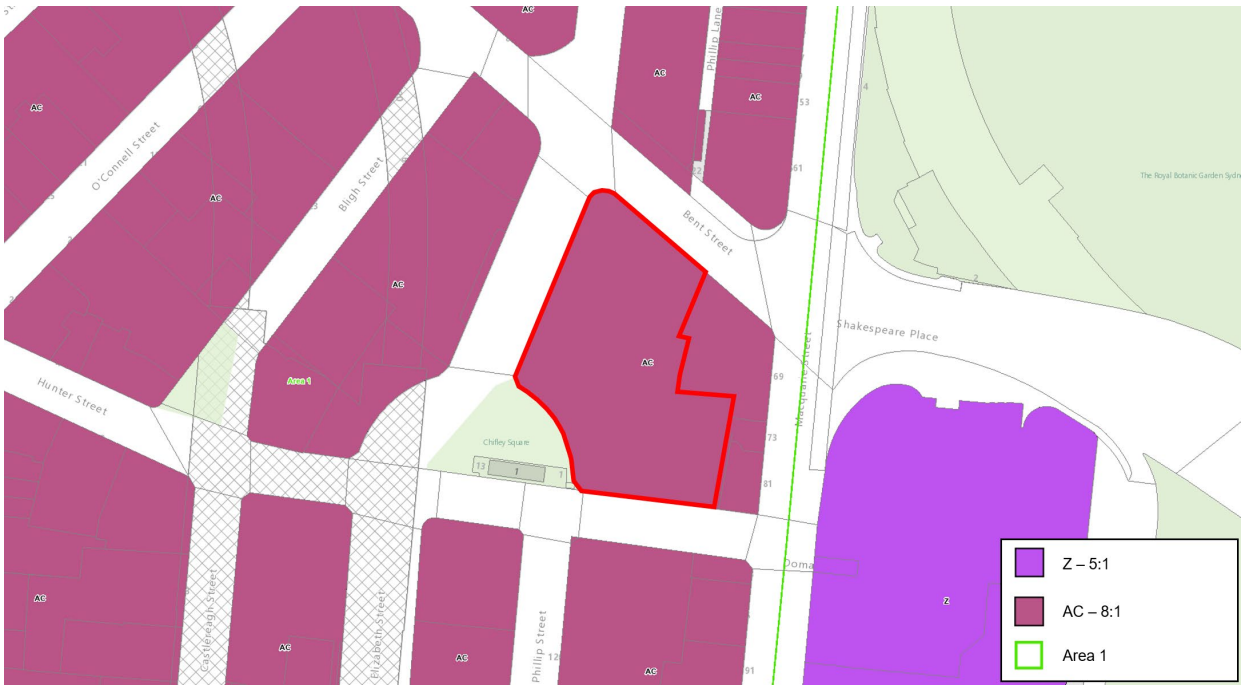
Figure 9. Extract of the draft The Domain Sun Access Plane in the Central Sydney Planning Strategy

2.3 Floor space ratio

The maximum floor space ratio for the site is 8:1, as shown in Figure 10. Clause 6.4 of the LEP provides additional FSR of up to 4.5:1 for office, business or retail premises, and up to 6:1 for residential accommodation, serviced apartments, hotel or motel accommodation, community facilities or childcare facilities, subject to purchase of heritage floor space. Up to 10 per cent additional floor space may be granted under clause 6.21(7) of the LEP subject to a competitive design process and demonstration of design excellence.

In total, an FSR of 13.75:1 is potentially achievable for a mixed retail and commercial development on this site.

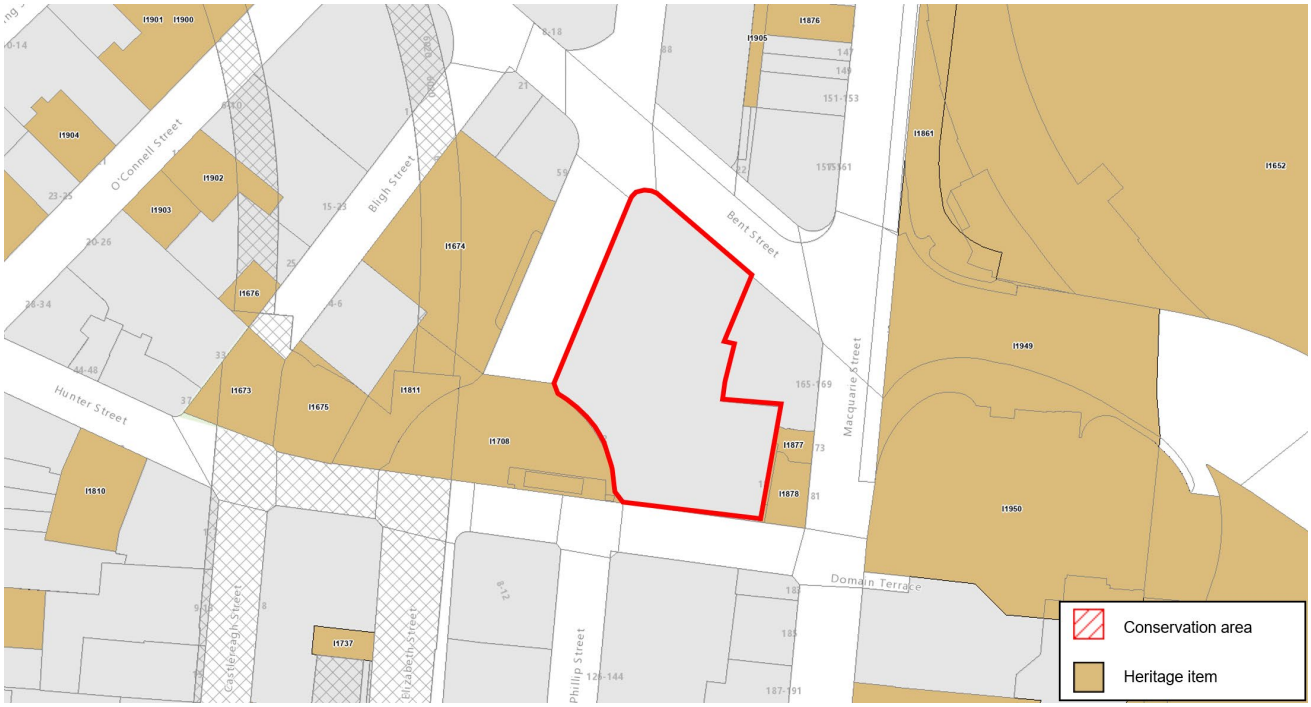
Figure 10. Extract from Floor Space Ratio Map in the Sydney Local Environmental Plan 2012



2.4 Heritage

The subject site does not contain any heritage items but adjoins a number of heritage items. These include Chifley Square, the former Qantas House and Wentworth Hotel to the west, and Wyoming and Horbury House to the east in Macquarie Street. Heritage items in the vicinity are shown in Figure 11.

Figure 11. Extract from Heritage Map in the Sydney Local Environmental Plan 2012



2.5 Planning Proposal request

The planning proposal request was formally lodged in September 2021, and was accompanied by a number of specialist reports including a Planning Justification Report, Urban Design Study, Design Excellence Strategy, Ecologically Sustainable Development Strategy, and Wind Impact Assessment. The City has prepared this planning proposal following the consideration and assessment of the request.

The request seeks to insert new site-specific controls in the LEP to permit redevelopment of the site for a new commercial tower above a podium. The request is to provide 44,108 sqm of net additional floor space including design excellence for a tower on the southern portion of the site.

The changes to planning controls subject to this proposal are to enable the delivery of approximately 64,654 square metres of floor space in a new commercial podium and tower up to The Domain Sun Access Plane.

No changes are proposed to the height controls for the site, which are determined by The Domain Sun Access Plane.

Figure 12. Photomontage of the proponent's reference scheme

Based on the proponent's reference scheme, retail, food and beverage facilities and other services, as well as lobby spaces are proposed to be located on the ground and first floors, with office space on the upper podium levels and tower.

The City's Planning Proposal

The City has prepared this planning proposal following detailed review and assessment of the proponent's proposed planning envelope and reference scheme, and consideration of comments from City staff and advice from the Design Review Panel (DAP). Working with DAP, City staff further refined the building envelope to ensure the location and form of the envelope sits appropriately within its urban context and it has a respectful relationship to adjoining development. As a result, the proposed envelope and supporting controls have been refined to allow for a future development that is considered to respond to its context, achieve acceptable wind and daylight conditions in the public domain adjacent to the subject site, and is capable of achieving development that will be consistent with the Central Sydney Planning Strategy and the draft Development Control Plan: Central Sydney.

An amendment to the Sydney Development Control Plan 2012 (DCP), to be exhibited with this planning proposal, contains more detailed site-specific planning provisions for the site.

This planning proposal has been prepared noting the approval of the Central Sydney planning proposal by the Central Sydney Planning Committee and Council in December 2020.

3. Objectives and intended outcomes

This planning proposal will enable the redevelopment of 2 Chifley Square to deliver:

- a second commercial office tower on the site, of variable height up to The Domain Sun Access Plane, up to a maximum height of approximately RL 213 metres
- a podium up to RL61.1m in height to provide for a strongly defined podium which relates to the existing podium in the north of the site, and be sympathetic to the Chifley Square Special Character Area
- a built form consistent with the future character of Central Sydney and with acceptable environmental outcomes, including high quality design relationship to Chifley Square
- improved pedestrian access and amenity through the maximisation of active frontages and pedestrian connection though the podium
- ecologically sustainable development benchmarks to ensure an energy efficient building is delivered
- removal of the onsite commercial car park.

To achieve this outcome, the LEP is to be amended by:

- enabling the net addition of 44,108 square metres of floor space on the site, inclusive of design excellence
- the total floorspace to be the subject of the competitive design process is 64,654 square metres, covering approximately 44% of the site
- including provisions to ensure the application of heritage floor space, through the application of accommodation floor space
- removal of the commercial car park.

The draft DCP accompanying the planning proposal will facilitate the following:

- a building envelope with setbacks to respect the local context and capable of achieving acceptable levels of solar access, wind comfort and daylight in the adjoining public domain
- a podium and tower design to result in a unified presentation to Chifley Square and complement the existing Phillip Street podium, as well as the façade of the heritage listed former Qantas House opposite the site
- maximisation of active frontages along Phillip, Bent and Hunter Street
- continued through-site access through the podium for pedestrians, linking Bent Street to Hunter Street
- provisions and strategy for an architectural design competition

- achieving a high standard of ecological sustainable development, including delivery of a minimum 6 star Green Star Building rating, and that a future building is capable of meeting the City's net zero energy requirements
- provisions for public art.

4. Explanation of provisions

4.1 Sydney Local Environmental Plan 2012

To achieve the objectives and intended outcomes, this planning proposal seeks to amend the Sydney Local Environmental Plan 2012 by inserting a new site-specific clause under Division 5 Site Specific Provisions, to:

- enable the net addition of 44,108 square metres of floor space on the site, inclusive of design excellence;
- total floor space on site not to exceed 20.4:1 or GFA 131,391 square metres;
- the total floor space able to be developed on the southern portion of the site, being not more than approximately 44% of the site, and that is to be the subject of the architectural competitive design process is 64,654 square metres, inclusive of the requirement for purchase of heritage floor space through the application of accommodation floor space and any floor space awarded for design excellence;
- include planning controls to remove the existing commercial car park on site;
- include planning controls to incentivise employment uses by not allowing residential uses including serviced apartments;
- include planning controls to ensure development demonstrates design excellence, through an architectural design competition under the City's Competitive Design Policy.

The planning proposal also seeks to insert a provision in Clause 4.6 Exceptions to development standards, so that future development applications lodged under these proposed site-specific provisions do not further vary the controls for this site.

In the event that the Central Sydney Planning Proposal is not finalised before this planning proposal is made, a provision has also been included so that Clause 6.19(1)(b) of the LEP, which does not allow additional overshadowing to Chifley Square, does not apply to this site.

The proposed amendments are to ensure development will meet the strategies for Central Sydney including opportunities for additional building height and density in the right locations supported by environmental sustainability, design excellence and improved public space, transport and access.

An example of how this provision may be drafted, subject to agreement with Parliamentary Counsel is included in Appendix 1.

Floor space ratio

Commercial development can currently achieve floor space ratio of 13.75:1, which comprises mapped FSR of 8:1, accommodation floor space bonus of 4.5:1, and 10 per cent design excellence floor space.

The concept proposal includes the demolition of the southern portion of the podium and construction of a new commercial podium and tower to the southern portion along with remodelling of the north podium to integrate with the new tower as well as the retention of the existing tower, on the site.

The planning proposal will facilitate the development by allowing the net addition of 44,108 square metres of floor space, inclusive of design excellence. An indicative FSR of 20.4:1 across the site.

This proposal seeks to deliver additional floor space to the site while utilising the existing planning control framework. The framework for the indicative floor space provisions applicable to the site is shown at Table 1 below, and will be confirmed through a detailed survey of the existing building, and site to ensure the apportionment is accurate in preparing the floor space figures. Having a breakdown of FSR for both the north and south of the site ensures the distribution of floor space as proposed in the request is maintained. In addition incentives embedded in the controls can be delivered for heritage floor space and design excellence.

The site-specific provisions ensure heritage floor space is applicable to future development on the subject site, in accordance with the existing provisions of clause 6.11 of the LEP. There is no change to the application of heritage floor space for accommodation floor space or design excellence.

Table 1: Indicative framework for the various floor space provisions applicable for 2 Chifley Square

	LEP clause	Applicable floor space	Southern portion (44%)	Northern portion (56%) (existing tower)
Existing		Total Site FSR	20.4:1 (GFA 131,391sqm)	
	cl. 4.4	Mapped floor space ratio	8:1	
	cl. 4.6	Accommodation floor space	4.5:1	
	cl. 6.21(7)(a)	Design Excellence	1.25 (10%)	
Proposed development (additional)	New clause	Indicative Site Specific floor space	8.25:1	NA
	cl. 6.21(7)(a)	Additional floor space – design excellence Up to a 10% floor space can be provided	Up to 10%	NA
		Indicative apportionment of FSR	22.82:1	18.51:1
Total Site FSR			20.4:1 (GFA 131,391sqm)	

Note: The figures in Table 1 will need to be confirmed by a registered surveyor prior to finalisation.

Non-residential uses

To facilitate the delivery of additional employment generating floor space in Central Sydney through site-specific planning proposals, only employment uses will be permitted on the subject site under the new site-specific provisions in the LEP, and as a result, residential or serviced apartment uses are excluded.

This planning proposal does not propose to change the current zoning for the subject site, which is B8 Metropolitan Centre and permits a wide range of uses including retail, commercial and

residential uses. Any future redevelopment of the site to include residential or serviced apartment uses will however be limited to the existing building height and floor space ratio controls under clauses 4.3 and 4.4 of the LEP respectively.

Design excellence

Future development on site will be subject to an architectural design competition consistent with clause 6.21 of the LEP.

Clause 6.21(7) of the LEP provides up to 10 per cent additional floor space subject to an architectural design competition and demonstration of design excellence. In this proposal the design excellence is limited to the southern portion of the site, as this will be included in the design competition extent. The additional floor space is capable of being accommodated within the maximum building envelope the subject of this planning proposal and as such a new provision is to be included to ensure additional floor space is taken up rather than additional building height.

Car parking

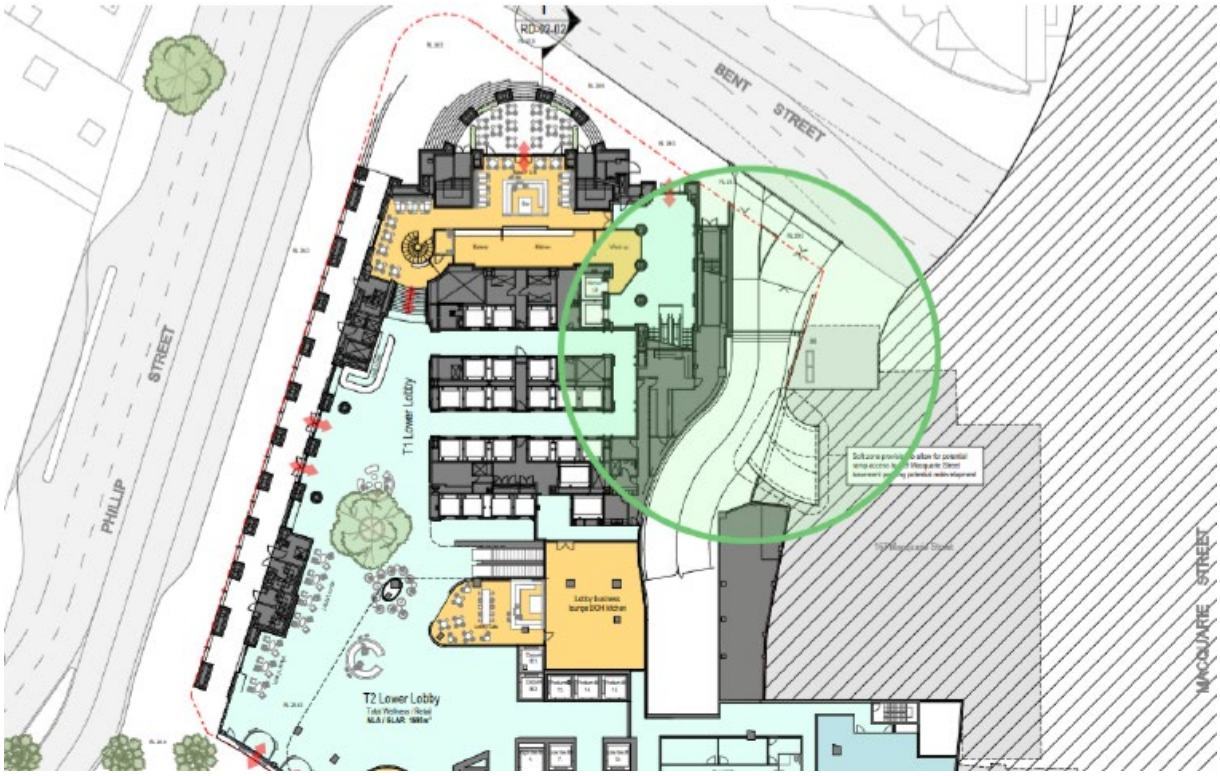
Chifley Square will be serviced by the Sydney Metro City and South-West line upon completion in 2024, with the northern entry to the Martin Place Metro station around 100 metres from the site. The metro line will operate 15 services an hour during peak periods connecting the CBD to Tallawong and Bankstown. The recently announced Hunter Street metro station is planned to be located further west near the site, towards the intersection of Hunter and George Streets.

The existing basement parking levels contain 361 car parking spaces, including 103 used as a commercial car park. The maximum number of car parking spaces for the site will also be determined as part of the development application process, to be consistent with the City's parking policies in place at the time, and subject to a detailed assessment of traffic and access impacts.

To ensure the commitment to reduce car parking and resultant traffic generation is reduced, and to reflect the proponent's sustainability commitments and new Metro stations being constructed and planned, the planning proposal will include the removal of the commercial car park from the site. DCP control to be included to ensure that these spaces are not converted to additional tenant car parking spaces on the site.

The proponent has also identified potential shared access for 167 Macquarie St if that site redevelops in the future, and has committed to providing break-through panel and future shared driveway through the public benefit offer.

Figure 13. Location of proposed break-though panel to 167 Macquarie Street



Drafting instructions

To deliver the objectives and intended outcomes of this planning proposal, a new site-specific clause for 2 Chifley Square will be inserted to Division 5 Site specific provision of the LEP.

An example of how this provision may be drafted subject to agreement with Parliamentary Counsel is included in Appendix 1.

4.2 Sydney DCP 2012 amendments

To ensure future development is consistent with the objectives of the planning proposal, site specific provisions for the DCP will accompany the proposal to ensure a high-quality built form and public domain outcome is achieved.

The DCP provisions describe and outline the desired future development and include the following key design considerations:

- maximum building envelope
- street wall heights
- setbacks
- design interface to Chifley Square
- active frontages
- wind
- parking and vehicular access
- design excellence strategy
- pedestrian connection though the podium

- environmentally sustainable development targets
- public art

5. Justification

This section is structured as follows:

- 5.1 – Proposed changes to, benefits of and managing impacts of increasing floor space ratio controls
- 5.2 – Draft development control plan
- 5.3 – Need for the planning proposal
- 5.4 – Relationship to strategic planning framework
- 5.5 – Environmental, social and economic impact
- 5.6 – State and Commonwealth interests

5.1 Proposed changes to, benefits of and managing impacts of increasing floor space ratio

The planning proposal seeks to amend the floor space controls for employment generating use, to facilitate the redevelopment of the subject site with a built form that has acceptable impacts on the surrounding area.

FSR changes

The planning proposal will insert controls in the LEP for the subject site at 2 Chifley Square to:

- enable the net addition of 44,108 square metres of floor space on the site, inclusive of design excellence
- the total floorspace to be the subject of the architectural competitive design process is 64,654 square metres, covering approximately 44% of the site
- include provisions to ensure the application of heritage floor space, through the application of accommodation floor space.

This additional floor space is specific to the building envelope outlined in this planning proposal. To be eligible for the proposed development controls, future development on the site is to meet the site-specific requirements in the LEP, such as restricting future development on site to non-residential uses only and ceasing the operation of the commercial car park.

This net additional floor space has been based on the consideration of the maximum size of a future development within the planning envelope, and the sky view factor testing undertaken by the City and wind testing undertaken by the application. The site specific provisions to be inserted into the LEP can accommodate the indicative concept design and additional floor space within a tested building envelope.

The planning proposal provides for a net addition of 44,108 square metres of floor space, with an indicative maximum floor space ratio of approximately 20.4:1 across the site inclusive of design excellence. This is an FSR of approximately 22.82:1 for the southern portion, inclusive of design excellence (subject to confirmation by survey). A framework for the FSR in line with the Sydney LEP 2012 is provided in Table 1 above.

Employment uses

This planning proposal will facilitate the redevelopment of the subject site for a new tower, and podium at lower levels, to deliver about 44,108sqm additional employment floor space compared to the existing site, increasing Central Sydney's employment generating floor space capacity.

Additional floor space delivered by this planning proposal is only available to employment generating uses. This will be achieved through the insertion of a restriction into the new site-specific provisions for 2 Chifley Square in the LEP.

This outcome is consistent with the objectives of the City of Sydney's Local Strategic Planning Statement and the Central Sydney Planning Strategy in that the planning proposal will deliver new growth and additional employment generating floor space in a key location that is well placed to take advantage of infrastructure and planned additional capacity.

Built form

The proposed indicative scheme has been developed to respond to the conditions on the subject site while delivering acceptable daylight, and is capable of delivering acceptable wind conditions within the public domain.

The proposed maximum planning envelope includes a podium up to RL 61.1 metres in height, potentially comprising approximately 37 storeys, and a commercial tower above, to a height to not exceed The Domain Sun Access Plane. The tower envelope includes an 8m minimum setback to Hunter Street, a 2m to 6m setback to Chifley Square, and varying northern and eastern setbacks as shown in Figure 15.

Figure 14. Elevations of the indicative building envelope

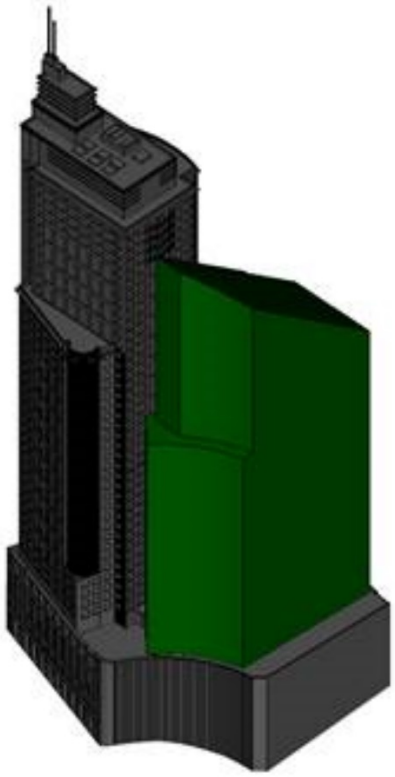
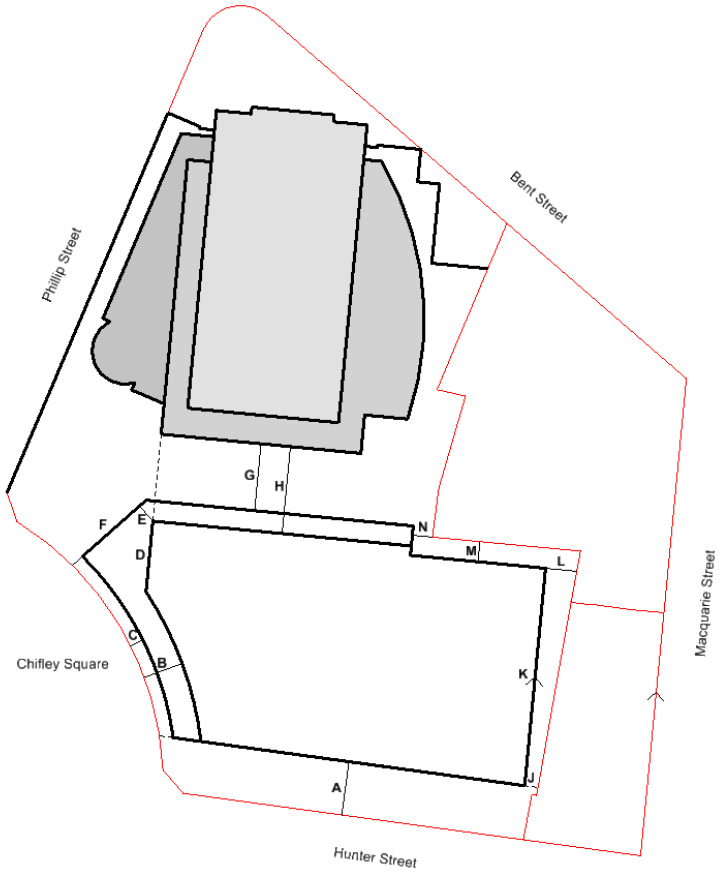


Figure 15. Setbacks of the indicative building envelope



Key

Minimum setbacks and alignments above the street frontage height:

A – 8m from Hunter Street

B – above 120m above ground – 6m from Chifley Square

C – up to 120m above ground – 2m from Chifley Square

D – above 120m above ground – align with the face of the existing tower, extension of alignment shown with a dashed line

E – 3m exactly measured from the north west corner of the envelope above 120m above ground

F – up to 120m above ground – setout from E aligned perpendicular to the curved alignment of Chifley Square as illustrated, the closest point is approximately 14.7m from Philip Street

G – up to 120m above ground – 10m from the face of the existing tower

H – above 120m above ground – 13m from the face of the existing tower

J – 2m from the boundary aligned parallel to Hunter Street

K – Setout from J aligned parallel to Macquarie Street boundary with 175-181 Macquarie Street

L – Setback resultant of J and K – approximately 4.7m

M – 3m from the boundary

Sky view testing was undertaken for the City's revised planning envelope, with the Sky View Factor better than the Schedule 11 Procedure B Base Case, and therefore meets the control.

A desktop wind study of the City's revised planning envelope concluded that the wind conditions would be comparable to the previously tested envelopes prepared by the proponent for this site, with no significant variations to wind effects, compared to the existing condition, expected. Any potential wind comfort levels would also be comparable to previous envelopes tested, including the base case model, with any required wind mitigation measures to be addressed through the detailed design development application stage.

The proposed indicative concept includes design measures to minimise the building's impact on the adjacent heritage items and surrounding public domain, such as greater tower setbacks to the eastern boundary.

The draft DCP, which accompanies the planning proposal, includes detailed site-specific provisions to describe and outline the desired future development on site to ensure a high quality built form and public outcome is delivered.

Public Domain

Controls have been included in the DCP for future development to provide a high quality, unified presentation to Chifley Square, including a unified, consistent frontage to Chifley Square, with activated uses.

The proponent's reference scheme design shows a number of changes in Chifley Square. This square is owned by the City and contains two public art works (a large statue, "Ben Chifley", and a glass wall structure along the southern side of the square titled "Crucimatrilux"), and a café at 1 Chifley Square within the square which operates under a lease from the City. None of the changes shown have been agreed to by the City. Any change to the public domain will need to be agreed to by the City, therefore changes to levels for example shown in the square should only be considered as potential changes.

Heritage

The subject site is not identified as a heritage item but is located within the Chifley Square Special Character Area. The proposed redevelopment facilitated by this planning proposal will not include the demolition of any heritage item.

There are a number of heritage items adjoining the site. These include Chifley Square adjoining the south-western corner of the site, Wyoming and Horbury House adjoining the east of the site in Macquarie Street, and former Qantas House opposite the site.

The proposed planning envelope capable of supporting a development to respond sympathetically to the heritage items in the vicinity, due to the proposed podium and tower setbacks.

The planning proposal is accompanied by site-specific provisions for the DCP to ensure future development on site relates sympathetically to adjacent heritage items in terms of setbacks, massing and materials.

Design excellence

Future development on site will be subject to an architectural design competition consistent with the requirements of clause 6.21 of the LEP, as anticipated by the Guideline for Site Specific Planning Proposals and the Central Sydney Planning Framework.

A Design Excellence Strategy accompanied the planning proposal, which has been refined to be consistent with the Central Sydney Planning Framework. The competition requirements will require an invited architectural design competition consisting of a minimum of six competitors ranging from

emerging and established local and national architectural firms and a competition jury that will comprise of representatives nominated by the City and who are part of the Design Advisory Panel. The accompanying draft DCP includes design excellence provisions for an architectural design competition.

Traffic and transport

The site will be around 100m from the Hunter Street entrance of the Martin Place Metro station, due to open in 2024. It will also be around 400m of the proposed Hunter Street Metro Station, on the corner of Hunter and George Streets. These services would be in addition to the existing train, bus and light rail services within 600m of the site.

The car parking and service vehicle parking numbers will be assessed under the policy for these in place at the time the DA for the detailed development stage is lodged, noting Charter Hall's desire to reduce car parking numbers on the site.

Removal of the commercial car park will also reduce traffic generation and improve sustainability outcomes

The transport consultant's report states that implementing a Sustainable Travel Strategy (STS) will assist Chifley Square in achieving its strategic direction of becoming a commercial precinct which provides for healthy and active lifestyles, does not negatively adversely impact on the environment, seeks to address sustainability and climate change objectives, and does not lead to unnecessary vehicle trip generation and highway network congestion. The requirement for an STS has been included as a provision in the DCP.

Pedestrian activity and comfort

The proponent's transport study states that the key driver of increased pedestrian demands in the street network is anticipated to be the introduction of Sydney Metro. It is noted there are existing poor conditions (level C or D) along the eastern side of the footpath in Philip Street and the Hunter Street/Elizabeth Street intersection. These conditions are expected to be experienced at this level with the opening of the Martin Place Metro station.

The report notes that improvements to pedestrian comfort could be achieved through improvements such as reconfiguration of Chifley Square, or increased pedestrian space at the corner of Hunter and Elizabeth Street, however such works would need to be subject to agreement with the City. Ensuring that a pedestrian connection will be continued to be provided through the podium, connecting Hunter Street with Bent Street, will assist in providing pedestrian travel options in this part of the city.

Other options to improve conditions would be required by the City and/or State government including adjusting signal phase timing, increased pedestrian crossing line widths and additional pedestrian storage space on other street corners. It is expected that Transport for NSW will be consulted as part of the public agency engagement for this proposal, for consideration of these options.

5.2 Draft development control plan

As a consequence of the proposed site-specific controls in the LEP, it is also proposed to insert site-specific DCP controls into Section 6 of the Sydney DCP 2012. The draft DCP amendments will be publicly exhibited with the planning proposal.

The draft DCP amendment includes provisions to ensure delivery of the future development on site in a manner that is consistent with this planning proposal. The draft DCP addresses the following key design considerations:

- maximum building envelope
- street wall heights
- setbacks
- design interface to Chifley Square
- active frontages
- wind
- parking and vehicular access
- design excellence strategy
- pedestrian connection through the podium
- environmentally sustainable development targets
- public art

5.3 Need for the planning proposal

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

The planning proposal is in response to and is consistent with the Central Sydney Planning Strategy. The Strategy describes objectives and a framework to ensure future growth is employment focused, occurs where it respects our special places and spaces, and is highly sustainable, resilient and responsive to climate change. A detailed review of the consistency of the proposal with the strategic planning framework is provided at section 5.4 below.

This planning proposal is a result of a request from the landowner to change the planning controls that relate to the subject site.

The landowner has undertaken a number of studies in support of the request, including an Urban Design Report prepared by Architectus. The study details a proposal to meet the City's vision for Central Sydney to remain economically competitive and capable of accommodating growth in employment generating floor space through additional building height and floor space in selected locations that do not result in unacceptable impacts on public domain amenity. These studies have informed the planning proposal.

The supporting documents commissioned by the applicant to support their request, and the City's urban design addendum are attached as the following appendices to this planning proposal:

- City of Sydney's Urban Design Addendum - November 2021
- Planning Justification Report – Ethos Urban
    - Appendix A: Urban Design Report (with additional appendices) - Architectus
    - Appendix B: Site Survey and report – Real Serve
    - Appendix D: Draft Design Excellence Strategy – Ethos Urban
    - Appendix E: Traffic and Transport Report and Pedestrian Comfort Assessment - AECOM
    - Appendix F: Heritage Impact Statement - Urbis
    - Appendix G: Pedestrian Wind Environmental Study – Windtech
    - Appendix H: Ecologically Sustainable Development Report – Floth
    - Appendix I: Skyview Factor Report – Architectus
    - Appendix J: Vision and Values Statement – Charter Hall
    - Appendix K: Consultation Summary Table – Ethos Urban
    - Appendix L: Staging Plans – Architectus
    - Appendix M: Flood Impact Assessment – Robert Bird Group

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

This planning proposal seeks to insert new site-specific provisions into the LEP for the subject site. The resultant conditions have been tested to ensure the future built form is appropriate and does not result in any unacceptable impacts on adjoining properties or the public domain. The amended controls will facilitate the delivery of additional employment generating floor space consistent with the vision of the Central Sydney Planning Strategy.

5.4 Relationship to strategic planning framework

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

A Metropolis of Three Cities – The Greater Sydney Region Plan

A Metropolis of Three Cities – The Greater Sydney Region Plan is the NSW Government's overarching strategic plan for growth and change in Sydney. The 20 year plan provides a 40 year vision that seeks to transform Greater Sydney into a metropolis of three cities, being the Western Parkland City; the Central River City; and the Eastern Harbour City.

It identifies key challenges facing Greater Sydney, including a projected population increase of 1.7 million and the associated requirements to deliver 725,000 new homes and create 1 million new jobs by 2036.

The Plan outlines how Greater Sydney will manage growth and change and guide infrastructure deliver. The Plan is to be implement at a local level by District Plans. This planning proposal is consistent with several relevant directions and objectives of the Plan, as follows:

- Infrastructure – Future development on the site will align with investment in new transport infrastructure, and benefit from additional passenger capacity, especially the planned Martin Place and Hunter Street Metro stations close to the site.
- Liveability – The proposed development will require the maximisation of active frontages at ground level, and sympathetic treatment development adjoining the public domain.
- Productivity – The proposal will deliver additional commercial floor space close to existing and future transport infrastructure contributing to the growth of Central Sydney's economy.
- Sustainability – Delivery of a new building with improved sustainability outcomes than the current building stock is a key priority of the proposed development concept.

Eastern City District Plan

The Eastern City District Plan sets out the NSW Government's vision, priorities and actions for the Eastern District of the Greater Sydney area, which includes the City of Sydney. It establishes a 20 year vision for the Eastern District to be a global sustainability leader, managing growth while maintaining and enhancing liveability, productivity and attractiveness for residents and visitors. Planning priorities and associated actions for productivity, liveability and sustainability seek to deliver on this vision.

This planning proposal is consistent with the following priorities from the Plan:

- Planning Priority E1 – Planning for a city supported by infrastructure – To provide additional commercial floor space in this area of Central Sydney, this planning proposal seeks to expand and enhance commercial uses on the subject site by facilitating the delivery of new office space on a site located close to existing and planned transport infrastructure to maximise the efficient use of the existing and future new capacity.

- Planning Priority E6 – Creating and renewing great places and local centres and respecting the District's heritage – The planning proposal has been designed to respond appropriately to the public domain, including the heritage listed Chifley Square, and to be sympathetic to adjoining heritage buildings.
- Planning Priority E7 – Growing a stronger and more competitive Harbour CBD – Central Sydney lies at the core of the Harbour CBD, within the Eastern Economic Corridor. This Planning Proposal will help facilitate new commercial office space within Central Sydney to maximise the competitive advantage of this part of Sydney.
- Planning Priority E10 – Delivering integrated land use and transport planning for a 30 minute city – The future development concept satisfies the 30 minute city objective as it will increase employment opportunities close to existing and future public transport connections across may part of Greater Sydney within a 30 minute travel time.
- Planning Priority E11 – Growing investment, business opportunities and jobs in strategic centres – This planning proposal will facilitate the delivery of new commercial and retail development on the subject site delivering additional office space to Central Sydney, which will add to the viability of the Harbour CBD economy.
- Planning Priority E13 – Supporting growth of targeted industry sectors – This planning proposal will deliver additional retail and commercial floor space which will be available for investment from targeted industry sectors including retail, visitor economy and knowledge-intensive businesses.
- Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently – The proposed development concept will deliver a new commercial and retail building with significantly improved sustainability outcomes. Future development on the site is to achieve ambitious ecological sustainable development targets including that a future building on the site is capable of meeting the City's net zero energy requirements.

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Sustainable Sydney 2030

Sustainable Sydney 2030 is the vision for sustainable development of the City of Sydney to 2030 and beyond. It includes 10 strategic directions to guide the future of the local government area. The plan outlines the City's vision for a 'green', 'global' and 'connected' city and sets targets, objectives and actions to achieve this vision. This planning proposal is aligned with the following relevant strategic directions and objectives:

- Direction 1 – A globally competitive and innovative city – The proposal will support a future high quality urban design outcome that will provide new employment opportunities. Investment into the site will help contribute to make Sydney attractive for global investors.
- Direction 2 – A leading environmental performer – This planning proposal will deliver ecological sustainable development on the site by establishing ambitious minimum sustainability targets for future development.
- Direction 3 – Integrated transport for a connected City – Future development on the subject site is well placed to capitalise on its proximity to existing and future transport infrastructure including nearby Circular Quay, Wynyard and Matin Place railway stations, light rail and bus stops and the future Martin Place and Hunter Street Metro stations in Central Sydney.
- Direction 4 – A city for walking and cycling – The proposed development concept facilitated by this planning proposal includes provision for ground floor retail activation, pedestrian connections through the site, and an end of journey facility which will encourage greater active transport use, helping deliver a more people oriented city.
- Direction 5 – A lively and engaging city centre – The mix of uses on the subject site is likely to deliver greater activation and a livelier engaging city. This will be supported by future 'fine

grain' retail premises with requirements for improved street activation and continued access through the site.

- Direction 6 – Resilient and Inclusive Local Communities – Future development facilitated by the planning proposal will contribute to the Central Sydney area through greater opportunities for business, as well as opportunities for improving the quality of the public domain for workers and visitors.
- Direction 7 – A cultural and creative city – Public art delivered through the future development on the site will provide new creative and cultural experiences and opportunities for engagement with the public.
- Direction 9 – Sustainable development, renewal and design – This planning proposal will support delivery of future development that is more ecologically sustainable than the current building on site by establishing aspirational sustainability benchmarks.

Local Strategic Planning Statement – City Plan 2036

City of Sydney's endorsed Local Strategic Planning Statement, City Plan 2036, sets the land use planning context, 20-year vision and planning priorities to positively guide change towards the City's vision for a green, global and connected city. The planning statement explains how the planning system will manage change to achieve the desired outcomes, and guides future changes to the City's controls, including those sought by proponents through planning proposals. This planning proposal gives effect to the following priorities of the Statement:

Infrastructure

- I1. Movement for walkable neighbourhoods and a connected city – The future development concept for the subject includes a pedestrian connections through the site to maintain connections between Bent and Hunter Street, and the potential for improved activation of adjoining streets and Chifley Square, to encourage a permeable pedestrian network.
- I2. Align development and growth with supporting infrastructure – The subject site is well located to take advantage of nearby existing and future transport infrastructure, including the new Sydney Metro currently under construction, which will significantly increase the public transport capacity within Central Sydney.

Liveability

- L2. Creating great places – The planning proposal has the ability to support street life and activation by improving the interface with the adjoining public place and providing new retail fine-grain retail premises, where new food and drink premises will be encouraged. The reference scheme includes collaborative spaces and other spaces to respond to change to business demand resulting from the experience of COVID-19.

Productivity

- P1. Growing a stronger, more competitive Central Sydney – This planning proposal supports growth in Central Sydney by facilitating future development that will deliver additional capacity for economic and employment growth, and provide large, premium office floor place to attract globally competitive business

Sustainability

- S2. Creating better buildings and places to reduce emissions and water and use water efficiently – Future development facilitated through this planning proposal will be required to meet ambitious sustainability benchmarks ensuring the new buildings will be more sustainable than the existing building stock.

Central Sydney Planning Strategy

The Central Sydney Planning Strategy is a 20-year growth strategy that revises previous planning controls and delivers on the City's Sustainable Sydney 2030 program. As the economic heart of

Australia's global city, Central Sydney plays a critical role in the continued growth and economic success of Greater Sydney and the national economy.

The Strategy includes opportunities for additional height and density in the right locations balanced with environmental sustainability and sets criteria for excellence in urban design. This planning proposal is aligned with the following relevant key moves of the Strategy:

- 1. Prioritise employment growth and increase capacity – This planning proposal will facilitate the delivery of additional employment generating floor space, in the form of office and retail uses, increasing the employment capacity and growth within Central Sydney.
- 2. Ensure development responds to context – The site-specific DCP that accompanies this planning proposal includes provisions to ensure future development responds to its context with a built form that includes sufficient tower setbacks and does not result in development with adverse wind and daylight impacts in the public domain.
- 6. Move towards a more sustainable city – Future development is to achieve the ambitious sustainability targets as set out in the draft site specific DCP, consistent with the Strategy.
- 8. Move people more easily – The site is well located to capitalise on existing public transport connections and the recent NSW Government investment in public transport including the new Sydney Metro projects.
- 9. Reaffirm commitment to design excellence – Future development on site will be subject to a full architectural competitive design process provided for within the draft DCP, which includes design excellence provisions to ensure a high quality built form.

Is the planning proposal consistent with applicable state environmental planning policies (SEPPs)?

This planning proposal is consistent with applicable SEPPs and deemed SEPPs (formally known as Regional Environmental Plans (REPs)) shown in Table 3. In this table, consistent means that the planning proposal does not contradict or hinder the application of the relevant SEPP or REP.

Table 3: Consistency with SEPPS and REPs

SEPPs with which this planning proposal is consistent	SEPP 1 – Development Standards; SEPP 19 – Bushland in Urban Areas; SEPP 21 – Caravan Parks; SEPP 33 – Hazardous and Offensive Development; SEPP 50 – Canal Estate Development; SEPP 70 – Affordable Housing (Revised Schemes); SEPP (Affordable Rental Housing) 2009; SEPP (Educational Establishments and Child Care Facilities) 2017; SEPP (Exempt and Complying Development Codes) 2008; SEPP (Infrastructure) 2007; SEPP (Mining, Petroleum Production and Extractive Industries) 2007; SEPP (Miscellaneous Consent Provisions) 2007; SEPP (State and Regional Development) 2011; SEPP (State Significant Precincts) 2005; SEPP (Vegetation in Non-Rural Areas) 2017;
SEPPs that are not applicable to this planning proposal	SEPP 36 – Manufactured Home Estates; SEPP 44 – Koala Habitat Protection; SEPP 47 – Moore Park Showground; SEPP 64 – Advertising and Signage; SEPP 65 – Design Quality of Residential Flat Development; SEPP (Building Sustainability Index: BASIX) 2004; SEPP (Coastal Management) 2018; SEPP (Housing for Seniors or People with a Disability) 2004; SEPP (Integration and Repeals) 2016; SEPP (Kosciuszko National Park— Alpine Resorts) 2007; SEPP (Kurnell Peninsula) 1989; SEPP (Penrith Lakes Scheme) 1989; SEPP (Rural Lands) 2008; SEPP (Sydney Drinking Water Catchment) 2011; SEPP (Sydney Region Growth Centres) 2006; SEPP

	(Three Ports) 2013; SEPP (Urban Renewal) 2010; SEPP (Western Sydney Employment Area) 2009; SEPP (Western Sydney Parklands) 2009
REPs with which this planning proposal is consistent	Sydney REP (Sydney Harbour Catchment) 2005
REPS that are not applicable to this planning proposal	Sydney REP 8 – (Central Coast Plateau Areas); Sydney REP 9 – Extractive Industry (No 2 – 1995); Sydney REP 16 – Walsh Bay; Sydney REP 20 – Hawkesbury- Nepean River (No 2 – 1997); Sydney REP 24 – Homebush Bay Area; Sydney REP 26 – City West; Sydney REP 30 – St Marys; Sydney REP 33 – Cooks Cove; Greater Metropolitan REP No 2 – Georges River Catchment; Darling Harbour Development Plan No. 1; Sydney Cove Redevelopment Authority Scheme.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 aims to facilitate the effective delivery of infrastructure across the State and identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure.

As any future development on the site will be considered a `traffic generating development' for the purposes of the SEPP as over 10,000m^2 of commercial floor space is proposed, any future development application will be required to be referred to Transport for NSW for concurrence prior to determination.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Under Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, 2 Chifley Square is located within the Sydney Harbour Catchment Boundary but not within the Foreshore and Waterways Area Boundary.

The planning proposal does not contradict or hinder the application of the planning principles for the Sydney Harbour Catchment, as set out in Clause 13 of the REP.

Is the planning proposal consistent with applicable Ministerial Directions?

The planning proposal is consistent with the applicable ministerial directions as shown in Table 4.

Table 4: Consistency with Ministerial Directions

Ministerial Directions with which this planning proposal is consistent	1.1 Business and Industrial Zones; 2.3 Heritage Conservation; 2.6 Remediation of Contaminated Land; 3.4 Integrating Land use and Transport; 3.5 Development Near Licensed Aerodromes; 4.1 Acid Sulfate Soils; 4.3 Flood Prone Land; 5.10 Implementation of Regional Plans; 6.1 Approval and Referral Requirements; 6.3 Site Specific Provisions; 7.1 Implementation of A Plan for Growing Sydney
Ministerial Directions that are not applicable to this planning proposal	1.2 Rural Zones; 1.3 Mining, Petroleum Production and Extractive Industries; 1.4 Oyster Aquaculture; 1.5 Rural Lands; 2.1 Environmental Protection Zones; 2.2 Coastal Protection; 2.4 Recreation Vehicle Areas; 2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs; 3.1 Residential Zones; 3.2 Caravan Parks and Manufactured Home Estates; 3.3 Home occupations; 4.2 Mine subsidence and Unstable land; 4.4

	Planning for Bushfire Protection; 5.2 Sydney Drinking Water Catchments; 5.3 Farmland of State and Regional Significance on the NSW Far North Coast; 5.4 Commercial and Retail Development along the Pacific Highway, North Coast; 5.8 Second Sydney Airport, Badgerys Creek; 5.9 North West Rail Link Corridor Strategy; 6.2 Reserving Land for Public Purposes; 7.2 Implementation of Greater Macarthur Land Release Investigation; 7.3 Parramatta Road Corridor Urban Transformation Strategy; 7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan; 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan; 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan; 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor

2.6 Remediation of Contaminated Land

The Remediation of Contaminated Land Ministerial Direction promotes remediation of contaminated land for the purpose of reducing the risk of harm to human health. When rezoning land and as part of development applications, it is required to be considered and to ensure remediation work meets certain standards.

This site is currently used for commercial purposes and the proposed future use will remain commercial. The site, and adjoining, have also been used for commercial uses, and no changes to the extent of the basement are provided in the proponent's reference scheme.

Further investigation of any potential contamination would be required to be undertaken for any future development application involving any additional excavation of the site. Notwithstanding, any potential contamination issues identified are unlikely to significantly impact future redevelopment of the site. The site's suitability will be demonstrated as part of a future detailed development application for the site.

3.5 Development Near Licenced Aerodromes

This Ministerial Direction seeks to ensure the safe and effective operation of regulated airports is not compromised by development that might constitute an obstruction of potential hazard to aircraft flying in the vicinity.

The proposed development concept includes construction of a new tower up to RL 214.2 metres, which would encroach into the Obstacle Limitation Surface (OLS), and as such, Direction 3.5 applies. Clause 4 of the Ministerial Direction states that in preparation of the planning proposal, the relevant planning authority is to consult with the operator of the airport to prepare appropriate height controls and ensure development on the site is not incompatible with the airport's operation.

This planning proposal is not consistent with Ministerial Direction 3.5, however this will be addressed through consultation with the relevant agencies as part of the public exhibition process.

The planning proposal process for this project includes consultation with the relevant public authorities following the issue of a gateway determination. In this instance, this includes consultation with the Sydney Airport Corporation, Airservices Australia and the Civil Aviation Safety Authority.

Following consultation with these public agencies, the planning proposal will be amended where necessary and reported back to Council and the Central Sydney Planning Committee for final approval prior to the drafting of the relevant amendments to the LEP.

6.3 Site Specific Provisions

The objective of this Ministerial Direction is to discourage unnecessarily restrictive site-specific planning controls.

This planning proposal is not consistent with Ministerial Direction 6.3, however this is justified as the applicant submitted a request to prepare a planning proposal to facilitate redevelopment of the subject site for a new commercial tower.

The proposed development concept described in this planning proposal, the amendments to the LEP and the draft DCP have been developed by the City in based in the proponent's design vision for the site as well as the City's vision for future development in Central Sydney.

Furthermore, the site specific provisions would not restrict future development from being undertaken on the subject site, as the site's existing controls in the LEP remain applicable.

5.5 Environmental, social and economic impact

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

The planning proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats. The subject site is located in Central Sydney, which does not contain any critical habitats or threatened species, populations or ecological communities.

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

The changes to the floor space ratio control will provide for the redevelopment of the subject site.

It is unlikely that the proposed amendments will result in any adverse amenity impacts that cannot be controlled. Existing policies, regulations and standards are already in place to ensure environmental impacts are mitigated during the construction phase and eventual use of the development.

The proposed scheme has been developed to minimise the potential for adverse environmental impacts resulting from future development that could occur on the site.

The key environmental considerations arising from the planning proposal, particularly in relation to urban amenity, are discussed below.

Building height, floor space and tower setbacks

The planning envelope facilitated by this planning proposal has been tested against public domain amenity and is capable of comfortably accommodating the proposed indicative concept design with sufficient flexibility to accommodate any required mitigation to respond to and address any issues and provide architectural articulation without resulting in adverse conditions at ground level.

The site is subject to The Domain Sun Access Plane, and the concept envelope has been designed to comply with the height requirements though a sloping roof form.

The proposed podium height provides for the existing podium extent fronting Chifley Square to be a consistent height.

Appropriate tower setbacks have been incorporated into the proposed building envelope that despite not being consistent with the Strategy, help mitigate public domain wind impacts and provide a suitable curtilage to the adjoining heritage items.

Notwithstanding the variations to tower setbacks, the proposed maximum planning envelope is consistent with the objectives of the Central Sydney Planning Strategy in that the planning proposal will facilitate additional employment generating floor space through additional building height and floor space without detrimentally impacting pedestrian amenity, solar access and wind conditions in the public domain.

View analysis

A view analysis for the proponent's reference scheme is included in the Urban Design Study appendix to the planning proposal, which explored the visual impact of the design from key public viewpoints in Central Sydney. The Urban Design Addendum prepared by the City also considered the view impacts from the City's proposed planning envelope.

A proposed tower within the planning envelope will be visible from The Domain and from adjoining streets and public places. It is considered that the proposal will not result in significant impacts on views due to it being within the maximum height controls for the site.

The main change in views from the City's planning envelope compared to the requested planning envelope is that the City's proposed envelope will block more of the view of the existing Chifley Tower viewed from the south in Phillip Street and Elizabeth Street. This additional impact is considered to be acceptable.

Solar access and overshadowing

Clause 6.19 of the LEP prevents new buildings from creating additional overshadowing to certain public places, which includes The Domain. The proposal does not include changes to The Domain sun access plane, with the proposed concept design fully compliant with this height control.

The planning envelope for this planning proposal has the same overall height as the requested planning envelope, which is determined by The Domain Sun Access Plane. They only difference is that the planning envelope extends further north-west than the requested planning envelope.

The resultant difference between the two planning envelopes is that the proposed planning envelope could be located closer to Chifley Square and cast some additional shadow to the square in the summer months. However, this is balanced by the increased setback to Hunter Street, which would allow more early morning sun into Hunter Street between the autumn and spring equinoxes. The overall overshadowing changes are very minor in winter due to the shadows already cast by existing tall buildings surrounding the site, and is therefore considered to be an acceptable outcome.

A detailed solar access and overshadowing analysis will be included as part of a detailed development application.

Daylight access / Sky view factor

The Central Sydney Planning Strategy seeks to unlock additional employment generating floor space in Central Sydney through opportunities for additional height and density that will not result in adverse impacts to public domain amenity including daylight access.

The Strategy provides for a base case building envelope to establish the minimum performance benchmarks for daylight levels or sky view factor in public places adjacent to the site. Planning proposals may vary the building envelope set by the Strategy subject to equivalent or improved daylight access to the surrounding public domain.

Sky view testing has been undertaken for the planning envelope, which has a lower (worse) Sky View Factor than the requested planning envelope, but still higher than the Schedule 11 Procedure B Base Case, and therefore meets the control. Wind testing has not been undertaken but review of the existing modelling strongly suggests that it will also achieve equivalence.

Wind assessment

A desk top study of the City's revised planning envelope considered general wind effects and identifiable localised effects, but did not include wind tunnel testing.

The study identified that the City's planning envelope is expected to result in wind conditions comparable to previously tested envelopes for this site, and is not expected to result in significant variations in wind effects compared to the existing conditions. It is also expected that the revised scheme will not result in any significant wind effects that would affect safety limits at ground level, surrounding the site.

Any potential exceedances in wind comfort levels for the revised planning envelope would be comparable to previous envelopes tested, including the base case model, and these could be addressed at the detailed design development application stage though the inclusion of wind mitigation measures.

Has the planning proposal adequately assessed any social and economic effects?

This planning proposal provides an opportunity for the redevelopment of the subject site, subject to acceptable public domain amenity conditions. Redevelopment will provide positive social and economic effects including:

- Providing approximately 44,108sqm of additional employment generating floor space to contribute to and strengthen Central Sydney's role as a globally competitive city;
- Creating an estimated 4,000 additional jobs;
- Providing for improved activation and accessibility of the site with the adjoining public domain, delivering improved amenity and safety for the public.

5.6 State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

As the subject site is in Central Sydney, it is well served by the full range of public utilities including electricity, telecommunications, water, sewer and stormwater. It is expected that these services would be upgraded where required by the developer.

The proposal will provide contributions for local infrastructure and public domain improvements adjoining the site, to capitalise on its location close to major retail, office, and other uses, and close to existing and planned major transport nodes.

The detailed development application will be subject to the statutory development contributions, which will contribute to the provision of other community facilities, the demand for which will be generated by the development.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The gateway determination will advise the public authorities to be consulted as part of this planning proposal process. Any issues raised will be incorporated into this planning proposal following consultation in the public exhibition period.

Clause 7.16 of the LEP requires concurrent approval from Sydney Airport for all works proposed to penetrate the OLS height, which is RL 156 metres in this location. At a maximum RL 214.2 metres in height, the future development concept would require approval under the Airports Act 1996 before the detailed development application can be approved by the City. It is proposed that the relevant public agencies are consulted on the height at the planning proposal stage.

6. Mapping

This planning proposal does not include any amendments to maps.

No change will be made to any maps contained in the LEP as part of this planning proposal, instead additional floor space ratio is proposed to be included through new site-specific provisions under Division 5 as discussed earlier in this planning proposal document.

Updated maps and new figures to reflect the proposed future development concept as discussed in this planning proposal are detailed in the draft DCP, which has been prepared as part of this planning proposal, and will be exhibited with the planning proposal.

7. Community consultation

This planning proposal is to be exhibited in accordance with the gateway determination once issued by the Department of Planning, Industry and Environment.

It is anticipated that the gateway determination will require public exhibition for a period of not less than 28 days in accordance with the Environmental Planning and Assessment Act 1979 and section 4.5 of A guide to preparing Local Environmental Plans.

Notification of the public exhibition will be consistent with the Gateway Determination and the City's Community Participation Plan and include publication on City of Sydney website and notification to surrounding owners and occupiers.

Consultation with relevant NSW agencies, authorities and other relevant organisations will be undertaken in accordance with the gateway determination.

8. Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

Stage	Timeframe
Commencement / Gateway Determination	**December 2021**
Government agency consultation	**February 2022**
Public exhibition	**February 2022**
Consideration of submissions	**March 2022**
Post exhibition consideration of proposal	**May 2022**
Draft and finalise LEP	**June 2022**
LEP made	**July 2022**
Plan forwarded to Department of Planning, Industry and Environment for notification	**July 2022**

Appendix 1

Example clauses

The final version of the clauses to be inserted into Division 5 would be subject to drafting and agreement by the Parliamentary Counsel's Office, but may be written as follows.

Part 6 Local provisions – height and floor space

Division 5 Site specific provisions

6.## 2 Chifley Square, Sydney

(1) The objective of this clause is to encourage:
  (a) land uses other than residential accommodation and serviced apartments, and
  (b) new development with appropriate distribution of built form and floor space consistent with the surrounding context, and
  (c) removal of the commercial car parking.

(2) This clause applies to 2 Chifley Square, Sydney, being Lot 10 DP 777545.

(3) Despite any other provision of this Plan, a building on land to which this clause applies may have a maximum floor space ratio of 20.4:1 (indicatively) comprising:
  (a) mapped floor space ratio under clause 4.4, and
  (b) accommodation floor space ratio under clause 6.4, and
  (c) end of journey floor space under clause 6.6, and
  (d) an amount of site specific floor space for the site, and for this site specific floor space to be delivered on the southern portion of the site, and
  (e) notwithstanding Clause 6.21(7)(b) an amount of additional floor space, to be determined by the consent authority, of up to 10% based on the extent of the site to be the subject of the design competition if the building demonstrates design excellence.

(4) Clause 4.6 does not apply to development to which this clause applies.

(5) Clause 6.19(1)(b) does not apply to development to which this clause applies.

(6) Development consent must not be granted under this clause unless the consent authority is satisfied that the development will–
  (a) not be used for the purpose of residential accommodation or serviced apartments, and
  (b) not be used for the purposes of a commercial car park.