

# **Attachment A2**

**Planning Proposal Justification Report –  
Ethos Urban – 2 Chifley Square, Sydney**

## Planning Proposal

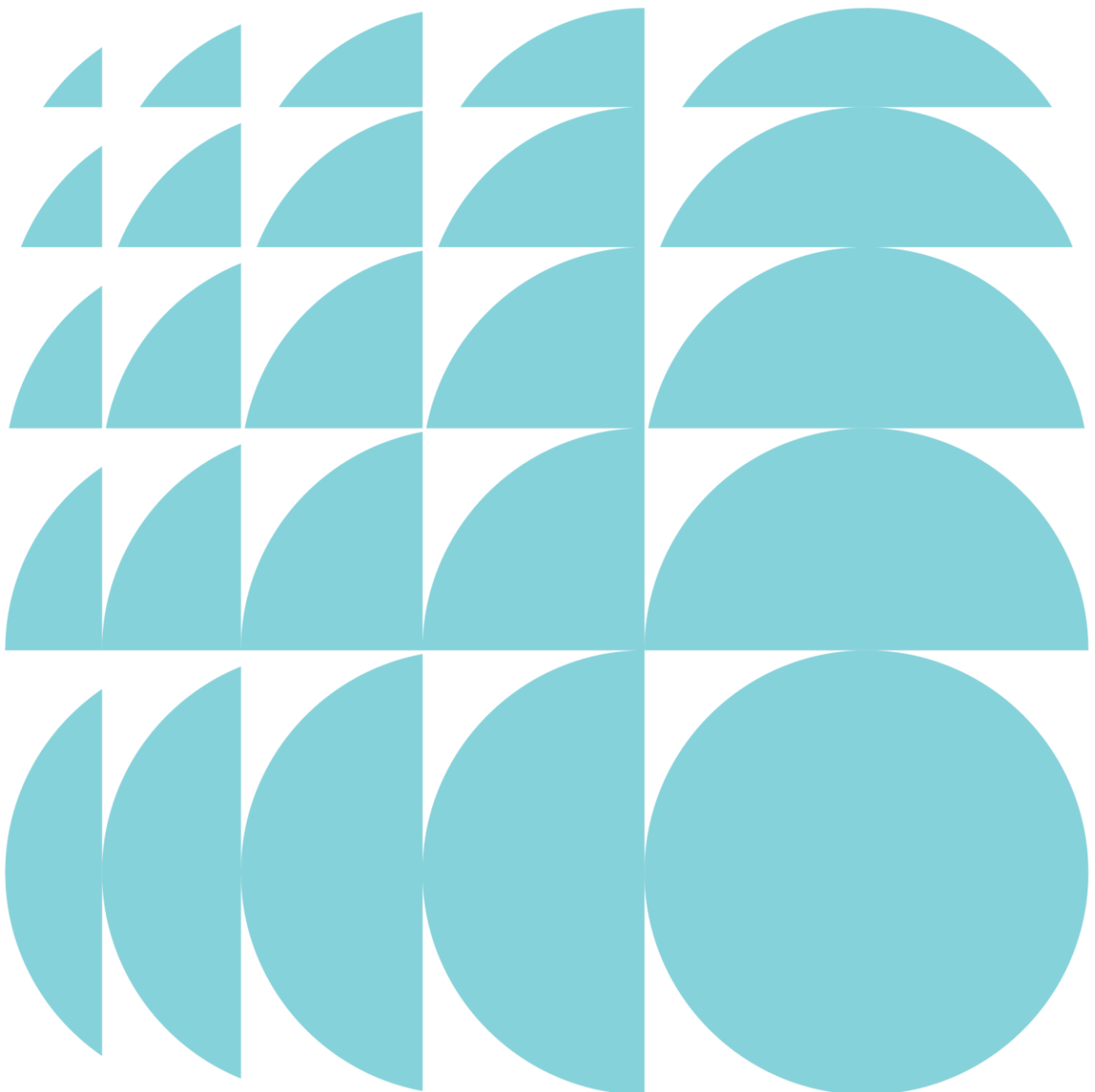
2 Chifley Square, Sydney

Amendments to the *Sydney Local Environmental Plan 2012*

Floor Space Ratio and Sun Access Plane development standards, and concurrent DCP Amendments

Submitted to the City of Sydney Council  
On behalf of Charter Hall

26 July 2021 | 2190769



---

#### CONTACT

Clare Swan	Director	cswan@ethosurban.com	+61 2 9956 6962
------------	----------	----------------------	-----------------

Reproduction of this document or any part thereof is not permitted without prior written permission of Ethos Urban Pty Ltd.

This document has been prepared by:

This document has been reviewed by:



Kimberley Bautista

26 July 2021



Chris Ferreira

26 July 2021



Luke Feltis

26 July 2021



Clare Swan

26 July 2021

Reproduction of this document or any part thereof is not permitted without written permission of Ethos Urban Pty Ltd. Ethos Urban operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed, it is a preliminary draft.

VERSION NO.	DATE OF ISSUE	REVISION BY	APPROVED BY
A	13 July 2020	KB / LF	CFe
B	15 July 2020	CS / CFe	CFe / CS
C	23 July 2020	CFe	CFe
D	2 September 2020	LF	CFe
E	8 July 2021	LF	CFe
F	26 July 2021	LF/KB	CFe

Ethos Urban Pty Ltd  
ABN 13 615 087 931.  
www.ethosurban.com  
173 Sussex Street, Sydney  
NSW 2000 t 61 2 9956 6952

---

# Contents

Executive summary	7
1.0 Introduction	12
1.1 Vision and background	13
1.2 The Central Sydney Planning Strategy (CSPS)	14
1.3 Consultation	16
2.0 Site Context and Description	17
2.1 Context	17
2.2 Site description	17
2.3 Surrounding development	20
3.0 Current key planning controls	26
3.1 Sydney Local Environmental Plan 2012 (Sydney LEP)	26
3.2 Sydney Development Control Plan 2012 (Sydney DCP)	27
3.3 DCP Amendment – CSPS	28
4.0 Options analysis	31
4.1 Alternate schemes explored	31
4.2 Site constraints / criteria	31
4.3 DCP compliant envelope	32
4.4 Envelope A (Draft Planning Proposal Envelope)	33
4.5 Envelope B (Charter Hall preferred Planning Envelope)	34
4.6 Envelope C (Proposed Planning Envelope)	35
4.7 Design excellence	46
5.0 Part 1 – Objectives and intended outcomes	47
5.1 Objectives and intended outcomes	47
6.0 Part 2 – Explanation of provisions	48
6.1 Sydney LEP 2012	48
6.2 Concurrent amendments to the DCP	49
7.0 Part 3 – Justification	50
7.1 Section A – Need for a Planning Proposal	50
7.2 Section B – Relationship to strategic planning framework	51
7.3 Section C – Environmental, social and economic impact	61
7.4 Section D – State and Commonwealth interests	62
8.0 Environmental assessment	63
8.1 Built form and urban design	63
8.2 Design excellence	81
8.3 Overshadowing and solar access	81
8.4 Daylight analysis	88



# Contents

8.5	Visual Impact	88
8.6	Heritage assessment	93
8.7	Wind assessment	94
8.8	Traffic and Transport	94
8.9	Pedestrian activity and comfort assessment	96
8.10	Sustainability	96
8.11	Social and economic effects	97
8.12	Airport operations	97
8.13	Public Art	98
<hr/>		
9.0	Part 4 – Mapping	99
10.0	Part 5 – Community Consultation	99
11.0	Indicative Project Timeline	99
12.0	Conclusion	100

## Figures

Figure 1 – Photomontages of an indicative tower form in skyline	10
Figure 2 – Photomontage of an indicative tower form	11
Figure 3 – Tower cluster areas under the Central Sydney Planning Proposal (site circled in red)	15
Figure 4 – Site context	17
Figure 5 – Site aerial	18
Figure 6 – Phillip Street looking north	18
Figure 7 – Hunter Street looking east	18
Figure 8 – View of Chifley Tower from Chifley Square	19
Figure 9 – Chifley Podium fronting Hunter Street	19
Figure 10 – Macquarie Street looking west	19
Figure 11 – The Domain / Art Gallery Road looking west	19
Figure 12 – Surrounding development	20
Figure 13 – Aurora Place, Sydney	21
Figure 14 – Governor Phillip and Macquarie Tower	21
Figure 15 – Wyoming Council Chambers	22
Figure 16 – Horbury House	22
Figure 17 – 165-169 Macquarie Street (Australian Club)	22
Figure 18 – NSW State Library	22
Figure 19 – Royal Botanical Gardens	23
Figure 20 – Deutsche Bank Plaza	23
Figure 21 – 8 Chifley Square	23
Figure 22 – Martin Place Metro Station North Site	24
Figure 23 – Qantas House	25
Figure 24 – City Mutual Assurance Building	25
Figure 25 – Sofitel Sydney Hotel	25
Figure 26 – Richardson Johnson Square	25
Figure 27 – Height of Buildings map, Sydney LEP 2012 (site in black outline)	26
Figure 28 – Chifley Square/Richard Johnson Square Special Character Area (subject site in red outline)	27

# Contents

Figure 29 – Chifley Square Special Character Area (with the site circled in blue dash)	29
Figure 30 – DCP compliant envelope	32
Figure 31 – Envelope A (Draft Planning Proposal Envelope)	33
Figure 32 – Envelope B (Charter Hall preferred Planning Envelope)	34
Figure 33 – Proposed Envelope C key moves	36
Figure 34 – Proposed planning envelope	37
Figure 35 – Proposed planning envelope	38
Figure 36 – Reference Design in CBD Skyline	39
Figure 37 – Reference design in relation to Macquarie Street frontage and CBD skyline	39
Figure 38 - Artist Impression of public domain and podium interface (Chifley Square and Hunter Street)	40
Figure 39 – Lower ground floor (Chifley Square interface)	41
Figure 40 – Upper ground floor (Hunter Street interface)	41
Figure 41 – Indicative podium floor plates	42
Figure 42 – Indicative podium floor plate	43
Figure 43 – Tower floor plates – reference design	44
Figure 44 – Features of the Eastern City	54
Figure 45 – Proposed podium envelope (fronting Chifley Square and Hunter Street)	64
Figure 46 – Proposed podium (reference scheme)	64
Figure 47 – View of the envelope from the Royal Botanical Gardens (looking west)	65
Figure 48 – View of the envelope from Yurong Point (Looking south-west)	66
Figure 49 – Two tower sites established in proximity to the site	66
Figure 50 – Curved tower forms in proximity to the site	67
Figure 51 – View of the envelope from the Domain (looking west)	68
Figure 52 – View of the envelope from Yurong Point (Looking south-west)	68
Figure 53 – Proposed envelope and nil eastern setback in Macquarie Street context	70
Figure 54 – Reference design and nil eastern setback in Macquarie Street context	70
Figure 55 – Impact of Macquarie Street tower setback requirement on Wyoming and Horbury House potential additions	71
Figure 56 – Interface of potential future development at 165-169 Macquarie Street	73
Figure 57 – Separation to the 167 Macquarie Street building when viewed from the east (Macquarie Street)	74
Figure 58 – Hunter Street tower setback context	75
Figure 59 – Proposal from Elizabeth and Hunter Street (looking north-east)	76
Figure 60 – Setback study for sites along Hunter Street, looking south (top) and looking north (below)	77
Figure 61 – Alternative articulation opportunities with the planning envelope	80
Figure 62 – Shadow diagrams on 21 June, 1pm (above) and 2pm (below), additional shadow identified in pink	82

# Contents

Figure 63 – Shadow diagrams on 21 June from 10am to 2pm, additional shadow identified in pink	85
Figure 64 – Shadow diagrams on 21 June, additional shadow identified in pink	86
Figure 65 – Shadow diagrams on 21 December, additional shadow identified in pink	88
Figure 66 – Key visual impact viewpoints	89
Figure 67 – View from Macquarie street looking north with building envelope	91
Figure 68 – View from Macquarie Street looking south with building envelope	91
Figure 69 – View from Botanic Gardens looking west with building envelope	92
Figure 70 – View from the corner of Hunter and Philip street (south) with building envelope	92

# Contents

## Tables

Table 1 – Consistency of the proposal with the Directions of the Greater Sydney Region Plan	51
Table 2 – Consistency with applicable SEPPs	59
Table 3 – Consistency of the Planning Proposal with the relevant Section 9.1 Directions	59
Table 4 – Proposed tower setbacks compared to DCP controls	69
Table 5 – Current LEP and Planning Proposal FSR/GFA comparison	78
Table 6 – Commercial development capacity of identified blocks under the Built Form Capacity Study	78
Table 7 – Indicative project timeline	99

# Contents

## Appendices

- A** Urban Design Report, Reference Design and Building Envelope Drawings  
*Architectus*
- B** Survey Plan  
*Land Surveys*
- C** Draft Site Specific Development Control Plan  
*Ethos Urban*
- D** Design Excellence Strategy  
*Ethos Urban*
- E** Traffic and Transport Report and Pedestrian Comfort Assessment  
*AECOM*
- F** Heritage Impact Statement  
*Urbis*
- G** Pedestrian Wind Environment Study  
*Windtech*
- H** ESD Strategy  
*Floth*
- I** Sky View Factor Report  
*Architectus*
- J** Vision and Values Statement  
*Charter Hall*
- K** Consultation Summary Table  
*Ethos Urban*
- L** Staging Plan  
*Architectus*

## Executive summary

This Planning Proposal is submitted to the Council of the City of Sydney on behalf of Charter Hall to request amendments to the *Sydney Local Environmental Plan 2012* for land at 2 Chifley Square, Sydney. The future redevelopment of the site within the framework established by this Planning Proposal is in full alignment with the objectives and intended outcomes of the City's ground-breaking Central Sydney Planning Strategy (CSPS). It supports the ongoing growth of employment floor space in Central Sydney, the concentration of growth in a tower cluster considered suitable for accommodating commercial uplift, and the protection of public amenity. This is reflective of Charter Hall's support for the CSPS and their commitment to working together with the City in implementing the strategy.

The purpose of this Planning Proposal is to introduce a maximum floor space (FSR) control for the site and amend the height limit on the site to align with the updated Sun Access Plane for the Domain, as set out in the CSPS. The Planning Proposal will facilitate the development of a new commercial tower on the southern portion of the existing Chifley site, up to a height of RL 214.2 (being a height above ground level of 188.1m). When combined with the existing north tower and podium, the new, refurbished and existing floor space combined will total approximately 131,391m<sup>2</sup> GFA. The project is forecast to generate approximately 1,500 jobs during construction and provide for an increase of approximately 4,000 jobs in operation.

The Planning Proposal is prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979*, and describes the site, the proposed amendments to the Sydney LEP 2012 and provides an environmental assessment of the proposed height and FSR controls, building envelope and indicative tower reference design, consistent with the strategic intent of the CSPS. A draft site specific development control plan accompanies the Planning Proposal.

### Vision

Charter Hall's vision is to deliver a world-class office precinct that unlocks the full development potential of the site in delivering premium grade floor space, that realises emerging future work practises and supports Sydney's role as Australia's leading global city. The new office tower and podium that are integrated to the existing tower will provide an office precinct that strengthens 'Global Sydney' as a centre for economic and cultural activity, and to deliver an iconic building which offers diversity of workplace while delivering the social and environmental amenity expected in a premium work environment. The project will deliver on the City of Sydney's objective of growing the employment capacity of the CBD through to 2036 and will be an important piece of economic stimulus for the post COVID-19 recovery.

This Planning Proposal establishes the planning framework to deliver on this vision for a world leading commercial precinct, which will:

- reinforce Sydney's role as Australia's leading global city and economic engine room by delivering a new world class, environmentally sustainable office tower, and providing in-demand premium grade commercial floor space, and supporting significant employment growth;
- create a next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, and security;
- provide a world class destination at ground level, by leveraging off the site's existing square and street frontages to provide an improved and invigorated street level outcome, supporting fine-grain activation and permeability;
- be of the highest standard of architectural, urban and landscape design, and provide a recognisable and high quality contribution to the Sydney skyline, reinforcing Sydney's status as an iconic global city; and
- provide sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in Central Sydney and allowing Charter Hall to become leaders in environmental building performance.

As the site is suited to accommodate more intensive uses, the project makes the most of scarce land available in Central Sydney to deliver significant employment floor space consistent with the CSPA that allocates an increased FSR on the site. It unlocks a latent and significant opportunity to deliver employment generation and public benefits, while minimising environmental impacts and not compromising the amenity of the city's streets, parks and valued public spaces. The site also benefits from immediate proximity to existing and future planned public transport, including the anticipated Martin Place Metro Station and West Metro CBD Station.

## Consultation

This Planning Proposal has been the subject of extensive pre-lodgement workshops between Council, Charter Hall, Architectus and Ethos Urban between August 2019 and lodgement. The intent of the overall consultation has been to determine how to most effectively unlock the full employment generating potential of the site with an appropriate built form, while providing a strong public domain outcome and an appropriate environmental outcome.

The draft Planning Proposal was submitted to Council on 3 September 2020 for preliminary assessment. Following this, the project team worked closely with Council and the Design Advisory Panel (DAP) to seek endorsement to formally lodge the Planning Proposal. Specifically, this included two DAP meetings and three separate workshops with Council staff, including Council's Director of City Planning, Development and Transport.

On 2 July 2020, Charter Hall received correspondence from Council, requesting formal lodgement of the Planning Proposal. This represents a significant milestone for the proposal by further advancing the proposed redevelopment towards delivering Council's vision for Central Sydney.

## The proposal

The proposed amendments to the FSR and height controls follow detailed urban design analysis and building envelope testing to determine the appropriate site-specific controls. A preferred envelope was developed for the informal lodgement in September 2020 and this was then refined through consultation with Council and the DAP, as outlined above. The proposed envelope represented at **Appendix A**, has been subject to rigorous detailed design and environmental impact testing including urban design testing, sky view testing, wind testing and a visual impact analysis.

The proposed envelope derives a maximum height of RL 214.2 (being a height above ground level of approximately 188.1m) and a GFA of 131,391m<sup>2</sup> (FSR of 20.41:1). The proposed planning controls will facilitate a development outcome which will provide the following for the site (and the CBD more broadly):

- a new global office tower for the CBD, of a standard that can only be achieved if the amendments to the DCP compliant envelope are adopted;
- a development capable of achieving the highest standard of design, and which is contextually responsive to its surroundings and its prominent position in the Sydney CBD skyline;
- a substantial increase in employment capacity on the site, which may not be achieved if the amendments as proposed were not adopted;
- provision of larger, market appropriate Premium Grade floor plates (up to 1,614m<sup>2</sup> GFA) that are flexible to the needs of business and future workspaces seeking to locate in this important CBD location;
- a building of appropriate proportions and form in light of the site's existing and future context;
- a more refined and seamless tower element than what could be achieved under the existing controls or base DCP / CSPA controls;
- adequate separation between towers (on the same site and on neighbouring sites); and
- the opportunity to re-imagine the building's interface with Chifley Square by providing more genuine activation through the Square.

The Planning Proposal includes a reference design scheme to demonstrate that a high quality design which complies with the proposed LEP controls can be realistically achieved.

## Environmental Assessment

The Planning Proposal provides an environmental assessment of an indicative proposal built to the proposed height and FSR control, providing a summary of the detailed environmental investigations undertaken. It includes:

- a detailed urban design study;
- sky view analysis;
- a design excellence strategy outlining the proponent's intention to undertake a design competition;
- visual impact analysis;
- traffic, transport and pedestrian comfort assessment;
- heritage impact statement;
- wind impact assessment;
- a development control plan (DCP); and
- ESD strategy

The findings of the environmental assessment conclude that the proposed planning controls are acceptable, with the site and the proposal is capable of delivering significant employment generation and public benefits whilst minimising environmental impacts by not compromising the amenity of the city's streets, parks and valued public spaces.

## Conclusion

Following Council endorsement of the Planning Proposal, the project will progress through a design competition targeted for Q2 2022 and the winning building design will form part of a DA targeted to be submitted to Council in Q3 2022. The progression of this important project will allow the realisation of approximately 4,000 additional jobs to directly contribute to the post COVID-19 economic recovery of NSW. The Planning Proposal demonstrates strategic and site-specific merit and will achieve a number of positive outcomes for the site, Sydney CBD and region more broadly, including:

- the creation of a new world class commercial precinct which will unlock the full development potential of the site. The proposal will be of a standard that can only be achieved if the amendments to the DCP compliant envelope are adopted;
- the delivery of premium grade floor space that will support and strengthen Sydney's role of Australia's only global city;
- a world class destination at ground level, by leveraging off the site's existing square and street frontages to provide an improved and invigorated street level outcome, supporting fine-grain activation and permeability;
- design excellence and providing a recognisable and high quality contribution to the Sydney skyline; and
- fostering and contributing to the success and vitality of Sydney City's historic public places.

The proposal will contribute to the achievement of a number of goals, targets and actions outlined within State, regional and local strategic plans. The proposal will also help to reinforce Sydney's global competitiveness through the provision of high-quality office space and increased employment opportunities.





**Figure 1 – Photomontages of an indicative tower form in skyline**

*Source: Architectus*





**Figure 2 – Photomontage of an indicative tower form**

*Source: Architectus*

## 1.0 Introduction

This Planning Proposal is submitted to the Council of the City of Sydney (**Council**) to request amendments to the *Sydney Local Environmental Plan 2012* (**Sydney LEP**) relating to land at 2 Chifley Square, Sydney (commonly known as 'Chifley Plaza') (**the site**). Ethos Urban has prepared this Planning Proposal Justification Report on behalf of Charter Hall. The purpose of this Planning Proposal is to introduce a new Floor Space Ratio (**FSR**) development standard for the site, in order to unlock additional floor space and height solely for employment generating land uses, and to amend the height limit (**height**) on the site to align with the updated Sun Access Plane for the Domain, as set out in the Central Sydney Planning Strategy (**CSPS**). A draft site specific development control plan accompanies the Planning Proposal.

It is ultimately intended to facilitate the development of a new commercial tower on the southern portion of the Chifley site, up to a height of RL 214.2 (being a height above ground level of approximately 188.1m). The proposal also seeks to redevelop the existing southern podium as part of the overall site redevelopment. Refurbishment and upgrades to the internal areas of the entire existing northern podium and basement will also be proposed. When combined with the existing north tower and podium, the new, refurbished and existing floor space will total approximately 131,391m<sup>2</sup> GFA. As part of the overall future proposal and public benefit offer, Charter Hall will also seek to enter into a dialogue with Council in relation to the upgrade of Chifley Square, which constitutes the most prominent frontage of the site and is one of the City's most important public spaces.

Amendments to the Sydney Development Control Plan 2012 (**Sydney DCP**) will be required to support this outcome. An image of an indicative tower form which could be delivered by the proposed controls is provided in **Figure 1** and **Figure 2**. The Planning Proposal supports the CSPS by unlocking additional employment generating floor space within a designated tower cluster and by amending the height limit on the site to align with the updated sun access plane controls for the site within the CSPS, to protect sunlight to the Domain.

As required by Section 3.33 of the *Environmental Planning & Assessment Act 1979* (**EP&A Act**), this Planning Proposal includes:

- A statement of the objectives or intended outcomes of the proposed instrument;
- An explanation of the provisions that are to be included in the proposed instrument;
- The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1 of the EP&A Act); and
- Details of community consultation.

This Planning Proposal describes the site, the proposed amendments to the Sydney LEP 2012 and provides an environmental assessment of the proposed height and FSR controls, building envelope and indicative tower/reference design. The report should be read in conjunction with the Urban Design Study prepared by Architectus (**Appendix A**) and specialist consultant reports appended to this proposal (refer Table of Contents). This Planning Proposal has been prepared having regard to 'A guide to preparing Planning Proposals' published by the Department of Planning, Industry and Environment (**DPIE**). In particular, this Planning Proposal addresses the following specific matters in the guideline:

- Part 1 – Objectives and intended outcomes;
- Part 2 – Explanation of provisions;
- Part 3 – Justification (including the need for the Planning Proposal, its relationship to the strategic planning framework, the environmental, social and economic impact of the proposal, and State and Commonwealth interests);
- Part 4 – Mapping; and
- Part 5 – Community Consultation.

## 1.1 Vision and background

Charter Hall's vision is to deliver a world-class commercial office precinct that unlocks the full development potential of the site by delivering premium grade floor space that realises emerging future work practises and supports Sydney's role as Australia's leading global city. Charter Hall recognises the important role that Central Sydney plays in strengthening 'Global Sydney' as a centre for economic and cultural activity. The project will deliver an iconic building which offers diversity of workplace while delivering the social and environmental amenity expected in a premium work environment. The project will deliver on the City of Sydney's objective of growing the employment capacity of the CBD through to 2036.

Charter Hall's desire is to provide an officer tower which will form a sensitive addition to the urban landmark known as Chifley Square. Arrival of the new CBD Metro Stations will make Chifley Square a key focus as workers make their daily commute and pass overland across Philip Street and up Hunter Street to their prospective workplaces. The site's strategic location means it will not only be a destination for these commuters, but form part of a new gateway into the city's financial district. This Planning Proposal establishes the planning framework to deliver on this vision for a world leading commercial precinct, which will:

- reinforce Sydney's role as Australia's global city and economic engine room by delivering a new world class, environmentally sustainable office tower, and providing in-demand premium grade commercial floor space, and supporting significant employment growth;
- create a next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, and security;
- provide a world class destination at ground level, by leveraging off the site's existing square and street frontages to provide an improved and invigorated street level outcome, supporting fine-grain activation and permeability;
- be of the highest standard of architectural, urban and landscape design, and provide a recognisable and high quality contribution to the Sydney skyline, reinforcing Sydney's status as a global city; and
- provide sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in Central Sydney and allowing Charter Hall to become leaders in environmental building performance.

The site is identified in the CSPA for additional FSR and this proposal will expedite this vision to create approximately 4,000 additional jobs that will stimulate economic growth and drive the post COVID economic recovery. This vision leverages off the size of the site and its strategic location in the financial heart of the Sydney CBD.

A Vision and Value Statement has been prepared by Charter Hall (**Appendix J**). Charter Hall is committed to delivering a new world class commercial building that will support and strengthen Sydney's role of Australia's global city through:

- Alignment with the objectives and intended outcomes for growth set out in the City's CSPA to prioritise employment floorspace and support development uplift to create world class city centre.
- Delivering a thriving, accessible, connected and inspiring civic place at Chifley Square.
- Providing a retail and employment destination with a memorable experience.
- Increase the availability of valuable premium floorspace in Central Sydney.
- Delivering large office floorplates to provide opportunities for collaboration and flexibility to meet various business needs and remain competitive.
- Delivering a highly sustainable, carbon neutral office tower.

The vision for Chifley Square is unique in that it will reinvigorate a highly optimal city site to deliver a world-class commercial building that realises opportunities that are emerging in future work practice. This is reflective of Charter Hall's support for the CSPA and their commitment to working together with the City to implement the strategy.

## 1.2 The Central Sydney Planning Strategy (CSPS)

A draft of the CSPS was first released in 2016 and provides the strategic direction to continue to position and strengthen Sydney as Australia's leading global city. At the heart of the Strategy is the aim to prioritise commercial floor space in order to meet the job demands anticipated for Central Sydney, while protecting and enhancing the public places that make the city unique.

The CSPS identifies 'tower clusters' which are intended to support employment growth. These cluster areas are intended to create growth opportunities for employment floor space, support the more efficient use of land and encourage innovative design. They are less constrained by sun access planes (and other environmental constraints) and are therefore considered capable of accommodating larger towers, above that normally achievable under the height and floor space limits.

Implementing the endorsed CSPS are a suite of sweeping changes to the planning framework in Central Sydney. These amendments include Planning Proposal: Central Sydney 2020 which seeks to amend the Sydney LEP, changes to the Sydney DCP, amendment of the Competitive Design Policy, a new Development Contributions Plan and a new Guideline for Site Specific Planning Proposals in Central Sydney (the Guideline).

The content of the endorsed CSPS and supporting amendments has evolved over the years, following the agreement reached on the implementation of the CSPS between Council and the NSW Minister for Planning and Public Spaces in December 2019, and following stakeholder feedback received during the exhibition of the CSPS and supporting material in July 2020. The CSPS and accompanying Planning Proposal: Central Sydney 2020 were endorsed by Council on 14 December 2020 and gazettal of the draft LEP is anticipated in Q3 2021. At the time of writing, the draft LEP is with the NSW Minister for Planning and Public Spaces for finalisation.

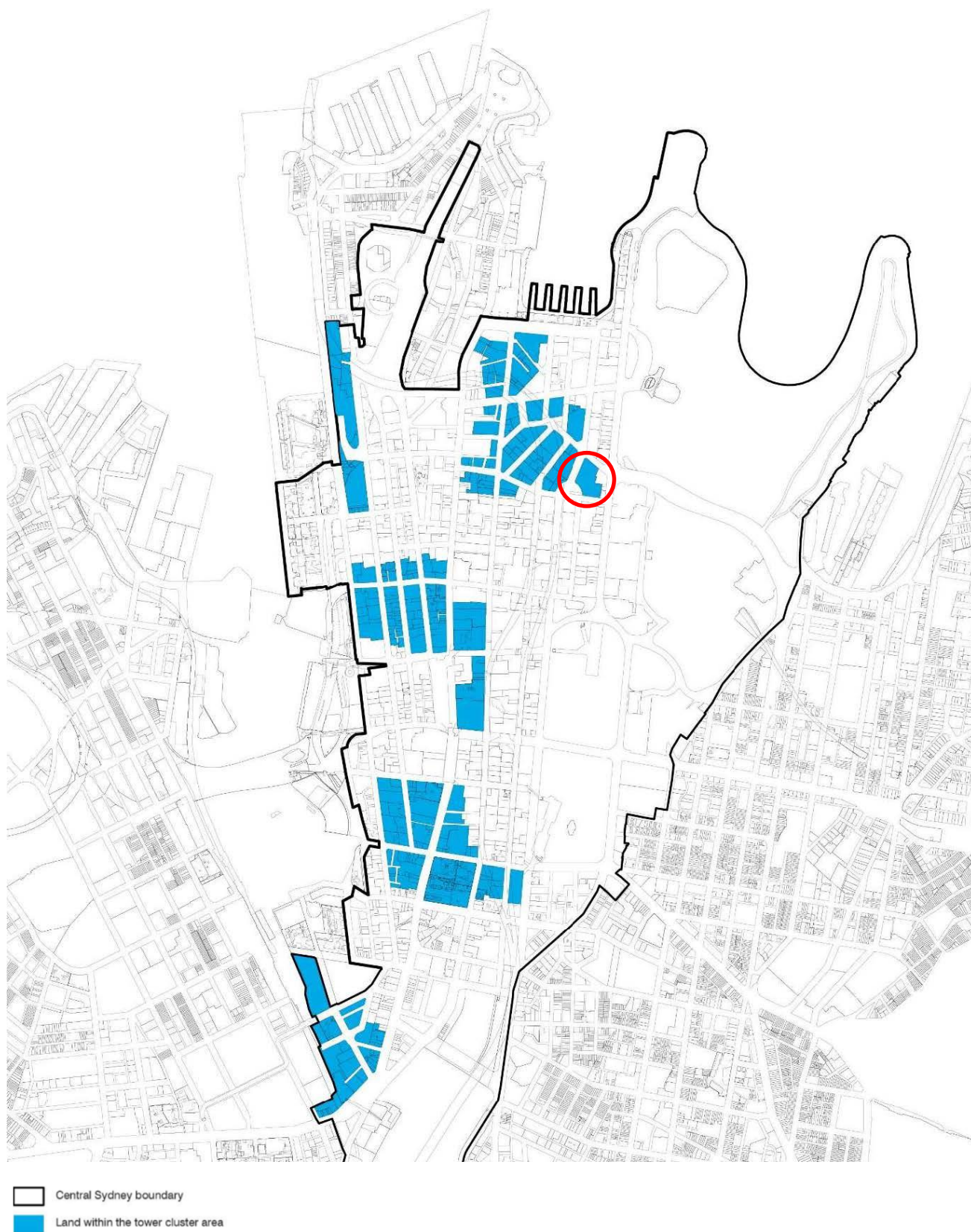
From this, the CSPS and the most recent supporting proposed LEP amendments identify new 'tower clusters' which are intended to support employment growth. These cluster areas are intended to create growth opportunities for employment floor space, support the more efficient use of land and encourage innovative design. They are less constrained by sun access planes (and other environmental constraints) and are therefore considered capable of accommodating larger towers, above that normally achievable under the height and floor space limits.

The subject site was identified in the CSPS as being within proximity of a tower cluster and subsequently was also mapped in the most recent proposed LEP amendments as within a tower cluster (refer to **Figure 3**). The most recent Planning Proposal: Central Sydney 2020 prepared by Council to give effect to the CSPS establishes a new planning pathway for these 'tower cluster' areas where up to 50% additional floor space can be achieved on a site mapped within a tower cluster provided it meets certain site tests and design excellence criteria is satisfied. Where the site tests are met, it is possible to increase development capacity for employment floor space.

Although this Planning Proposal does not seek uplift through this new LEP pathway, it satisfies all of the site tests identified in the CSPS and accompanying Planning Proposal, which demonstrates it is suitable in supporting additional employment capacity above the existing controls. The Planning Proposal pathway is being pursued to provide certainty to the timely delivery of this project that will provide substantial economic stimulus through sustained job creation over the duration of the project.

Detailed investigations of the site have identified that as a result of its size and surrounding context, the site is capable of accommodating significant employment capacity in line with the CSPS over and above the additional 50% floor space achievable through the tower cluster pathway. The maximum amount of employment generating floor space achievable through the future LEP tower cluster pathway (18.75:1) is below an FSR which can be appropriately delivered on the site (as the testing by Architectus will demonstrate), hindering a prime site from being maximised for employment floor space which ultimately, begins to undermine the very intent of 'tower cluster' area concept of the CSPS (i.e. creating employment growth opportunities on unconstrained sites).





**Figure 3 – Tower cluster areas under the Central Sydney Planning Proposal (site circled in red)**

Source: Tower cluster area map, Planning Proposal – Central Sydney 2020 (City of Sydney, February 2020)

### 1.3 Consultation

This Planning Proposal has been the subject of extensive pre-lodgement consultation between Council, Charter Hall, Architectus and Ethos Urban between August 2019 and formal lodgement. The intent of the overall consultation has been to determine how to most effectively unlock the full employment generating potential of the site with an appropriate built form, while providing a strong public domain outcome and an appropriate environmental outcome.

A draft Planning Proposal was submitted to Council on 3 September 2020 for preliminary assessment. Following this, the project team worked closely with Council and the Design Advisory Panel (DAP) to seek endorsement to formally lodge the Planning Proposal. Specifically, this included:

- 14 October 2020 – Council Request for Information
- 11 February 2021 – DAP Meeting
- 2 March 2021 – Council Workshop
- 29 March 2021 – Council Workshop
- 20 May 2021 – DAP Meeting
- 21 June 2021 – Council Workshop

This feedback has been addressed in the design where possible and a full response has been provided at **Appendix K**. Each comment is further considered in more detail throughout this report.

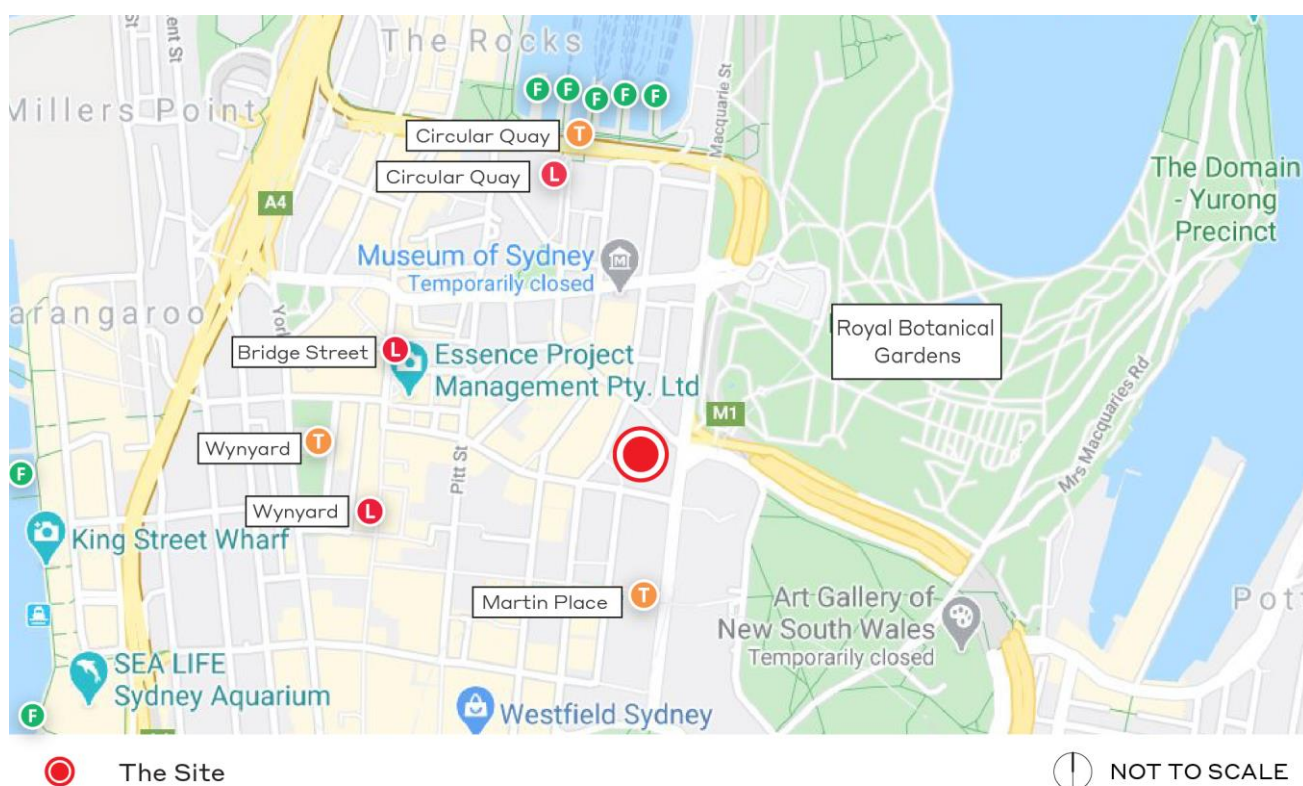
## 2.0 Site Context and Description

### 2.1 Context

The site is located in the City of Sydney Local Government Area (**LGA**) and is located in the north-east part of the Sydney Central Business District (**CBD**), and is bordered by Bent Street to the north, Hunter Street to the south, Chifley Square to the south west, and Phillip Street to the west and properties with a frontage to Macquarie Street to the east.

Circular Quay is located approximately 600m to the north. The CBD location of the site ensures it is in immediate proximity to public transport, and a diverse mix of business, retail, cultural and entertainment destinations. The site is located directly opposite the future northern entrance of the Martin Place Metro Station, which is due to open in 2024.

The context of the site is shown in **Figure 4**.



**Figure 4 – Site context**

Source: Google Maps

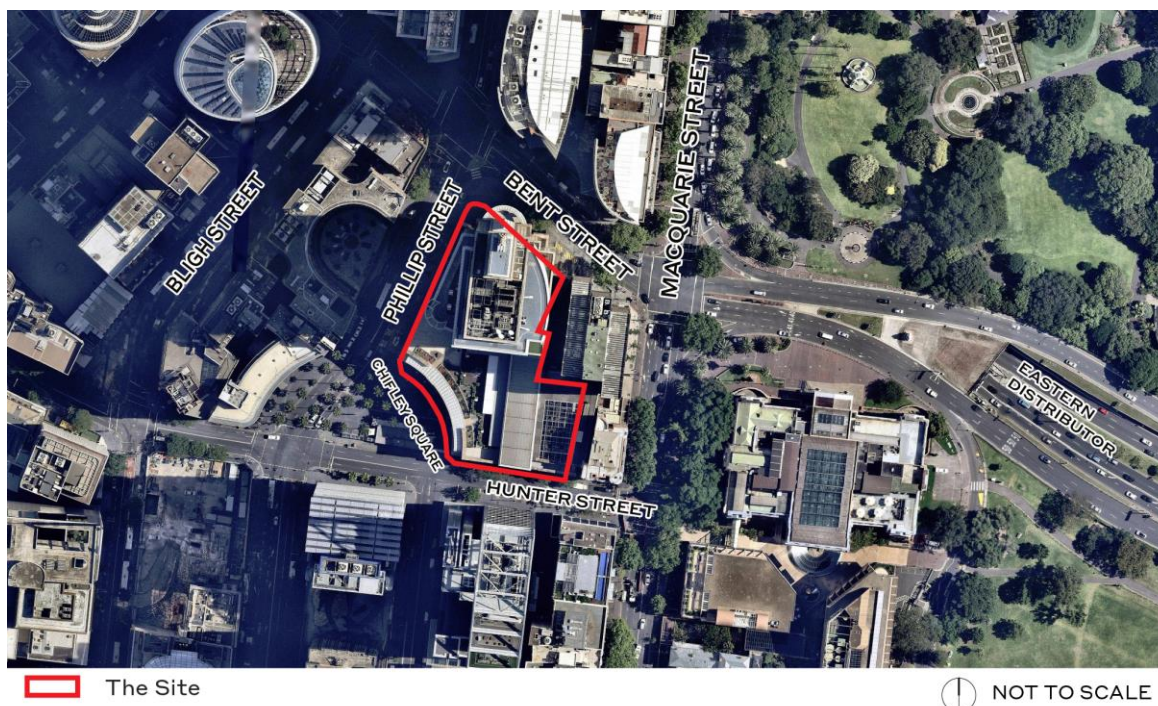
### 2.2 Site description

The site has a total area of 6,438m<sup>2</sup> and is irregular in shape. It has the following street frontages (approximately):

- 52m along Bent Street;
- 50m along Hunter Street;
- 43m along Chifley Square; and
- 79m along Phillip Street.

The site is legally described as Lot 10 DP 777545. A Survey Plan is provided in **Appendix B** and a site aerial is provided in **Figure 5**.





**Figure 5 – Site aerial**

Source: Nearmap

### 2.2.1 Description of existing development on the site

The site currently contains Chifley Tower, which was constructed in 1993. This existing building comprises a large three-storey commercial podium spanning across the entire lot, and a 44-storey commercial tower on the northern portion of the site. The existing building also contains four basement levels accommodating approximately 374 parking spaces and end of trip facilities. The tower forms an integral building within the Central Sydney CBD skyline as identified in **Figure 6** to **Figure 11**.



**Figure 6 – Phillip Street looking north**

Source: Ethos Urban



**Figure 7 – Hunter Street looking east**

Source: Ethos Urban





**Figure 8 – View of Chifley Tower from Chifley Square**

*Source: Ethos Urban*



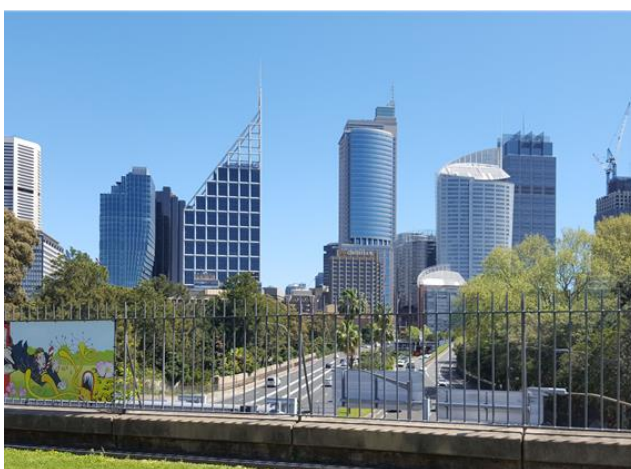
**Figure 9 – Chifley Podium fronting Hunter Street**

*Source: Ethos Urban*



**Figure 10 – Macquarie Street looking west**

*Source: Ethos Urban*

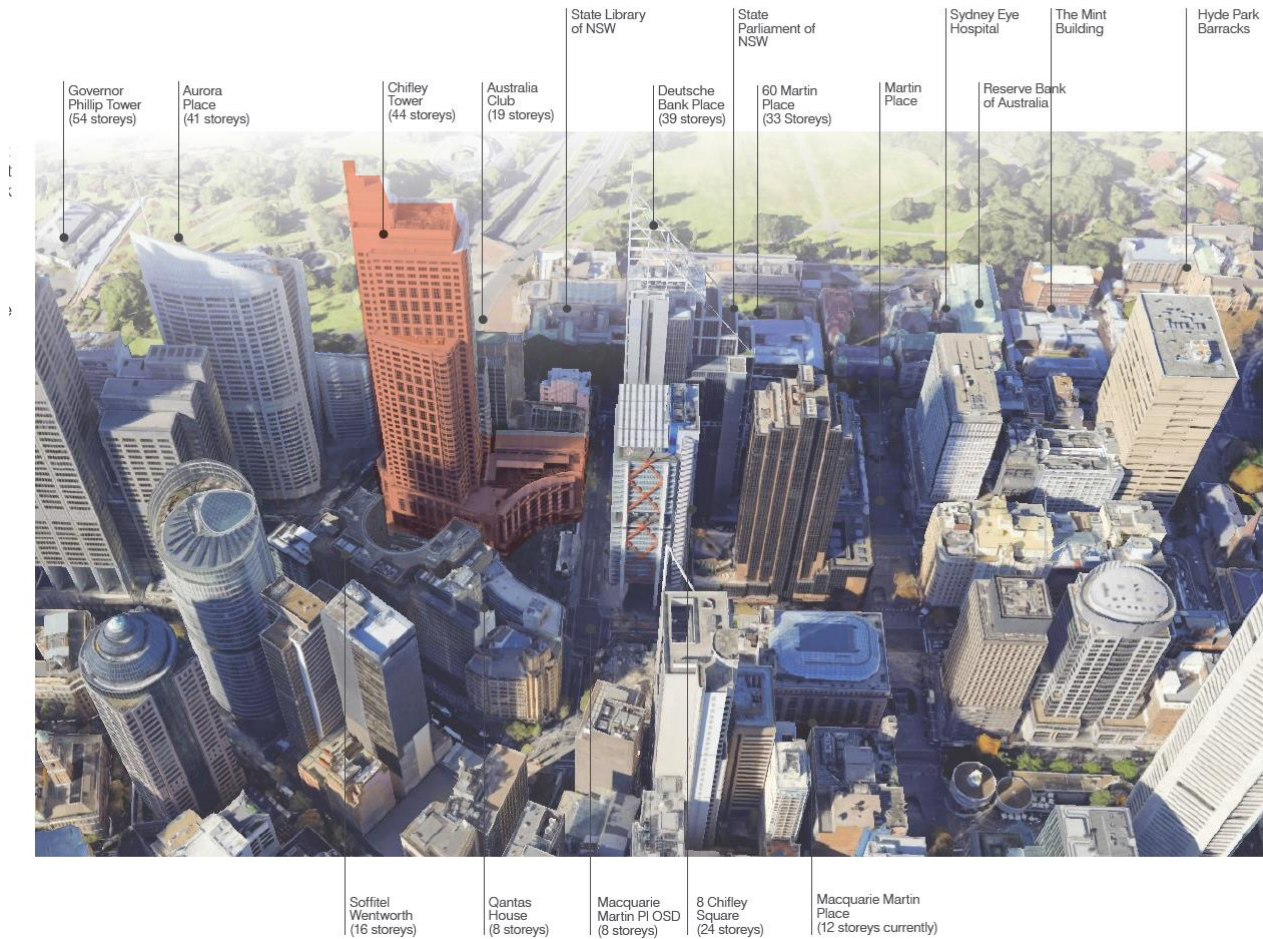


**Figure 11 – The Domain / Art Gallery Road looking west**

*Source: Ethos Urban*

### 2.3 Surrounding development

Broadly, development surrounding the site comprises a mix of commercial office and hotel uses, with ground floor retail (including restaurants and bars) in buildings of varying heights, styles and ages. Land surrounding the site is also subject to future development and urban renewal. The heights of buildings in this part of the City of Sydney immediately surrounding the site are characterised by predominantly high rise tower buildings as shown in **Figure 12**. As illustrated at **Figure 12**, the air space above the existing Chifley podium presents a ‘missing link’ in the eastern City skyline, characterised by architecturally distinct towers.



**Figure 12 – Surrounding development**

Source: Architectus



### 2.3.1 To the north

Opposite the site fronting Bent Street is an existing 41-storey commercial tower and an 18 storey residential tower supported by retail facilities around a Plaza and Phillip Lane known as 'Aurora Place' at 88 Phillip Street as seen in **Figure 13**. To the north-east of the site is a 62-storey commercial tower known as the 'Governor Phillip and Macquarie Tower' at 1 Farrer Place, as seen in **Figure 14**.



**Figure 13 – Aurora Place, Sydney**

Source: Ethos Urban



**Figure 14 – Governor Phillip and Macquarie Tower**

Source: Ethos Urban

### 2.3.2 To the east

Buildings directly adjoining the site to the east comprise of:

- The Commercial Chambers known as "Wyoming" at 175-181 Macquarie Street. This building is identified as a heritage item of local significance (no I1878) under the Sydney LEP (refer to **Figure 15**).
- A three-storey terrace house known as the 'Horbury House' at 171-173 Macquarie Street. This building is identified as a local significant heritage item (no I1877) under the Sydney LEP (refer to in **Figure 16** ).
- An 18 storey commercial-office building directly adjoins the site at 165-169 Macquarie Street (refer to **Figure 17**) known as the 'Australian Club'.

Across from Macquarie Street to the east is the NSW State Library and Royal Botanical Gardens. Refer to **Figure 18** and **Figure 19**.





**Figure 15 – Wyoming Council Chambers**

*Source: Ethos Urban*



**Figure 16 – Horbury House**

*Source: Ethos Urban*



**Figure 17 – 165-169 Macquarie Street (Australian Club)**

*Source: Ethos Urban*



**Figure 18 – NSW State Library**

*Source: Ethos Urban*





**Figure 19 – Royal Botanical Gardens**

Source: Ethos Urban

### 2.3.3 To the south

Directly south of the site is the Deutsche Bank Plaza at 126 Philip Street. It contains a 39-storey commercial building shown in **Figure 20**. 8 Chifley Square is also located to the south of the site which contains a 34-storey commercial tower with a 5-storey void that creates an urban plaza area at the ground floor with food and beverage tenancies, as shown in **Figure 21**.

Chifley Square directly adjoins the site at the south western corner. Chifley Square is identified as a locally significant heritage item (I1708) under the Sydney LEP.

Further south west of the site is the future northern entry to the Martin Place Metro Station which will be accessible from Hunter Street between Castlereagh and Elizabeth Street. A Stage 2 Significant Development Application (SSD 18\_9270) has recently been approved for a new commercial tower above the northern entrance as seen in **Figure 22**.



**Figure 20 – Deutsche Bank Plaza**

Source: Ethos Urban



**Figure 21 – 8 Chifley Square**

Source: Ethos Urban



**Figure 22 – Martin Place Metro Station North Site**

Source: JPW

#### **2.3.4 To the west**

Buildings to the west of the site, across Phillip Street comprise a mix of heritage significant and contemporary buildings, including;

- An 8-storey commercial-office building (Qantas House) is located at 68-96 Hunter Street. The building is identified as a State significant heritage item (no. 01512) under the New South Wales State Heritage Register (refer to **Figure 23**).
- An 11-storey commercial-office building (City Mutual Life Assurance Building) at 60-66 Hunter Street. The building is identified as a State significant heritage item (no. 00585) under the New South Wales State Heritage Register (refer **Figure 24**).
- A 16-storey building (Sofitel Sydney Hotel) at 61-101 Phillip Street. The building is identified as a heritage item of local significance (no. I1674) under the Sydney LEP (refer to **Figure 25**).
- Approximately 150m from the site is Richardson Johnson Square, located within the Chifley Square / Richard Johnson Square Special Character Area (refer to **Figure 26**).



A recent Planning Proposal for a new mixed office/hotel tower at 4-6 Bligh Street, with an FSR of 22:1 and a maximum height of 206m was gazetted. It is considered to be the first 'super tower' enabled by the Central Sydney Planning Strategy's vision for the Sydney CBD.



**Figure 23 – Qantas House**

Source: Ethos Urban



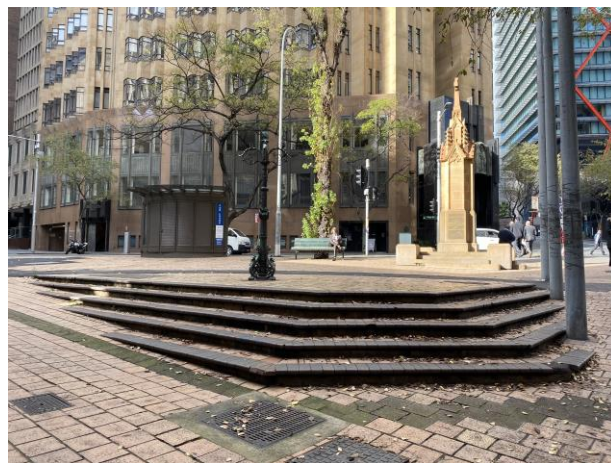
**Figure 24 – City Mutual Assurance Building**

Source: Ethos Urban



**Figure 25 – Sofitel Sydney Hotel**

Source: Ethos Urban



**Figure 26 – Richardson Johnson Square**

Source: Ethos Urban



## 3.0 Current key planning controls

### 3.1 Sydney Local Environmental Plan 2012 (Sydney LEP)

The Sydney LEP 2012 is the principal environmental planning instrument applying to the site.

#### 3.1.1 Zoning

The site is zoned B8 Metropolitan Centre. Development for the purpose of commercial premises is permissible with development consent.

#### 3.1.2 Height of Buildings

The site is nominated as 'Area 3' on the Height of Buildings Map (refer to **Figure 27**). No maximum height is shown for land in Area 3, with the maximum height for buildings on this land determined by the sun access planes that are taken to extend over the land by Clause 6.17. The maximum height for the site is determined by the Domain Sun Access Plane, which is set out in Clause 6.17 of the Sydney LEP 2012.



**Figure 27 – Height of Buildings map, Sydney LEP 2012 (site in black outline)**

Source: Height of Buildings Map - Sheet HOB\_014, SLEP 202

#### 3.1.3 Floor Space Ratio (FSR)

The site has a base FSR of 8:1. Under Clause 6.4, the site is also eligible for additional accommodation floor space FSR, including:

- Bonus 6:1 for hotel or motel accommodation, community facilities or centre-based childcare facilities; or
- Bonus 4.5:1 for office, retail or business premises, residential accommodation or serviced apartments.

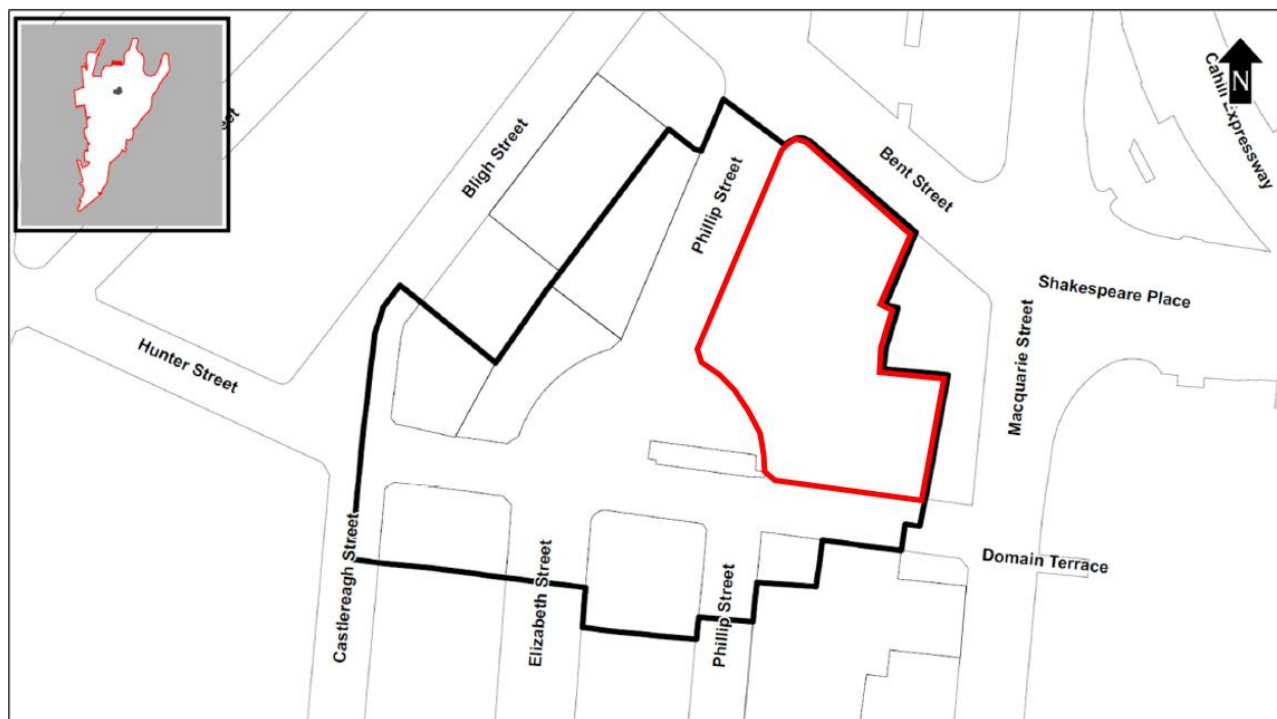
In addition to this, under the existing controls, development is eligible for up to 10% additional height or floor space if a competitive design process is undertaken and design excellence is demonstrated. Furthermore, pursuant to a redevelopment scenario, the site is also subject to other types of additional floor space clauses under Part 6 of the Sydney LEP 2012, including Car Park Reduction Floor Space (Clause 6.5) and End of Journey Floor Space (Clause 6.6).

## 3.2 Sydney Development Control Plan 2012 (Sydney DCP)

The Sydney DCP builds upon and provides more detailed provisions than the Sydney LEP. Relevant considerations are identified below.

### 3.2.1 Special Character Area

The site in its entirety is located within the Chifley Square / Richard Johnson Square Special Character Area (SCA) (refer to **Figure 28**). This SCA has a specific character statement and set of supporting principles which proposals are to consider. Each is provided under separate heading below.



**Figure 28 – Chifley Square/Richard Johnson Square Special Character Area (subject site in red outline)**

Source: Section 2.1.12, Sydney DCP 2012

#### Character statement

*The original concept of the semi-circular form was first proposed by John Sulman in 1908. The same concept resurfaced in 1937 and was proposed by City Engineer Garnsey, as a means of relieving traffic congestion at the junction of Hunter and Elizabeth Streets. The scheme was implemented in 1947.*

*The completion of Qantas House, with a curved form, in 1957 made a major contribution to the creation of Chifley Square. The place was officially named “Chifley Square” in 1961 in honour of the late Hon J.B. Chifley, former Prime Minister of Australia, and a year later Elizabeth Street was extended creating a public square with a traffic island in the middle.*

*The final semi-circular form of the Square was formed with the completion of Chifley Tower in 1993 to the east of the Square, which completed the curved form of Qantas House to the west. The building was designed by an international designer and follows the picturesque romantic skyscraper style of the early 20th century American office towers. The detailed elements of the building, whether at the street or upper levels exhibit a rather lofty and imposing presence, expressing the corporate nature of the building, which is entirely appropriate by virtue of its location in the financial core of the city. Further public domain works were implemented in 1996-1997 to reclaim the Square, improve its quality and create a sophisticated public plaza.*

*The area is characterised by large-scale high rise tower buildings interspersed with lower scale development. Despite the fact that the majority of the towers at the edges of the Square are seen as individual elements within the cityscape, they follow the street alignment at lower levels, with a curved alignment to the north creating a distinct sense of enclosure for the Square. The curved form of the Square and the recent Aurora Place to the east, visible within this setting, create a unique urban landscape within Central Sydney and provide a visual relief and break in the intensely built up area of the financial centre.*

## Principles

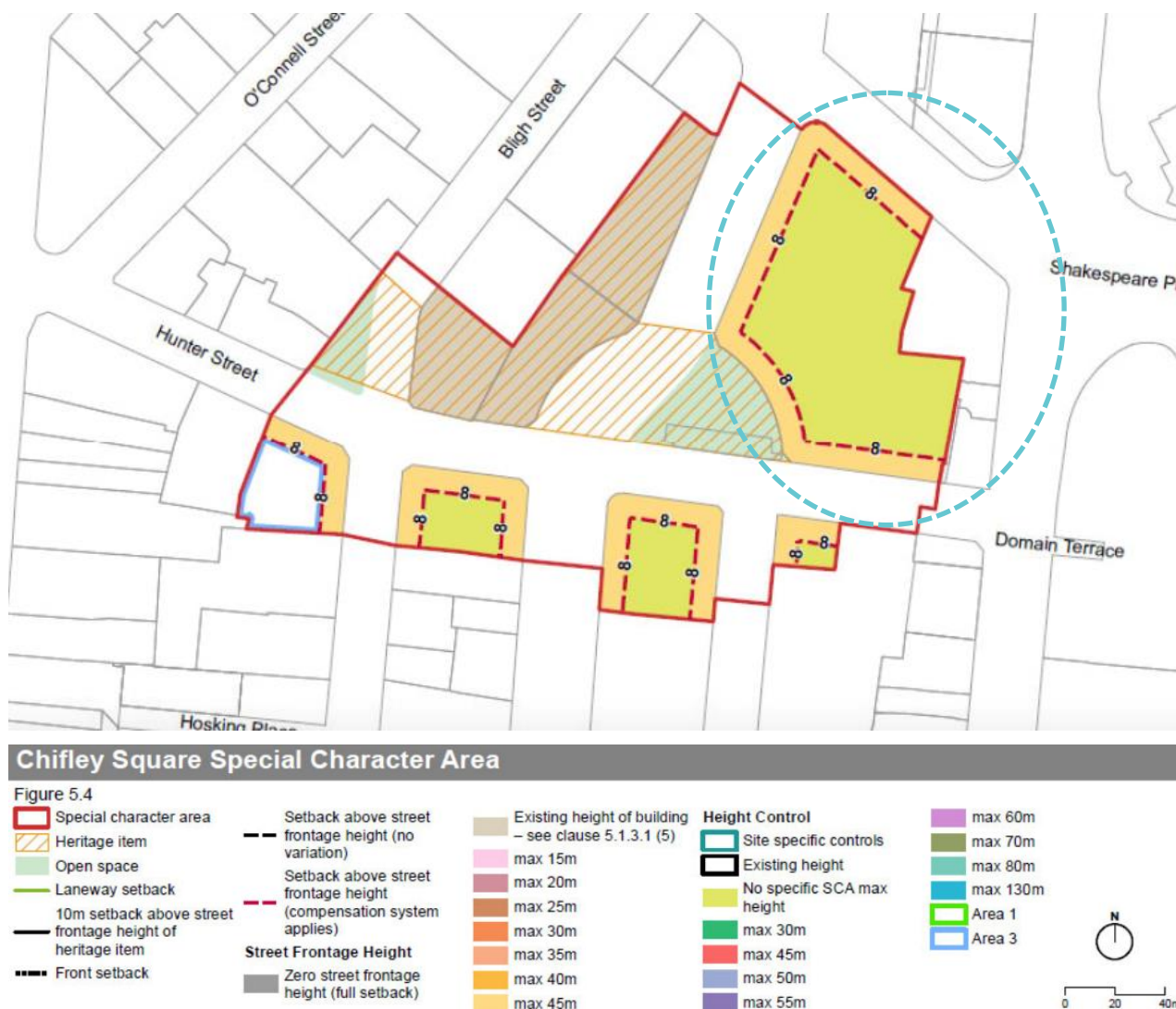
- a) *Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.*
- b) *Recognise and enhance Chifley Square as one of the important public open spaces in the heart of the financial centre of the city,*
- c) *Promote and encourage the use of the space as a destination and meeting place for people.*
- d) *Interpret the history of the place and its evolution in the design of both public and private domain and create a distinct sense of place inherent in the character of Chifley Square.*
- e) *Reinforce the urban character and distinct sense of enclosure of Chifley Square by:*
  - i. *emphasising and reinforcing the semi-circular geometry of the space;*
  - ii. *requiring new buildings to be integrated with the form of existing buildings; and*
  - iii. *limiting the height of new buildings.*
- f) *Protect and extend sun access to Chifley Square during lunchtime hours from mid-April to the end of August.*

## 3.3 DCP Amendment – CSPS

To give effect to the CSPS, a number of amendments are proposed to the Sydney DCP in relation to locality statements, building street frontage heights, street setbacks, building separation and amenity/outlook, tapering and wind. The DCP amendment establishes the following controls for the site and the SCA (refer to **Figure 29**):

- Zero podium setbacks to Bent, Phillip and Hunter Streets, and to Chifley Square;
- Minimum 8m tower setbacks from Bent Street, Hunter Street, Chifley Square and Phillip Street;
- Minimum 35m and maximum 45m street frontage height;
- 3.33% of the proposed total height of building (for buildings up to 240m) for rear and side setbacks to boundaries above the street frontage height (6.66% of the proposal total height of building for towers on the same site); and
- 100m maximum horizontal dimension of building above street frontage.

The DCP associated with the CSPS was adopted in December 2020, but will not commence until the accompanying Central Sydney Planning Proposal is made.



**Figure 29 – Chifley Square Special Character Area (with the site circled in blue dash)**

Source: Draft Development Control Plan, City of Sydney Council

Furthermore, the amendments include changes to the locality statement and principles for the Chifley Square / Richard Johnson Square SCA, as follows:

### Locality statement

*The area is characterised by town squares, fine commercial architecture with a strong civic presence, and integrated public art, concentrated around irregular intersections of Hunter Street within Sydney's financial district. The precinct of buildings, artwork and squares predominantly date from the post-war period of the 1940s to 1960s, interspersed with some earlier and more contemporary buildings. The two town squares of Chifley Square and Richard Johnson Square demonstrate significant stages in the twentieth-century planning of Sydney city.*

*The non-grid street pattern in this area survives from Sydney's early town plan when the streets reflected the original shoreline, north of Macquarie Place, before it was extended to form Circular Quay. Today's post-war buildings and squares in this location creatively respond to the irregular street junctions through curved and other distinctive building forms, integrated into the public domain.*

*The semi-circular form of Chifley Square was originally proposed in 1908 by John Sulman in response to the Royal Commission into the Improvement of Sydney. The concept resurfaced again in 1937 when proposed by City Engineer Garnsey to relieve traffic congestion, and was finally realised in 1947. The place was officially named Chifley Square in 1961 in honour of the late Hon J.B. Chifley, former Prime Minister of Australia. The following year, Elizabeth Street was extended to create a public square with a traffic island at its centre.*

*The curved form of buildings constructed to the new street alignments for Chifley Square, including Qantas House in 1957, Wentworth Hotel in 1966, then Chifley Tower in 1993, reinforce the amphitheatre effect of the space. Further works to the public domain were constructed in the 1990s to reclaim and improve the public plaza.*

*Richard Johnson Square at the intersection of Castlereagh, Bligh and Hunter Streets was named after Sydney's first appointed 'Chaplain to the Settlement' who arrived in the colony in 1788 on the First Fleet. Richard Johnson is believed to have held the first Christian service in the settlement. A 1925 sandstone monument at the centre of the square commemorates Australia's first church erected in this location in 1793. The plaza at Richard Johnson Square demonstrates Council's public works to reshape Sydney as a result of its first strategic plan of 1971. It was designed by architects, Clarke Gazzard.*

*The buildings within this area form a cohesive avenue down Hunter Street, viewed from the high point of Macquarie Street. They enhance the public domain of the streets by both enclosing the distinctive public spaces within the area, and allowing views through to the squares. The buildings connect to the street level through stairs, open loggias and public art, most notably the 1963 Tom Bass sculpture along the podium of the former P&O building. The two squares and surrounding buildings provide visual relief and a break in the intensely built up area of the financial centre.*

## Principles

- a) *Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.*
- b) *Recognise and enhance Chifley Square and Richard Johnson Squares as two important public open spaces in the heart of the financial centre of the city.*
- c) *Promote and encourage the use of the spaces as a destination and meeting place for people.*
- d) *Interpret the history of the place and in the design of both the public and private domain.*
- e) *Reinforce the urban character and distinct sense of place of Chifley and Richard Johnson Squares by:*
  - (i) *emphasising the semi-circular geometry of Chifley Square;*
  - (ii) *retaining views from public spaces through to Chifley Square and Richard Johnson Square;*
  - (iii) *maintaining and enhancing the quality of the street edge formed by buildings and their loggias, such as with public art;*
  - (iv) *requiring new buildings to be integrated with the form of existing buildings; and limiting the height of new buildings.*

The main difference between the previous and this DCP locality statements and principles is the focus of the new DCP being broader, placing greater emphasis on the areas of the SCA outside of Chifley Square (including Richard Johnson Square) and setting out the contribution these other factors make to the SCA.



## 4.0 Options analysis

### 4.1 Alternate schemes explored

Architectus was engaged by Charter Hall to review the development potential of the site and investigate options to redevelop the site in line with Council's policy intent under the CSPA. As discussed at **Section 1.3** this Planning Proposal has been the subject of extensive consultation between Council, Charter Hall, Architectus and Ethos Urban since August 2019.

Furthermore, following lodgement of the draft Planning Proposal, the project team worked closely with Council and the Design Advisory Panel (**DAP**) to develop a planning envelope that would accompany the formal lodgement of this Planning Proposal. Specifically, this included two DAP meetings and three separate workshops with Council staff, including Council's Director of City Planning, Development and Transport.

Through this consultation, Charter Hall submitted three building envelope options as well as articulated buildings within each envelope for Council and the DAP's consideration. The three options were tested against the DCP compliant envelope. Each of the alternate envelope options are elaborated on below and in the Urban Design Report prepared by Architectus in **Appendix A**.

### 4.2 Site constraints / criteria

In undertaking a review of the site's development potential, the following site constraints, planning controls and policy guidance have been identified and have informed the exploration of design options:

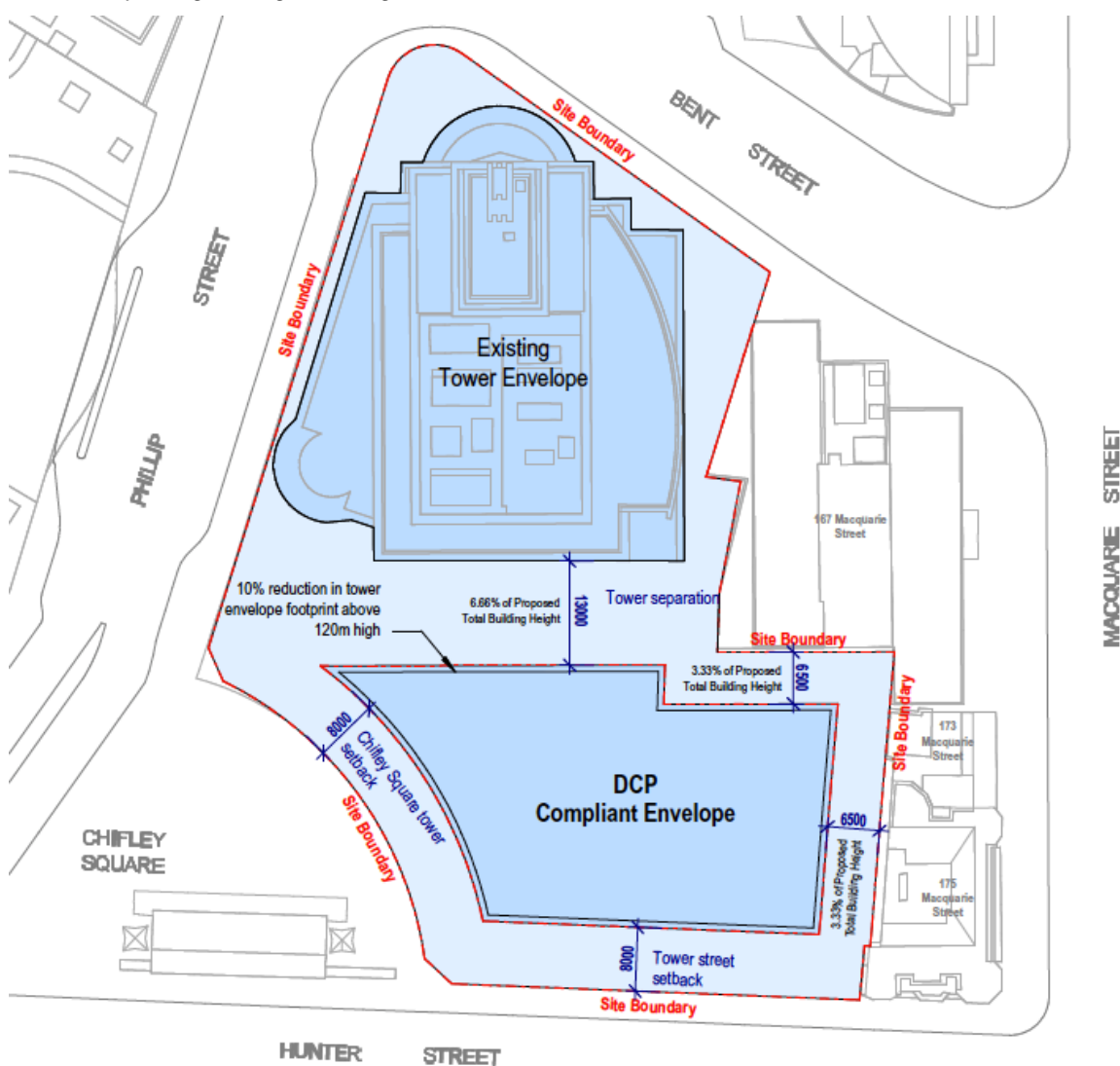
- Contextual relationship of the proposed tower envelope with the existing Chifley tower and other surrounding towers.
- Building separation to the existing Chifley tower to ensure view loss and daylight amenity is minimised to the southern façade of the existing tower.
- Maximum height determined by the Sun Access Plane for the Domain under the Sydney LEP (and CSPA).
- Sky view factor and wind thresholds as set out in Schedule 11 of the CSPA.
- Setback controls as contained within the DCP (CSPA).
- Achievement of a global office tower and aspiration to achieve PCA Premium Grade floor plate (i.e. up to 1,614m<sup>2</sup> GFA).
- Interconnectivity and relationship of proposal to existing Chifley podium and tower on northern portion of the site.
- Enabling adequate development potential of the neighbouring site at 169 Macquarie Street.
- Interface of proposal with heritage items to the east, and Chifley Square to the west and the Chifley Square/Richard Johnson Square SCA.
- Heritage interfaces: Additions relating to the podium interfaces are to be complementary to the overall scale of the streetscape and retain the distinct consistent edge to Phillip and Hunter Street.

### 4.3 DCP compliant envelope

Consistent with the CSPS, the site is located within a designated tower cluster area and meets the minimum site requirements for tower cluster development. A scheme is therefore potentially achievable up to the relevant Sun Access Plane (in this case, the Domain Sun Access Plane). Setbacks and tapering are adopted to comply with minimum requirements as set out above. These base controls allow an extended podium built to the site boundary and an additional tower form that is appropriate to the shape of the site.

The 'DCP compliant envelope case' is not considered viable or appropriate for the following reasons:

- The geometry of the setback above Chifley Square limits 'breathing room' and overpowers the Square, as the envelope creates an enclosure around the full extent of the Square. There is a missed opportunity to design a tower with a more welcoming and nuanced relationship to the Square.
- The resulting floor plate is not well resolved and does not enable contiguous plates that are suited to desired tenants in this location, being the financial heart of the Sydney CBD.
- The resultant form is of an irregular geometry, with restricted and less efficient floor plates, particularly at the north-western corner of the tower where the western elevation of the tower meets the northern elevation at a distinct sharp corner.
- The envelope results in an empty void space between the eastern edge of the envelope and the Horbury House and Wyoming heritage buildings to the east.



**Figure 30 – DCP compliant envelope**

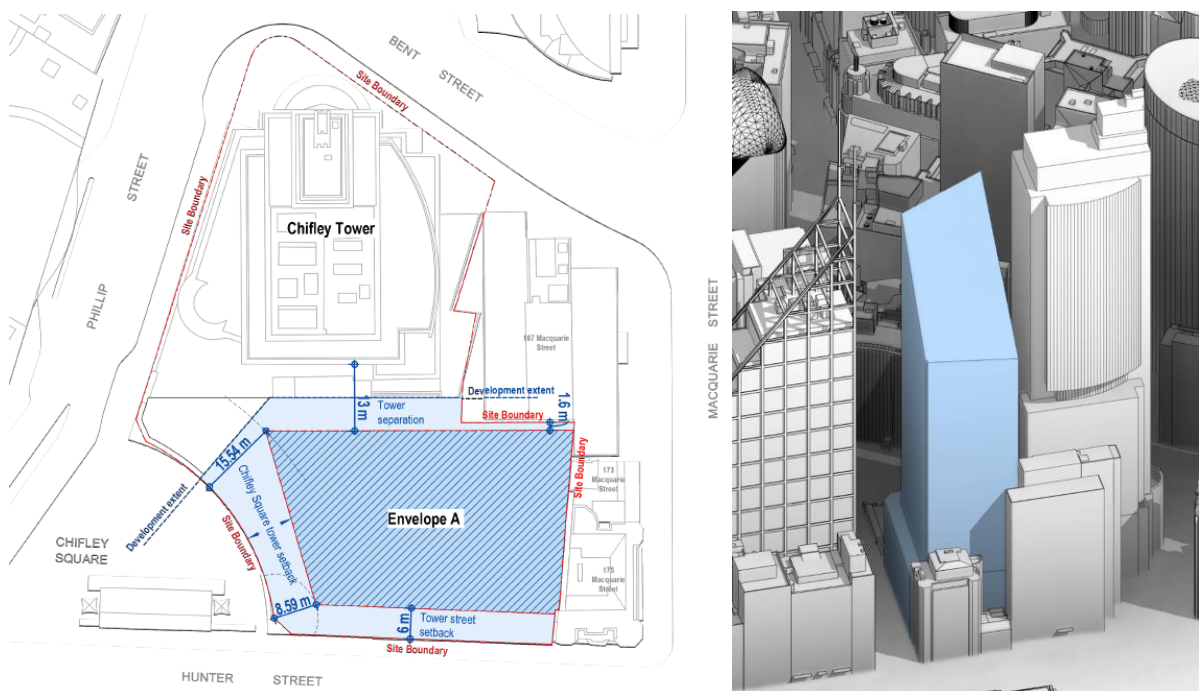
Source: Architectus

#### 4.4 Envelope A (Draft Planning Proposal Envelope)

Envelope A was developed in consultation with Council from the inception of the project in August 2019 to lodgement of the draft Planning Proposal in September 2020. This envelope was rigorously tested against the DCP Schedule 11 procedures and would enable a global office tower up to a height of approximately 185m (RL 211.2). As illustrated in **Figure 31**, Envelope A departed from a DCP compliant envelope through six key moves, including:

- reduction from the maximum available podium height of 45m for the Chifley SCA to 35m, matching the existing podium height across the whole site (including the existing northern podium);
- a straightening of the tower form at the western edge to Chifley Square, resulting in the removal of the north-western apex of the complying envelope and the creation of a generous tower setback from Chifley Square, ranging from 8m to 15.5m (maximum);
- provision of a 1.6m tower setback to the northern boundary of 165-169 Macquarie Street, where the rear blank wall of the existing building provides an opportunity for a reduced setback at this location (and where future redevelopment of that site would continue to locate its core to the south-west, without views);
- provision of a minor reduction from an 8m complying tower setback along Hunter Street to 6m, to allow for a more rationalised commercial floor plate whilst still providing a contextually responsive setback;
- provision of a zero tower setback to the eastern boundary, balancing the floor plate and responding to the site's position adjacent to air space to the east adjacent to the heritage sites, which will not be the subject of significant redevelopment, whilst also ensuring tower development in this location is provided a greater distance than the required 10m DCP tower setback from Macquarie Street; and
- not strictly tapering as per the draft controls, noting that the objective of the tapering control is achieved given the angled roof created by adherence to the SAP for The Domain, and the significant front setback to Chifley Square and from Macquarie Street.

As outlined in **Appendix L** Envelope A was presented to the DAP on 11 February 2021. In summary, the DAP's requested further refinement of the planning envelope, with further consideration to be given to the relationship of the envelope in particular to the existing Chifley tower and to the existing building at 167 Macquarie Street. Accordingly, further urban design testing was conducted to support alternate envelopes, as set out below.



**Figure 31 – Envelope A (Draft Planning Proposal Envelope)**

Source: Architectus

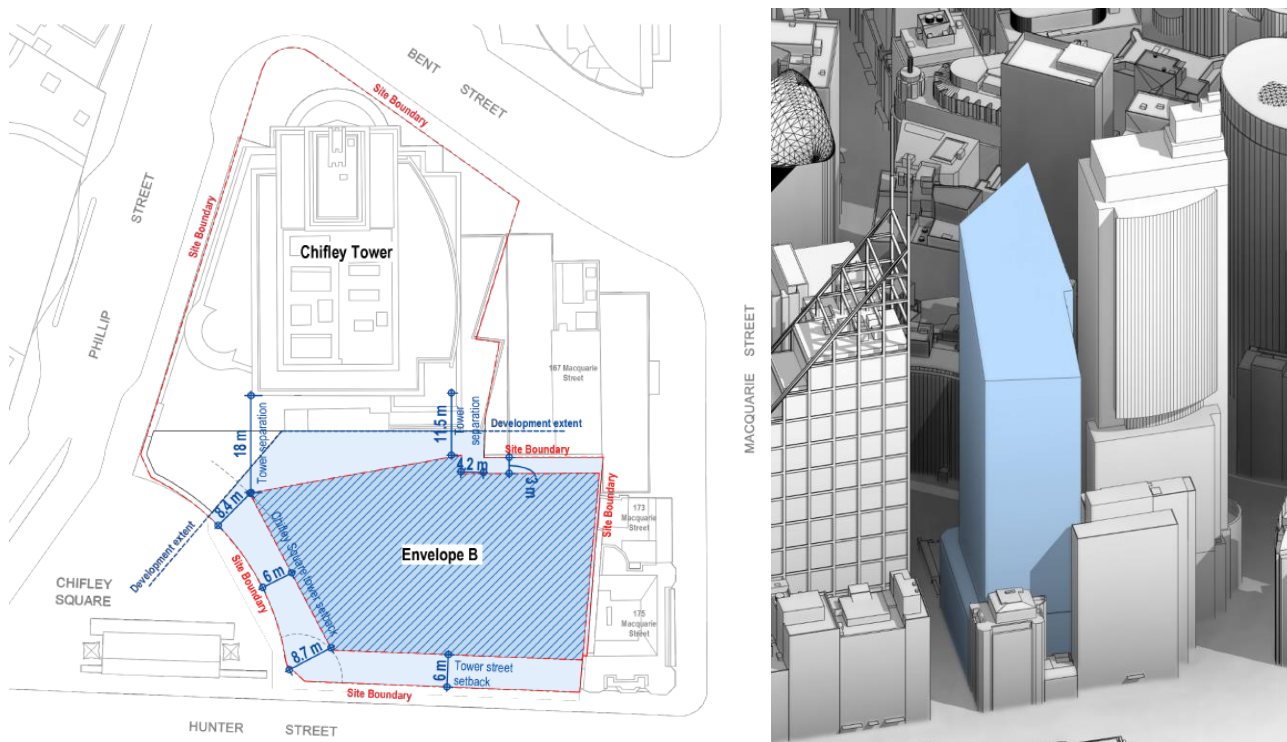


#### 4.5 Envelope B (Charter Hall preferred Planning Envelope)

Envelope B was developed following consultation with the DAP in February 2021, in preparation for a second DAP meeting on 20 May 2021. As illustrated in **Figure 32**, Envelope B (the Charter Hall preferred envelope):

- Includes an increased side tower setback to the southern boundary of 167 Macquarie Street compared to Envelope A (increasing the setback from 1.6m to 3m).
- Introduces a 4.2m tower side setback to the western boundary of 167 Macquarie Street to align with the lower portion of the existing Chifley tower.
- Includes an angled northern tower face, generally increasing the separation between the new tower and the existing tower with a separation distance ranging from between 11.5m and 18m.
- Reduces the tower setback to Chifley Square from a maximum of 15.4m to a maximum of 8.7m.

Alternate Envelope B is preferred by Charter Hall and is considered to address the DAP's comment that the relationship between the two tower forms should be re-considered to ensure a harmonious urban built form. Specifically, the western tower setback has been extended to better align with the western elevation of the existing Chifley tower, noting that full alignment cannot be achieved due to the curvature of the podium form in relation to Chifley Square. Furthermore, the northern edge of Envelope B angles back towards Chifley Square to respond to the non-orthogonal alignment of Phillip Street and the western façade of the existing Chifley Tower. This also presented the opportunity to increase the setback to the 167 Macquarie Street boundary, as recommended by the DAP.



**Figure 32 – Envelope B (Charter Hall preferred Planning Envelope)**

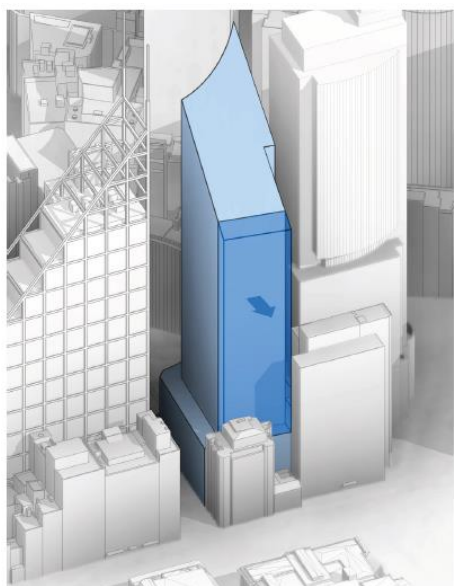
Source: Architectus

## 4.6 Envelope C (Proposed Planning Envelope)

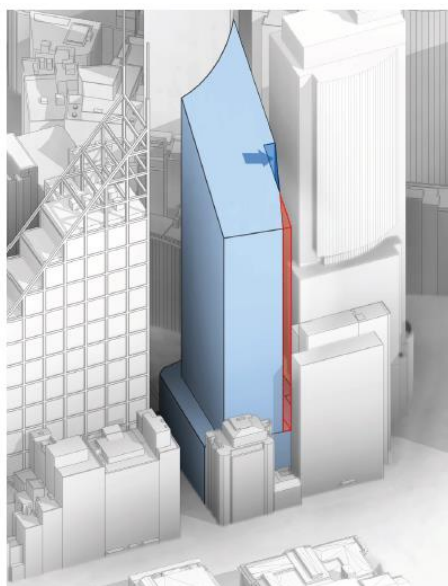
Envelope C was also developed following consultation with the DAP in February 2021, in preparation for a second DAP meeting on 20 May 2021. As outlined in Council's correspondence dated 20 June 2021, the DAP identified Envelope C as the preferred planning envelope. Envelope C enables a contextually sensitive built form drawing on the curvilinear cues of the existing Chifley tower and other prominent buildings in the vicinity of the site. Envelope C successfully enables strategic generating floor space within a form that accommodates appropriate floor plates for premium global tenants.

The proposed envelope departs from a DCP compliant envelope through six key moves listed below with select moves illustrated in **Figure 33**:

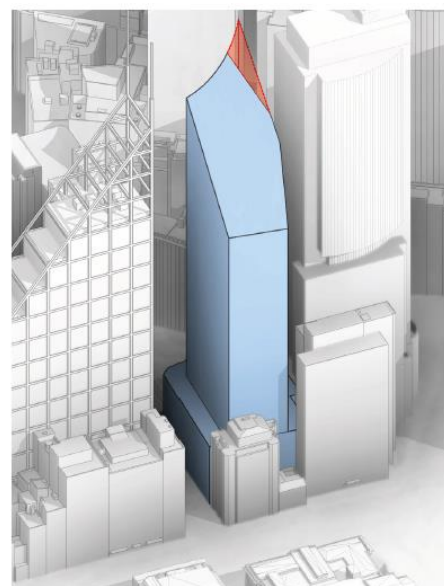
- **Key Move 1** – provision of a zero tower setback to the east boundary, balancing the floor plate and responding to the site's position adjacent to air space to the east adjacent to the heritage sites, which will not be the subject of significant redevelopment, whilst also ensuring tower development in this location is provided a greater distance than the required 10m DCP tower setback from Macquarie Street.
- **Key Move 2** – provision of a 3m setback to the northern boundary of 167 Macquarie Street to allow sufficient separation with any potential future redevelopment of 167 Macquarie Street whilst maintaining suitable separation to the existing building.
- **Key Move 3** – increasing the northern setback, including the removal of the north-western apex of the DCP envelope and the creation of a generous tower setback ranging from 4.2m to 6m. This approach also significantly reduces the overall tower frontage to Chifley Square.
- **Key Move 4** – provision of a curved northern façade as a contextual built form gesture to the curved eastern facade of the existing Chifley Tower. As noted in Key Move 3, this also increases the separation to the existing tower, improving the built form relationship.
- **Key Move 5** – provision of a curved southern façade, which will strengthen the references to the existing tower, and other prominent towers in the northern precinct of Central Sydney.
- **Key Move 6** – reducing the western elevation that presents to Chifley Square to a maximum of 22m.



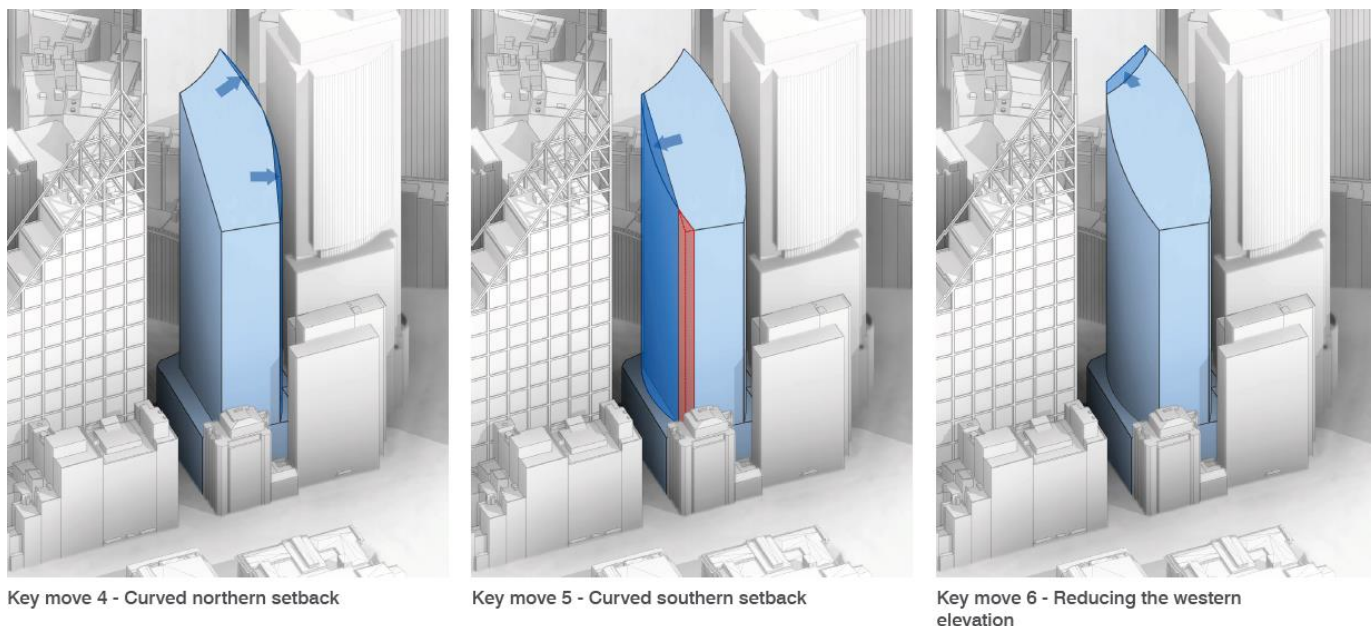
Key move 1 - Zero setback to the east



Key move 2 - Increase setback to 167 Macquarie Street.



Key move 3 - Increased setback to the existing Chifley Tower



**Figure 33 – Proposed Envelope C key moves**

Source: Architectus

By incorporating the amendments outlined above, the proposed envelope enables the following advantages to be realised for the Site and Sydney CBD:

- a new global office tower for Sydney capable of achieving the highest standard of design, which is contextually responsive to its surroundings and its prominent position in the Sydney CBD skyline.
- a more refined and seamless tower element than what could be achieved under the existing controls or base DCP / CSPS controls, that harmoniously co-exists with the existing Chifley Tower and the other prominent towers in Central Sydney.
- facilitate the provision of premium-grade floor plates of an attractive scale (up to 1,614m<sup>2</sup> GFA) to premium global and national tenants, and provide for the more flexible needs of business and future workspaces seeking to locate in this prominent CBD location.
- a significant increase in employment numbers on the Site, which may not be achieved if the amendments as proposed were not adopted.
- adequate separation between towers (on the same site and on neighbouring sites) and adequate separation and breathing space for adjoining heritage items.
- the opportunity to re-imagine Chifley Square through improvements to the public domain and the creation of genuine activation through the Square, subject to further Council consultation.

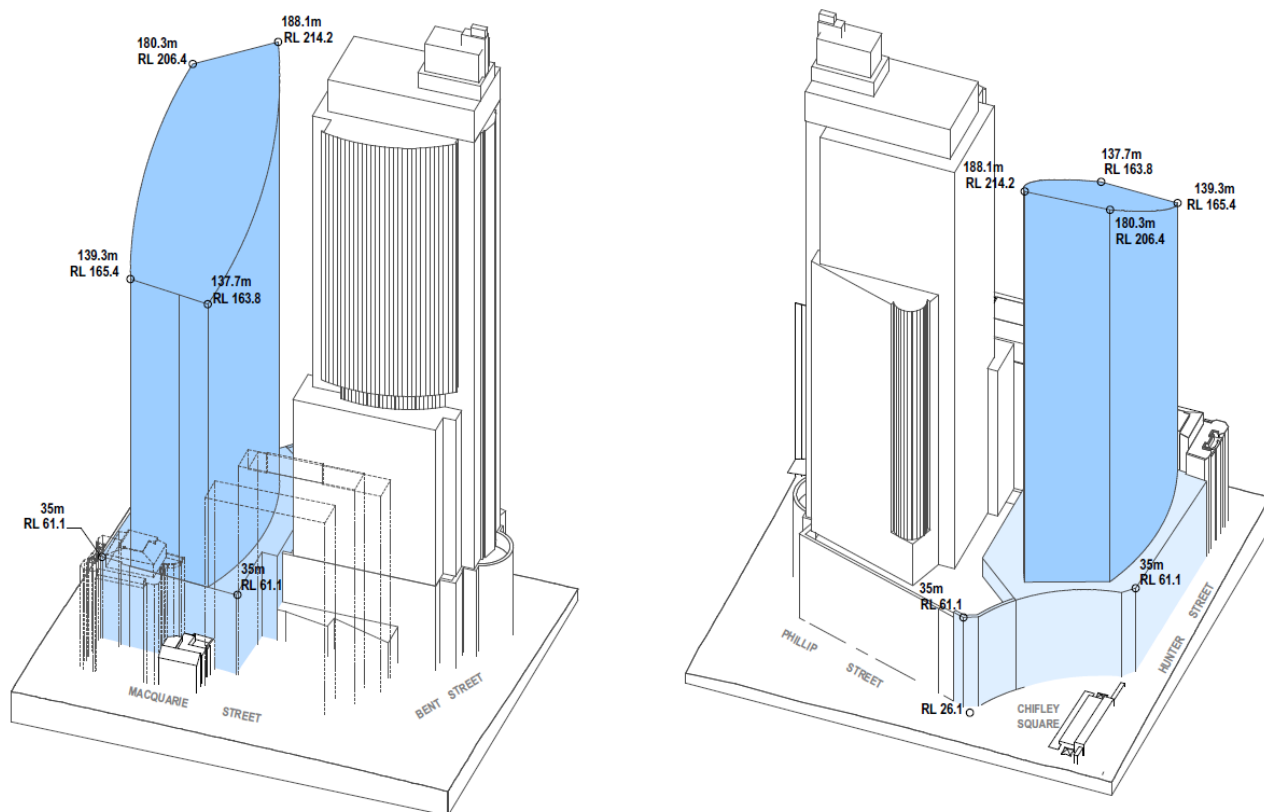
The built form metrics of the proposed building envelope are defined in **Figure 34** and **Figure 35** as discussed further below.

## Podium

The proposed southern podium will be built to its eastern, southern and western boundary (to Chifley Square), at a height of 35m (RL 61.1). These parameters generally match the existing podium form on the southern portion of the site, which is generally consistent with the height of the existing northern podium and comply with the minimum street frontage height for the Chifley Square SCA. The construction of the new tower will require the demolition of the existing southern podium, however its redevelopment will integrate with the existing northern podium and tower.

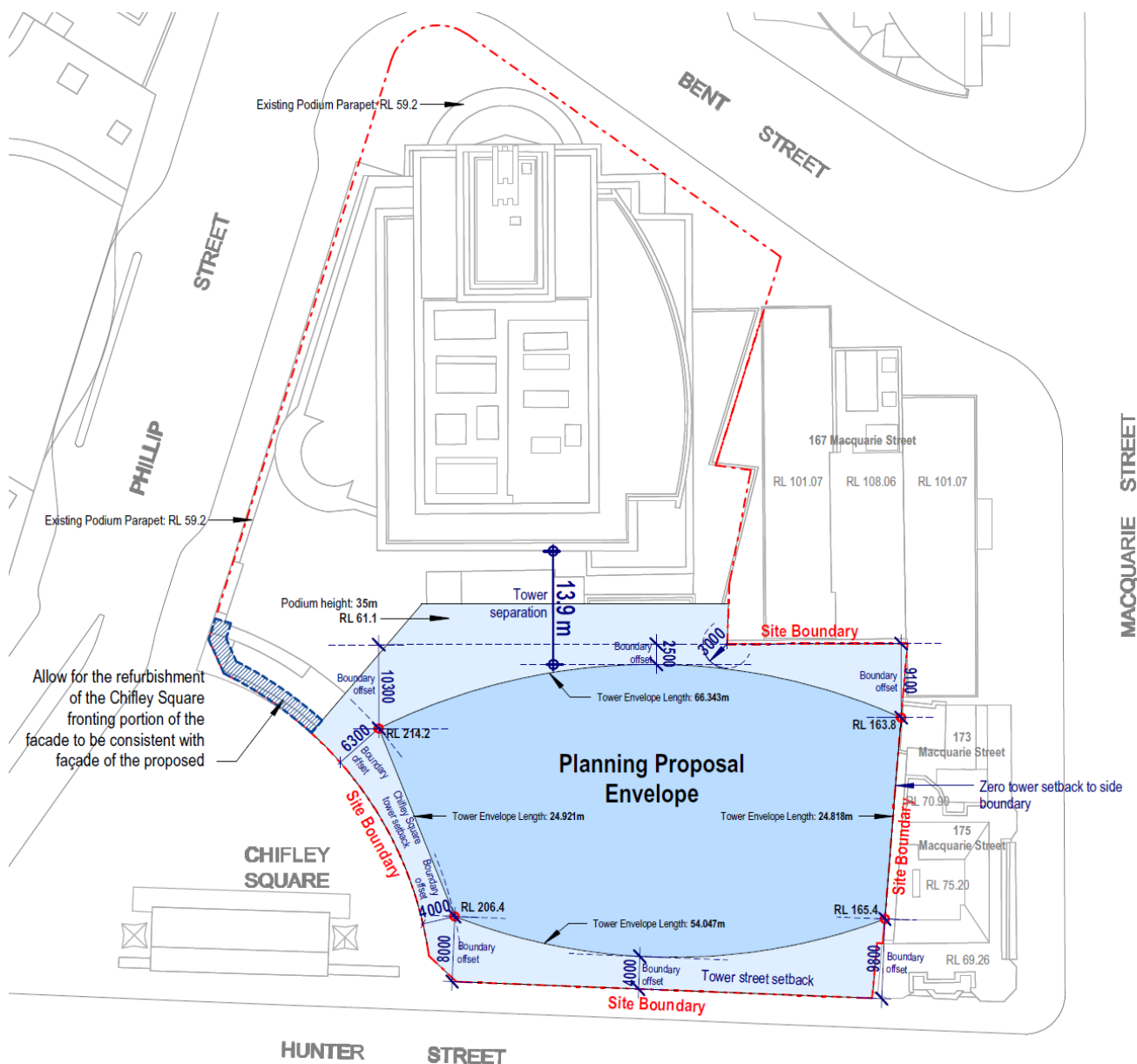
## Tower setbacks

- 13.9m separation to the existing Chifley tower
- 0m setback to the eastern boundary
- 3m setback to northern or 167 Macquarie Street boundary
- 4m setback to the southern or Hunter Street boundary
- 4m – 6.3m setback to the western or Chifley Square boundary



**Figure 34 – Proposed planning envelope**

Source: Architectus



**Figure 35 – Proposed planning envelope**

Source: Architectus

### Indicative concept / reference design

In order to demonstrate that the proposed building envelope can deliver a feasible commercial office tower which fits into its context and achieves appropriate activation and integration with the city streets and public places at the ground plane, Architectus has developed a reference design within the proposed building envelope (refer to **Appendix A**). Further details regarding the development outcome supported through the proposed amendments are provided within **Appendix A**, including the reference design itself, and associated area schedule.

The amendments to planning controls proposed in this Planning Proposal and site specific DCP will support the redevelopment of the existing southern podium, and the construction of a new 37 storey tower in the order of 64,654m<sup>2</sup> GFA. Combined with the existing northern tower, the entire site once redeveloped will provide up to approximately 131,391m<sup>2</sup> of commercial GFA. It should be noted that the reference design is indicative only and has been prepared to demonstrate that the proposed building envelope can deliver a viable scheme which complies with the proposed amended planning controls and delivers a design of the highest quality which makes a positive contribution to the CBD and integrates with the existing Chifley Tower. In undertaking the competitive design process and the subsequent detailed design of the building, changes to the reference design will inevitably be required.





**Figure 36 – Reference Design in CBD Skyline**

*Source: Architectus*



**Figure 37 – Reference design in relation to Macquarie Street frontage and CBD skyline**

*Source: Architectus*



#### 4.6.1 Public domain and podium interface (Chifley Square and Hunter Street)

The reference design envisages a reconstructed southern podium, with the objective of creating a more visible and permeable interface with the public domain of Chifley Square. The redevelopment will provide the opportunity to locate the main address to the new podium and tower at the lower ground level, directly from Chifley Square, elevating the importance of Chifley Square and promoting a strong desire line from the future Martin Place Metro Station (northern entrance) to Chifley Square.

The location of the new entry will provide increased foot traffic to the square and enable the integration of new uses to promote increased activity at various times of the day beyond the regular work cycle. The revitalised podium provides the opportunity to deliver a diverse retail hub including a variety of food and dining uses to improve activation and encourage pedestrian foot traffic in this location. It will also provide the opportunity to activate the Square.

The upper ground level will have a direct entry from Hunter Street, with retail on this level including a series of distinctive retail uses that can be subdivided to smaller retail tenancies to ensure diversity and enable a greater intensity of new uses. **Figure 39** and **Figure 40** show the lower ground level and upper ground level indicative reference design, and how each level provides through connectivity to each street frontage and integration with the existing tower and podium on the northern portion of the overall site. An artist's impression of the proposed public is illustrated in **Figure 38**.



**Figure 38 - Artist Impression of public domain and podium interface (Chifley Square and Hunter Street)**

Source: Architectus



**Figure 39 – Lower ground floor (Chifley Square interface)**

Source: Architectus



**Figure 40 – Upper ground floor (Hunter Street interface)**

Source: Architectus



#### 4.6.2 Podium levels

The reference design envisages an integrated podium capable of accommodating large floor plates of up to 2,500m<sup>2</sup> and of supporting a greater diversity of commercial workspaces. For absolute clarity there are substantial works occurring within the podium to facilitate the development and allow the creation of a larger site precinct with a unified podium. The podium will retain the existing Early Learning Centre at the northern end of the site and accommodate smaller subdivided spaces that can be re-configured to enable flexibility and support the integration of smaller companies or financial institutions operating across single floor spaces. This includes the opportunity for co-working and collaborative areas to occupy the podium floors. The podium floor plates can also be portioned to support the existing tower to function during the construction of the new tower (refer to **Figure 41** and **Figure 43**).



**Figure 41 – Indicative podium floor plates**

Source: Architectus



**Figure 42 – Indicative podium floor plate**

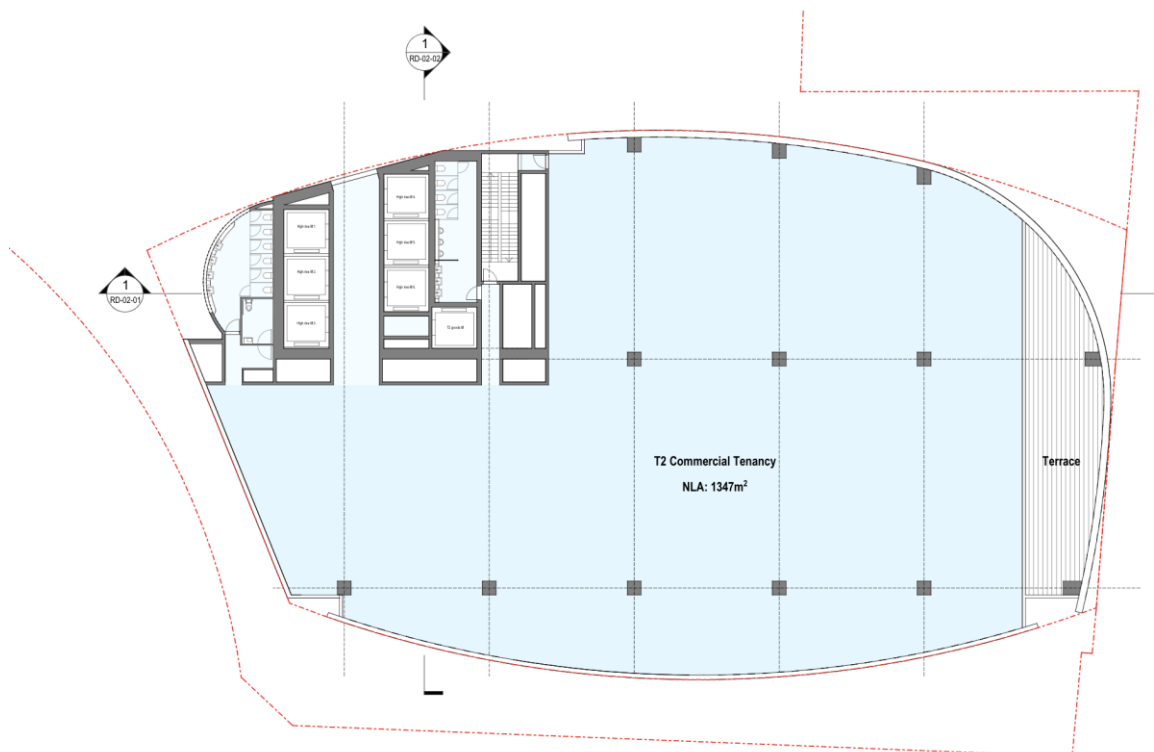
Source: Architectus

### 4.6.3 Tower levels

The tower reference design fits loosely within the envelope, with allowance for articulation particularly at each of the building corners, where rounded edges provide opportunities for architectural expression and improvements to the amenity of surrounding public places in the form of wind and daylight levels. The tower floor plate is also stepped at the upper levels to align with the Sun Access Plane for The Domain, as shown in **Figure 44**. The tower core is located at the north-western corner of the building to allow the continued operation of the existing asset and to maximise floor plate efficiency and views to the Harbour and the Domain. The position of the core also allows it to occupy a prominent position at the lower levels to maximise its interface to Chifley Square.



*Typical tower floor plate (Mid rise: Levels 8 - 19)*



*Sky terrace (stepped) floor plate (terrace) (Level 32)*

**Figure 43 – Tower floor plates – reference design**

Source: Architectus

#### 4.6.4 Basement levels

The reference design provides an indicative concept for the integrated use of the existing basement levels on the site. These levels will support the ongoing operations of the existing tower, and the proposed future tower. It is noted that the existing basement levels accommodate 374 approved car parking spaces<sup>1</sup>, comprising of 271 tenant spaces and 103 public car parking spaces. The reference design illustrates an overall reduction in car parking spaces within the existing basement levels, to accommodate additional plant and loading spaces to service the whole development. Accordingly, no additional parking spaces are shown in the reference design associated with the new podium and tower.

The reference design indicates that the four existing basement levels will generally comprise of the following:

- commercial car parking spaces;
- bicycle parking spaces;
- loading spaces;
- courier parking spaces;
- loading and waste zones;
- generator and pumping units; and
- end of trip facilities.

#### 4.6.5 Construction staging

The ongoing operation of the existing podium and tower with minimal disruption has been considered. Specifically, the following preliminary staging strategy has been developed:

##### Stage 1

- Relocation of plant and services from Lower and Upper Ground Levels to Basement 2 and Basement 3

##### Stage 2

- Relocation of bicycle parking and the tenant-specific End of Trip facilities
- Demolition of the south eastern portion of Lower Ground to Basement 3
- Construction of an internal vehicle access ramp

##### Stage 3

- Relocation of bicycle parking and general building End of Trip facilities
- Demolition of the south western portion of Lower Ground to Basement 3
- Commence construction of the core
- Reconfiguration of the loading dock

Further detail is included in the preliminary staging plans prepared by Architectus at **Appendix L**.

---

<sup>1</sup> D/2018/583 approved in June 2018 for alterations to the existing Chifley Tower including a reduction in parking confirmed a total approved parking allocation in the existing building basement of 374 parking spaces (271 tenant parking spaces and 103 public car parking spaces).

## 4.7 Design excellence

The reference design has been prepared assuming that a competitive design process will be undertaken in the form of an invited architectural design competition (as set out in the Design Excellence Strategy), and that the final proposal will exhibit the highest standard of urban, architectural and landscape design.

The design competition will be pursuing up to **4.4% additional floor space** under a site-specific clause resulting from the Planning Proposal. The additional floor space bonus is pro-rated based on the site area to which the competitive design process is proposed to apply, as set out in the Design Excellence Strategy (being a design competition area of 2,856 m<sup>2</sup>).

The Planning Proposal and draft DCP amendments support a building envelope that can accommodate the maximum site specific permissible FSR (inclusive of the 4.4% additional floor space available under the proposed site-specific clause, but exclusive of additional floor space available under Clauses 6.5 – 6.9), being 20.41:1. This includes the total GFA to be accommodated on site following redevelopment (being 131,391m<sup>2</sup> of new and redeveloped floor space, and existing floor space). Taking this approach ensures that all environmental impacts of the maximum permissible envelope and maximum FSR are assessed as part of the Planning Proposal.

Refer to **Section 8.2** and **Appendix D** for further details on the proposed Design Excellence Strategy.



## 5.0 Part 1 – Objectives and intended outcomes

This chapter of the report describes the Planning Proposal and the urban design principles that set the foundation for its structure. Further detail is provided throughout the environmental assessment in the following chapters. This chapter also sets out the first of six parts to be addressed as part of the Planning Proposal in accordance with *Planning Proposals: A guide to preparing Planning Proposals* prepared by the DPIE.

### 5.1 Objectives and intended outcomes

The intent of the Planning Proposal is to make a site-specific amendment to the Sydney LEP 2012 to permit additional floor space on the site and align the height limit for the site with the amended Sun Access Plane for the Domain as envisaged by the CSPA.

More specifically, the objectives and intended outcomes of the Planning Proposal are to:

- deliver Council's vision for the Sydney CBD to accommodate global office towers within an identified area (i.e. tower cluster area) considered suitable for uplift and additional employment generating floor space above the existing controls;
- achieve Charter Hall's vision for the site and project for a world-class commercial precinct that unlocks the full development potential of the site in delivering premium-grade floor space that accommodates emerging future work practises and support Sydney's role of Australia's global city;
- capitalise on an unconstrained and large amalgamated site to facilitate a strategic opportunity for additional employment floor space in immediate proximity to future world class metro infrastructure, thereby promoting the more efficient use of land within an identified tower cluster area already considered suitable for greater uplift;
- realise a significant increase in employment capabilities within the vicinity of multiple Sydney Metro stations and other key transport networks (i.e. existing light rail and heavy rail);
- further strengthen and protect the commercial core of Global Sydney;
- provide an improved urban design and pedestrian experience at ground level, with enhanced street activation, the protection of sunlight and appropriate wind conditions;
- establish a framework for a future building to achieve design excellence and for the delivery of sustainable design; and
- Support the provision of premium-grade (global office) floorplates of up to 1,614m<sup>2</sup> GFA in size.

Through the proposed amendments, the Planning Proposal will enable the development of a commercial office precinct of an appropriate urban form to be developed on the site with a maximum height of approximately 188.1m (RL 214.2m) and a maximum FSR of 20.41:1.

## 6.0 Part 2 – Explanation of provisions

The overarching purpose of the Planning Proposal is to facilitate the development of the site for a commercial office precinct that is of a high quality urban form which is responsive to its context, achieves a global office floor plate that does not need to rely on external landholdings to be realised/delivered, and delivers strategic employment floor space in line with the vision of the Central Sydney Planning Strategy.

The objectives and intended outcomes identified in Part 1 (**Section 5.0** of this report) are intended to be achieved by permitting additional floor space on the site through a new site-specific clause within the Sydney LEP 2012 and amendments to the Sydney DCP, as set out below.

### 6.1 Sydney LEP 2012

The amendments proposed to the Sydney LEP 2012 will be in the form of a new site-specific clause in Division 5 (site specific provisions) to allow a maximum FSR of 19.55:1 (or 20.41:1 inclusive of a design excellence bonus), excluding additional floor space available under the provisions in Clauses 6.5 – 6.9 of the SLEP 2012 and future SLEP versions/amendments.

The proposal also seeks to amend the height limit for the site to align with the updated Sun Access Plane provision for the Domain, as set out in the CSPS and the accompanying CBD Planning Proposal. It is noted however that should the CBD Planning Proposal be finalised and published prior to the finalisation of this Planning Proposal, the proposed height amendment would no longer be required (as it would have been facilitated by the CBD Planning Proposal).

The proposed new site-specific clause is set out below:

#### **Clause 6.52 2 Chifley Square, Sydney**

- (1) *The objective of this clause is to encourage land uses other than residential accommodation or serviced apartments.*
- (2) *This clause applies to the following land—*
  - a) *2 Chifley Square, 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 comprising:*
  - a) *mapped floor space ratio under clause 4.4, and*
  - b) *accommodation floor space under clause 6.4, and*
  - c) *an additional site specific amount of floor space ratio of 7.05:1, and*
  - d) *an amount of additional floor space, to be determined by the consent authority, of up to 4.4% if the building demonstrates design excellence within the meaning of clause 6.21(7)(b).*
- (4) *Clause 6.21(7)(a) does not apply to the development on the subject land to which this clause applies;*
- (5) *In addition to the maximum floor space ratio permitted under clause 6.52(3), a building on land to which this clause applies is also eligible for additional floor space available under clauses 6.5 – 6.9 (and any future additional floor space provisions in Subdivision 2) of SLEP 2012 and future SLEPs, should it satisfy the uses/purposes defined in those clauses (and any future additional floor space provisions in Subdivision 2) of SLEP 2012 and future SLEPs. Additional floor space provisions include, but are not limited to:*
  - a) *Car parking reduction floor space under clause 6.5*
  - b) *End of journey floor space under clause 6.6*
  - c) *Entertainment and club floor space under clause 6.7*
  - d) *Lanes development floor space under clause 6.8*
  - e) *Opportunity site floor space under clause 6.9*

- (6) *The consent authority must not grant development consent to development on land if the development will result in any building on the land projecting higher than any part of the sun access plane taken to extent over the land under this clause –*
- a) *Plane (i)*
    - i) *A is a point at 334773.3E, 6251243.6N, 55.5RL, 328.63° horizontal bearing, 26.69° vertical angle and where Ray A1 is constructed as an ascending edge from Node A, and*  
**Note:** *Intersection of the western alignment of Hospital Road; with the site boundary between 8 and 10A Macquarie Street.*
    - ii) *B is a point at 334743.2E, 6250956.5N, 54.0RL, 328.63° horizontal bearing, 25.69° vertical angle and where Ray B1 is constructed as an ascending edge from Node B.*  
**Note:** *Intersection of the western alignment of Hospital Road; with the site boundary between 8 and 10A Macquarie Street.*
  - b) *Plane (ii)*
    - i) *A is a point at 334743.2E, 6250956.5N, 54.0RL, 328.63° horizontal bearing and 25.69° vertical angle and where Ray B1 is constructed as an ascending edge from Node B.*  
**Note:** *Intersection of the western alignment of Hospital Road; with the site boundary between 8 and 10A Macquarie Street.*
    - ii) *B is a point at 334721.2E, 6250745.5N, 54.5RL, 328.63° horizontal bearing, 25.69° vertical angle and where Ray B1 is constructed as an ascending edge from Node B.*  
**Note:** *A south-southwestward 212.145m extension from Node B of the line connection Nodes A and B.*
- (7) *This clause does not limit the operation of 6.11 to development to which this clause applies; and*
- (8) *Development consent must not be granted for development under subclause (3) unless the consent authority is satisfied that the building will not be used for the purposes of residential accommodation or serviced apartments.*

## 6.2 Concurrent amendments to the DCP

A site specific DCP will be prepared for the site, which will establish site specific built form controls for the site, such as establishing podium height and tower setback controls to guide the distribution of the FSR sought in the LEP amendment. The site specific DCP will also fulfil the requirements of Clause 7.20. The proposed amended DCP text to apply to the proposal is included in **Appendix C**, with relevant DCP figures and maps also included.

## 7.0 Part 3 – Justification

### 7.1 Section A – Need for a Planning Proposal

#### 7.1.1 Q1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

##### Central Sydney Planning Strategy

This Planning Proposal aims to give effect to the following priorities and actions of the endorsed CSPS:

- Growing a stronger, more competitive Central Sydney. This Planning Proposal will:
  - Support increased capacity for economic and employment growth intended in Central Sydney, and its job targets given it is intended to provide for a full commercial development (Action P1.1); and
  - Support the vision and implementation of Council's CSPS given it supports greater height and floor space for employment generating uses in line with that anticipated for the site under the CSPS.
- Creating better buildings and places to reduce emissions and waste and use water efficiently. This Planning Proposal will support a highly sustainable development with 6 Star Greenstar, 5.5 Star NABERS energy rating, 4 Star NABERS water ratings.

##### City Plan 2036 – City of Sydney LSPS

This Planning Proposal aims to give effect to several planning priorities and actions within the City of Sydney Local Strategic Planning Statement (LSPS). Council's LSPS (known as *City Plan 2036*) was endorsed by Council on 17 February 2020 and represents Council's 20-year vision and strategy for the LGA's future direction on infrastructure, liveability, productivity and sustainability.

The LSPS implements the planning priorities and actions identified in the Greater Sydney Region Plan and Eastern City District Plan at the local level. It is also informed by Council's platform policy Sustainable Sydney 2030, draft CSPS and Employment Lands Strategy. Importantly, it will underpin any future changes to Council's Local Environmental Plan and Development Control Plan.

In terms of jobs, Council has identified a growth target of 200,000, with Central Sydney planning to accommodate the majority with 101,800 additional jobs, of which implementation of the CSPS is expected to deliver additional floor space for about half of this growth – 47,000 jobs – by unlocking additional employment floor space.

This Planning Proposal is in alignment with the LSPS and jobs target, delivering approximately 4,000 jobs in operation and 1,500 during construction (approximately 5.4% of Central Sydney's target), representing a significant increase above the potential capacity of the existing commercial buildings on the site or what would be achievable within the existing planning controls. Council has within its LSPS outlined its strategic and site-specific 'principles for growth' that it will use as a guide in considering Planning Proposals for additional development capacity. This Planning Proposal is consistent with the strategic policy context which confirms consistency with the strategic principles for growth (refer to **Section 7.0**).

In terms of the site-specific principles for growth, the Planning Proposal is also consistent with the LSPS given:

- The site is located in walking distance to several existing and future public transport services, most notable the Martin Place Metro Station and Sydney West Metro Station Precinct;
- The proposal will achieve high sustainability standards, including 6 Star Green Star, 5.5 Star NABERS energy rating, 4 Star NABERS water rating;
- Any negative external impacts can be appropriately mitigated (refer to environmental assessment in **Section 8.0**);
- The proposal seeks only non-residential floor space, which is the preferred land use given the site's strategic location; and

- The proposal can provide a significant public benefit through the provision of a reinvigorated and activated square, improved pedestrian accessibility, and environmental and design excellence.

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

This Planning Proposal is considered the best way of achieving the objectives and intended outcomes because:

- The Planning Proposal seeks to amend the Sydney LEP to respond to Council's position and framework on unlocking additional commercial floor space in Central Sydney for employment generating land uses and unlocking this in specific tower cluster locations of the CBD.
- The capacity of the site (as demonstrated through the environmental analysis in this Planning Proposal) to accommodate employment generating floor space is greater than what is achievable through the tower cluster pathway proposed by Council in its Central Sydney Planning Proposal to give effect to the CSPS.
- The Planning Proposal will give both Council and the landowner certainty as to the development outcomes expected on the site.
- The site under the existing controls is limited to an FSR of 13.75:1 (inclusive of a theoretical full 10% design excellence bonus), which is already largely absorbed by the existing tower and podium on site. Given the consolidated landholding and unconstrained nature of the site, maintaining the current controls will result in a lost opportunity to:
  - deliver a global office tower within an identified tower cluster area as nominated in the CSPS;
  - strengthen and protect the commercial core of Global Sydney; and
  - provide greater supply of A-grade (or higher) commercial floor plates in a location with very high public transport accessibility.

## 7.2 Section B – Relationship to strategic planning framework

### 7.2.1 Q3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

#### Greater Sydney Region Plan – A Metropolis of Three Cities

The *Greater Sydney Region Plan* is the overarching strategy for growing and shaping the Greater Sydney Area. It sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. The plan was adopted in March 2018 and seeks to reposition Sydney as a metropolis of three cities – the western parkland city, central river city, and the eastern harbour city. In the same vein as the former *A Plan for Growing Sydney*, the Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, Local Plans and Planning Proposals which follow in the planning hierarchy.

The proposal is consistent with the following directions under the Plan, which govern growth and development in Sydney (refer to **Table 1**).

**Table 1 – Consistency of the proposal with the Directions of the Greater Sydney Region Plan**

Direction	Consistency of the proposal with the Direction
<i>A city supported by infrastructure</i>	<ul style="list-style-type: none"> <li>• The proposal supports the delivery of higher capacity development in line with the infrastructure investment being undertaken by local and State government (i.e. Sydney Metro and Light Rail).</li> </ul>
<i>A city for the people</i>	<ul style="list-style-type: none"> <li>• The proposal supports people to walk, cycle and use public transport through improved pedestrian connections, end of trip facilities and provision of bicycle parking and maintenance facilities.</li> </ul>
<i>Housing the city</i>	<ul style="list-style-type: none"> <li>• The proposal seeks to facilitate future commercial development, not residential.</li> <li>• The development seeks to continue the existing use of the site as a destination for employment and retail.</li> <li>• The proposal is in full alignment with Council's key policy direction to deliver increased employment opportunities within Central Sydney, reinforcing the City's role as Australia's</li> </ul>



Direction	Consistency of the proposal with the Direction
	economic engine and Australia's only global city.
<i>A well-connected city</i>	<ul style="list-style-type: none"> <li>The proposal will seek to deliver additional commercial floor space and in doing so will connect new jobs to high-capacity transport. This will take advantage of substantial investment in public transport infrastructure and support the achievement of a '30-minute city'.</li> </ul>
<i>Jobs and skills for the city</i>	<ul style="list-style-type: none"> <li>The Plan recognises that Sydney's greatest economic strength globally and nationally is the concentration of financial services sectors in the CBD, and that the implications of a strong financial sector is a high demand for premium-grade office space and high demand for associated knowledge-intensive industries such as legal, accounting, real estate and insurance. The proposal is consistent with this objective in seeking to deliver new, premium-grade office space in the heart of Sydney's CBD.</li> <li>In conjunction with commercial office floor space, associated retail will also be delivered that support the diversity of functions in the CBD and encourage activity at the ground plane.</li> </ul>
<i>A city in its landscape</i>	<ul style="list-style-type: none"> <li>The proposal does not affect any protected biodiversity or remnant or significant vegetation. Opportunities for increased public domain planting will be explored.</li> </ul>
<i>An efficient city</i>	<ul style="list-style-type: none"> <li>A key initiative of the proposal is to deliver a more sustainable development than is presently provided, and as such, sustainability targets for ESD have been set.</li> </ul>
<i>A resilient city</i>	<ul style="list-style-type: none"> <li>The proposal has sought to minimise exposure to natural hazards by ensuring that future development is not affected by flooding.</li> <li>The environmental initiatives implemented through the development will contribute to enhanced environmental outcomes and seek to mitigate impacts related to climate change.</li> <li>The proposal satisfies the City's Sustainability Plan through Charter Hall's 1% pledge commitment to build a workplace around 'giving'. In addition to delivering a highly sustainable development, Charter Hall is committed to achieving industry leading environmental, social and governance outcomes.</li> </ul>

### The Eastern City District Plan

The *Eastern City District Plan* underpins the *Greater Sydney Region Plan* and sets the 20-year vision for the District through 'Planning Priorities' that are linked to the Region Plan. Under this Plan, the site is strategically located within the CBD of the Eastern City and the Eastern Economic Corridor (refer to **Figure 45**). Key priorities of the District Plan which this Planning Proposal give effect to are elaborated below.

#### Planning Priority E1 – Planning for a city supported by infrastructure

##### *Objective 4 – Infrastructure use is optimised.*

Aligning land use and infrastructure planning ensures that infrastructure is maximised, and that growth and infrastructure provision are aligned. The development of over 131,391m<sup>2</sup> GFA of commercial floor space (new and redeveloped floor space) is aligned with additional public transport capacity being delivered by local and State government. The Planning Proposal will facilitate development which will also be subject to contributions to Council for the provision of infrastructure, in line with its Central Sydney Infrastructure Plan.

Charter Hall wishes to collaborate with Council to deliver a revitalised Chifley Square focused on activation and improving the public domain experience of this important civic space. It is envisaged that Chifley Square, in partnership with Council, would undergo an extensive upgrade, with a diversity of active and passive offerings available to the future workers and visitors in this part of the city.

#### Planning Priority E7 – Growing a stronger and more competitive Harbour CBD

##### *Objective 18 – Harbour CBD is stronger and more competitive*

The District Plan notes that the Harbour CBD is Australia's financial and business capital, contains the largest proportion of headquarters for multinational and national companies, and contains Australia's most significant finance industry cluster. The concentration of this large and specialised financial cluster attracts global talent and investment but is constrained by the limited capacity of the Sydney CBD to geographically expand and deliver

premium grade office space. Accordingly, the District Plan recommends that commercial development is supported within the CBD to assist in meeting the 45,000-80,000 future jobs that have been forecast for this region.

The proposal will deliver new premium office space within the heart of the Sydney CBD. This proposed increase in commercial floor space also recognises the potential to increase economic activity, driven by the catalytic effect of the enhanced rapid transit network being delivered in close proximity. This is consistent with the Planning Priority that seeks to safeguard the competitiveness of Sydney in both a domestic and international context.

The proposal will facilitate a new tower on a large, consolidated site in a strategic location. Firstly, this allows the development of large floor plates which is required by modern tenants. Secondly, it removes common barriers such as small sites and fragmented ownership structures which commonly inhibit the development of well-planned and designed towers in the CBD and allows the CBD to reach its full employment generating potential.

#### Planning Priority E10 – Delivering an integrated land use and transport planning and a 30-minute city

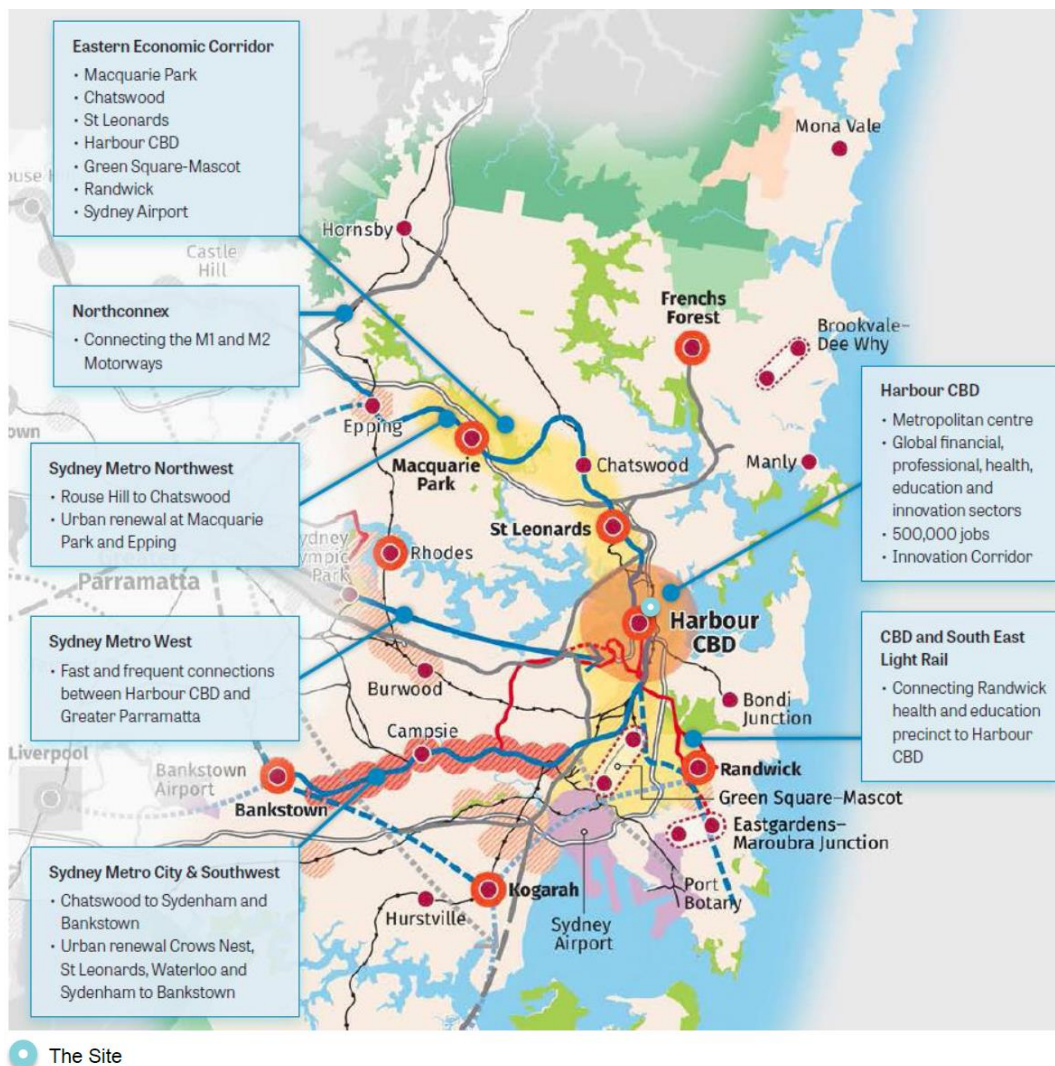
##### *Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*

The '30-minute city' model is a long-term aspiration for Sydney whereby jobs and services and strategic/metropolitan centres are accessible within 30 minutes by public transport. This proposal is well-placed to benefit the '30-minute city' model, by providing commercial floor space within a highly accessible location and thereby improve access to jobs. The proposal will facilitate employment growth that is delivered following commencement of the new Sydney Metro.

#### Planning Priority E11 Growing investment, business opportunities and jobs in strategic centres

##### *Objective 22 – Investment and business activity in centres*

The site is located in the Harbour CBD which is identified as a Metropolitan Centre. Employment growth is the principal economic goal for metropolitan and strategic centres. The proposal supports this goal through the provision of commercial floor space for job growth.



**Figure 44 – Features of the Eastern City**

Source: Sydney Region Plan

### NSW State Infrastructure Strategy 2018

The *NSW State Infrastructure Strategy 2018-2038* brings together the infrastructure investment and land use planning of the *Future Transport Strategy 2056* and the *Greater Sydney Region Plan*, and is underpinned by the *State Infrastructure Strategy 2018–2038: Building Momentum* that establishes a pipeline of investment for infrastructure that is underway or in advanced planning. The Strategy sets out the NSW Government's vision for infrastructure over the next 20 years, focussing on aligning investment with sustainable growth. For Metropolitan NSW, the primary goal is to provide residents with access to jobs and services within 30 minutes, known as the '30-minute city' model.

The Strategy sets out six directions for infrastructure in NSW, of which the following are relevant:

- Better integrating land use and infrastructure – the proposal will deliver additional jobs in line with the delivery of Sydney Metro, so that capital investment keeps pace with new jobs.
- Making our infrastructure more resilient – the proposal will be designed with regard to flooding and other environmental considerations, to ensure that the development is not vulnerable to hazards.

The proposal will deliver additional employment floor space to accommodate the increased commuter numbers associated with the anticipated arrival of the Sydney Metro in Martin Place and West Metro on Hunter Street.

The new Martin Place Metro station entry and associated development is located to the immediate south-west of the site and will provide greater transport access to the site. The new Hunter Street West Metro station entry and associated development is located approximately 150m south west of the site.

### Future Transport Strategy 2056

The *Future Transport Strategy 2056* is the 2017 update of the *NSW Long Term Transport Master Plan* and supersedes the Master Plan. It is a 40-year vision for mobility in NSW, developed with the Greater Sydney Commission, the Department of Planning and Infrastructure, and Infrastructure NSW. It seeks to ensure that transport planning and land use planning are fully integrated and is based upon the key themes of a Productive Economy, Liveable Communities and a Sustainable Society.

The proposal is consistent with the objectives of this Plan through:

- supporting the expansion of the rail system, by providing significant employment opportunities in direct proximity to existing heavy rail stations and future metro stations;
- assisting in unclogging the Sydney CBD transport system by connecting more people to existing heavy rail and future metro rail infrastructure and encouraging patronage of an existing network with spare capacity; and
- encouraging public transport use by providing significant employment opportunities in close proximity to future metro, light rail, rail, bus and ferry services.

#### 7.2.2 Q3a. Does the proposal have strategic merit?

The proposal is considered to have strategic merit. This is because it is consistent with the applicable strategic planning framework set by the State and by Council. Specifically, the Planning Proposal will facilitate development which:

- Directly delivers on key policy directions and objectives under the Greater Sydney Region Plan and Eastern City District Plan. It will facilitate a significant commercial development which will provide jobs for the city, and contribute to a stronger, more competitive Harbour CBD. The site is also located in a Metropolitan Centre which is intended to support and prioritise employment growth. The proposal directly unlocks additional commercial floor space solely for employment generating land uses;
- Supports job growth in a centre already supported by strong public transport, and by direct proximity, will support the expansion of new infrastructure such as Sydney Metro and the Light Rail;
- Will unlock additional employment generating land uses in full accordance with Council's CSPA aspirations; and
- Will enable the redevelopment of the site and further increase competition and choice for high quality global office towers within the city.

#### 7.2.3 Q3b. Does the proposal have site-specific merit?

The proposal is considered to have site-specific merit because:

- The proposed planning controls (and building envelope) have been subject to significant testing and are considered suitable for the specific characteristics of the site and its geometry. The proposed height is sought having regard to the relevant sun access plane for the site and is based on detailed environmental testing and indicative design testing. The proposed FSR is also sought following detailed environmental testing in addition to testing of the indicative scheme. The envelope has had regard to various environmental factors and is considered to provide an appropriate outcome in terms of wind and sky view factor, in particular.
- The proposal meets the minimum site tests set out in the CSPA and promotes the orderly and economic maximum use of the site, allowing for the best possible urban design and public amenity outcome to be delivered, whilst delivering on Council's wider strategic objectives for commercial and employment generating floor space in the CBD.
- In addition to the above, the proposed envelope has been subject to a broader environmental assessment (refer to **Section 8.0**). In particular, it has been determined that the existing infrastructure and services on the site will be capable of supporting the future redevelopment of the site. Future development will also be subject to contributions to Council to assist in meeting the infrastructure demand it generates.



- It is intended to support commercial development within an area of Central Sydney, which is predominately commercial in nature, and is intended to remain and concentrate this land use into the future.

#### **7.2.4 Q4. Will the Planning Proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

The Planning Proposal will give effect to Council's Local Strategic Planning Statement, Sustainable Sydney 2030, Council's community strategic plan, and Council's CSPA. It is also consistent with the relevant statutory framework.

#### **Sustainable Sydney 2030**

Sustainable Sydney 2030 is Council's vision for the sustainable development of the City to 2030 and beyond. The plan includes ten specific targets to achieve a sustainable Sydney, as well as 10 strategic directions to guide the future of the City. The achievement of a number of the targets and strategic directions are supported by this Planning Proposal.

##### A globally competitive and innovative city

This Planning Proposal supports the growth of Sydney as a globally competitive and innovative city. Sydney's greatest economic strength globally and nationally is the concentration of financial services sectors in the CBD. The implication of a strong financial sector is a high demand for premium-grade office space and high demand for associated knowledge-intensive industries such as legal, accounting, real estate and insurance.

The proposal is consistent with this objective in seeking to deliver new, premium-grade office space in the heart of Sydney's CBD. Through innovative design and operational workplace technology, the proposal will contribute to a frictionless work experience that provides greater productivity and collaboration for leading global and domestic tenants.

##### Sustainable development and design

This Planning Proposal will support a more ecologically sustainable development on the site. It will support development with a target of achieving:

- A minimum 6 Star Green Star certified rating (under Design & As-Built v1.3)
- A minimum 5.5 Star NABERS Energy rating
- A minimum 4 Star NABERS Water rating
- A minimum 5 Star NABERS Waste rating
- A minimum Climate Active Carbon Neutral Certification

The proposal is also consistent with the principle of Transit Orientated Development (TOD) in that new employment is provided in a highly accessible location, thus reducing reliance on the private motor vehicle. This will support the following targets and strategies within the Plan:

- Target 1 – The city will reduce greenhouse gas emissions by 70 per cent by 2030 and achieve a net zero emissions city by 2050.
- Target 2 – The city will have 50% of electricity demand met by renewables, zero increase in potable water use from 2006, and increased canopy cover of 50 per cent from 2008.
- Strategic Direction 2 – A Leading Environmental Planner:
  - Objective 2.1 – Greenhouse gas emissions are reduced across the city.
  - Objective 2.3 – Across the city, potable water use is reduced through efficiency and recycling and gross pollutant loads to waterways are reduced.
- Strategic Direction 9 – Sustainable development, renewal and design.

### Social sustainability

This Planning Proposal supports the creation of socially sustainable and resilient communities. Charter Hall's 1% Pledge is a commitment to a community program that works closely with its staff, and tenant customers in its buildings to create a positive impact for the community.

- Strategic Direction 6 0 Resilient and Inclusive local communities
  - 6.3 – local economies are resilient, meet the needs of their community, and provide opportunities for people to realise their potential

### Job growth

This Planning Proposal will increase the employment capacity of the site, directly aiding the job targets in the Plan (97,000 additional jobs in the city). This Planning Proposal will deliver a premium grade precinct to support a future high quality urban design outcome that will provide new employment opportunities and provide greater productivity and collaboration. The investment into the site will help contribute to make Sydney attractive to global investors, including through ensuring a global office tower is delivered on the site. This will support the following targets and strategies within the Plan:

- Target 5 – 97,000 additional jobs in the City.
- Strategic Direction 1 – A Globally Competitive and Innovative City:
  - Objective 1.2 – The city economy is competitive, prosperous and inclusive.
  - Objective 1.3 – The city economy is an integrated network of sectors, markets and high performing clusters
  - Objective 1.5 – The city enhances its global position and attractiveness as a destination for people, business and investment.

### Walking and cycling

This Planning Proposal will support a commercial development with significant bicycle storage and end of trip facilities to support the use of cycling within the city. This will support the following targets and strategies within the Plan:

- Target 7 – At least 10 per cent of city trips will be made by bicycle and 50 per cent by pedestrian movement.
- Strategic Direction 4 – A City for Walking and Cycling:
  - Objective 4.4 – Businesses in the city encourage their staff to walk and cycle more often vehicle transportation.

### Activation

The mix of commercial uses proposed will continue to significantly improve the level of interaction within the northern part of the CBD. This will support the following targets and strategies within the Plan:

Target 8 – Every resident will be within reasonable walking distance to most local services, including fresh food, childcare, health services and leisure, social, learning and cultural infrastructure.

- Strategic Direction 5 – A lively and engaging city centre.
  - Objective 5.2 – The city centre provides diversity of built form, uses and experiences.
  - Objective 5.3 – Innovative, creative, retail, hospitality, tourism and small business activity is supported in the city centre.

### **Central Sydney Planning Strategy (CSPS)**

The City of Sydney Council released in 2016 its CSPS which is to be the guiding strategic document for Central Sydney over the coming 20 years. Along with this Strategy is a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* and amendments to the *Sydney Development Control Plan 2012*.

Council predicts that under existing planning controls there is going to be a jobs gap of some 40,000 – 85,000, equating to some 800,000sqm to 1.7million sqm of floor space. The Strategy responds accordingly with 10 key moves and an overall emphasis to position and strengthen Sydney as Australia's leading global city. The Planning Proposal responds directly to the CSPS and supports a number of these key moves:

#### Key Move 1 – Prioritise employment growth and increase capacity

This Planning Proposal will facilitate the delivery of approximately 64,654m<sup>2</sup> of (new and redeveloped) commercial floor space. It does not propose floor space intended for residential or serviced apartment use. This Planning Proposal therefore supports the delivery of new commercial floor space for employment use, to support the anticipated jobs growth in Central Sydney.

#### Key Move 2 – Ensure development responds to context by providing minimum setbacks for outlook, daylight and wind

The driver of this Planning Proposal is to facilitate a scheme that appropriately responds to the site's context and the tower cluster's unique strategic value.

#### Key Move 4 – Provide for employment growth in new tower clusters

The site is located in one of the five tower cluster sites identified in the Planning Proposal which seeks to give effect to the CSPS (refer to **Figure 3**). These tower cluster sites are less constrained by sun access planes and are considered capable of achieving greater height and density than the planning controls would ordinarily permit. The aim is to create growth opportunities for employment floor space, promote the efficient use of the land and encourage innovative design. The proposal is consistent with this because:

- This Planning Proposal will support a commercial tower at RL 214.2 (being a height of approximately 188.1m above ground level) with 64,654m<sup>2</sup> of (new and redeveloped) commercial floor space, which enables increased growth opportunities for employment floor space. Given it provides floor space above that available which would be ordinarily available to the site, it is considered an efficient use of the site.
- The intent is to undertake a competitive design process on the site (refer to **Appendix D**) to create a highly innovative and sustainable building.

#### Key Move 5 – Ensure infrastructure keeps pace with growth

The investment being made by the NSW State Government with both the light rail and the Metro project will cut travel times, reduce congestion and deliver substantial and long lasting economic and social benefits. These projects respond to historic growth pressures across Sydney and seek to strengthen Sydney as a true Global city. The Planning Proposal supports this investment by seeking to deliver increased commercial floor space that capitalises on the significant infrastructure investment made by the NSW Government to provide new Metro Stations. This new infrastructure project paired with an expansion in employment floor space will respond to historic growth pressures across Sydney and the strengthen Sydney as a truly global city.

#### Key Move 6 – Move towards a more sustainable city

The Planning Proposal will facilitate a highly sustainable commercial tower. It will have minimum targets of a 6 Star Green Star rating, 5.5 Star NABERS Energy rating and 4 Star NABERS Water rating. The Planning Proposal is consistent with Council's objectives to encourage building design that minimises consumption and consistent with the core social sustainability principles for workplaces.

#### Key Move 7 – Protect, enhance and expand Central Sydney's heritage, public places and spaces

The Planning Proposal will ensure future development is carefully designed to respond to its location at Chifley Square and to the proximity of local heritage items. The Planning Proposal and resulting built form has been thoroughly tested to identify potential impacts on amenity, heritage significance, and views.

#### Key Move 9 – Reaffirm commitment to design excellence

Charter Hall has a strong commitment to achieving design excellence. This will be achieved through a competitive design process (architectural design competition) as detailed within the Design Excellence Strategy included at **Appendix D**.

### 7.2.5 Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The compliance of the proposal with the relevant State and regional policies is discussed in **Table 2** below.

**Table 2 – Consistency with applicable SEPPs**

Heading	Comment
<i>State Environmental Planning Policy No 55 – Remediation of Land</i>	<p>SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications, and requires that remediation work meets certain standards and notification requirements.</p> <p>The site has been occupied by a commercial building with four basement levels for some time. Nevertheless, SEPP 55 and any potential contamination issues will accordingly be addressed as the planning process progresses through to a detailed DA. In any event, given the central CBD context and the age of the building stock there is considered to be a low likelihood of contamination.</p>
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	<ul style="list-style-type: none"> <li>Division 17 of the Infrastructure SEPP will apply to a future proposal as it will exceed 10,000 sqm of commercial floor space. Any application for development will need to be referred to the RMS as traffic generating development.</li> <li>The northern portion of the site is also located above a Sydney Metro tunnel. Division 15 of the Infrastructure SEPP will apply. Charter Hall will continue ongoing engagement with Sydney Metro Authority to ensure that the Sydney Metro zone of influence to the development is minimised, and Sydney Metro makes every effort to assess in reasonable timeframe to ensure timely determination of detailed DA.</li> </ul>
<i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>	The site is located on land in the Sydney Harbour Catchment which is land to which the Sydney Regional Environmental Plan applies. The site is not zoned under the Plan and is not located in the foreshore and waterway area. Of consideration is clause 26 of Division 2 and the views to Sydney Harbour. A Visual Impact Assessment has determined that the proposal will generate an acceptable view impact to the Harbour.

### 7.2.6 Q6. Is the Planning Proposal consistent with the applicable Section 9.1 Directions?

**Table 3 – Consistency of the Planning Proposal with the relevant Section 9.1 Directions**

Ministerial Direction	Consistent			Comment
	Yes	No	N/A	
<b>1. Employment and Resources</b>				
1.1 Business and Industrial Zones	✓			<p>In accordance with the objectives of the direction, this Planning Proposal will facilitate:</p> <ul style="list-style-type: none"> <li>Employment growth on an established site, appropriate to the CBD context;</li> <li>The retention of the site for employment purposes by intending to redevelopment it for commercial purposes; and</li> <li>Provide a land use (commercial) which directly supports the primary function and ground of the Sydney Metropolitan Centre.</li> </ul>
1.2 Rural Zones			✓	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
1.4 Oyster Aquaculture			✓	Not applicable
1.5 Rural Lands			✓	Not applicable
<b>2. Environment and Heritage</b>				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Management			✓	Not applicable
2.3 Heritage Conservation	✓			<p>The objective of section 9.1 direction 2.3 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. There are no listed heritage items on the site of this Planning Proposal. The Heritage Impact Statement details that there will be an acceptable impact to the heritage items surrounding the site.</p>



Ministerial Direction	Consistent			Comment
2.4 Recreation Vehicle Areas			✓	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs			✓	Not applicable
2.6 Remediation of contaminated land			✓	Not applicable
<b>3. Housing, Infrastructure and Urban Development</b>				
3.1 Residential zones			✓	Whilst residential is a permissible use, the site is located within the commercial core, and accordingly the highest and best land use of the site is commercial, consistent with local and State planning strategies.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport				The Planning Proposal will take advantage of the site's strategic context within the Sydney CBD providing new employment in a highly accessible transport location.
3.5 Development Near Regulated Airports and Defence Airfields	✓	✓		The Planning Proposal supports the development of a tower up to RL 214.2 (being a height above ground level of approximately 188.1m). As this would encroach into the Obstacle Limitation Surface (OLS), direction 3.5 applies. Clause 4(d) of this direction requires that Council must obtain permission from the relevant Department of the Commonwealth, or their delegate, prior to undertaking community consultation. Whilst not technically consistent with this direction, the Planning Proposal is considered to be supportable/justified given that there are a significant number of towers surrounding the site that already or will protrude into the OLS.
3.6 Shooting Ranges			✓	Not applicable
3.7 Reduction in non-hosted short term rental accommodation period			✓	Not applicable
<b>4. Hazard and Risk</b>				
4.1 Acid Sulfate Soils	✓			In accordance with Sydney LEP 2012, the site is classified Class 5 Acid Sulfate Soils. At the time of any future development application, the need for an Acid Sulfate Soils Management Plan will be addressed.
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land	✓			At the time of any future development application, the site levels and individual buildings will be designed (where relevant) to ensure that the development will not be adversely impacted during a flood, the development will not adversely impact the flood behaviour or result in any other adverse environmental impacts. Mitigation measures to address flooding impacts will be investigated during the detailed design phase.
4.4 Planning for Bushfire Protection			✓	Not applicable
<b>5. Regional Planning</b>				
5.1 Implementation of Regional Strategies			✓	Not applicable
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway North Coast			✓	Not applicable
5.8 Second Sydney Airport: Badgerys Creek			✓	Not applicable
5.9 North West Rail Link Corridor Strategy			✓	Not applicable

Ministerial Direction	Consistent			Comment
5.10 Implementation of Regional Plans	✓			The Planning Proposal is consistent with the Regional and District Plan.
5.11 Development of Aboriginal Land Council land			✓	Not applicable
<b>6. Local Plan Making</b>				
6.1 Approval and Referral requirements			✓	No new concurrence provisions are required.
6.2 Reserving Land for Public Purposes			✓	No new road reservation is proposed.
6.3 Site Specific Provisions	✓			The Planning Proposal will not result in any unnecessarily restrictive site-specific planning controls.
<b>7. Metropolitan Planning</b>				
7.1 Implementation of A Plan for Growing Sydney			✓	Revoked 9 November 2020.
7.2 Implementation of Greater Macarthur Land Release Investigation			✓	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy			✓	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan			✓	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct			✓	Not applicable

### 7.3 Section C – Environmental, social and economic impact

#### 7.3.1 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 Planning Proposal is unlikely to result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's CBD / urban location. The site is devoid of any vegetation.

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

A detailed assessment of the environmental effects as a result of the Planning Proposal is identified in **Section 8.0** of this justification report. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from the Planning Proposal or future development on the site.

#### 7.3.3 Q9. Has the Planning Proposal adequately addressed any social and economic effects?

Yes. The social and economic impacts arising from the Planning Proposal is identified in **Section 8.0** of this justification report. The social and economic impacts will be positive.

## **7.4 Section D – State and Commonwealth interests**

### **7.4.1 Q10. Is there adequate public infrastructure for the Planning Proposal?**

The proposed development will see the delivery of a commercial development on the site. Given the site's location, it is expected that the site's infrastructure is capable of accommodating such development. Furthermore, the *Central Sydney Development Contributions Plan 2020* also identifies that significant infrastructure has already been delivered in Central Sydney, with the proposal being part of the planning growth this plan was prepared for.

The proposal also includes delivery of public benefits that will offset the additional demands of the development on local infrastructure and will be subject to contributions to support the provision of infrastructure arising from the development.

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

Given the nature of the Planning Proposal it is not expected that referral to any State or Commonwealth agency would be required (except potentially to the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications – refer to **Section 8.12** for details).

Input from Roads and Maritime Services (for traffic generating purposes - Infrastructure SEPP clause 104) will be required as part of the determination of any future Development Application for the site. Given the proximity of the site to Sydney Metro infrastructure, Charter Hall will work with Sydney Metro to ensure no adverse impacts to either of Charter Hall's and Sydney's Metro development sites as part of a future detailed DA.

Where necessary, further consultation with relevant authorities will be undertaken as required in accordance with the Gateway Determination. State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition.

## 8.0 Environmental assessment

This section provides an environmental assessment of the proposed planning controls and the indicative development those controls are capable of accommodating.

### 8.1 Built form and urban design

#### 8.1.1 Podium

As envisaged in Council's planning controls and the vision for buildings within the CBD generally, the podium envelope on the southern portion of the site is proposed to be built to its boundaries; in this case, to the boundaries of Chifley Square, Hunter Street and to the eastern boundary bordering the Wyoming and Horbury House heritage sites. It will also integrate with the existing northern podium of Chifley Tower. The existing southern podium will be demolished to enable the construction of the second tower and a new southern podium will be constructed and integrated with the existing northern podium and tower. The specific design and extent of podium works is subject to the competitive design process.

The proposed podium form is a respectful urban design response to the site's context as it reinforces the current contribution the existing podium (and the 2 Chifley precinct more broadly) makes to the city. The proposed semi-circular podium geometry will follow the alignment of Chifley Square, being a heritage item, and will complement the existing Qantas House geometry directly opposite, reinforcing the historic semi-circular urban form and curved alignment of Chifley Square and maintaining the unique and cohesive 'urban room' and public domain that the precinct provides today.

The proposed podium envelope is also set at a height of RL 61.1, being a height of approximately 35m at the frontage to Chifley Square. The 35m podium height complies with the lower of the Chifley SCA street frontage height controls of the DCP, is below the maximum permissible height limit of 45m, and reinforces the height of the existing podium. This podium height respects the significance of the existing podium scale on the urban landscape and public domain. The proposed future southern podium being commensurate with the existing podium height will integrate seamlessly with the retained podium on the northern half of the site.

The proposed podium envelope reinforces the pedestrian scale and character of the existing Chifley SCA and the human scale experience along Phillip Street, whilst maintaining a sympathetic relationship to the existing northern podium and tower, which in their own right make a positive contribution to the SCA and CBD skyline. The podium proportions will continue to establish an appropriate scale that does not result in an overwhelming impact on the amenity of the public domain, as per the existing podium. However, the redevelopment of the southern podium provides a unique opportunity to reinvigorate the southern portion of the site and ensure it provides a more active and defined edge to Chifley Square and Hunter St.

**Figure 45** shows the proposed podium envelope and its relationship to the existing (northern) podium (left), and how the reinforced semi-circular urban design principle of Chifley Square (right) is implemented. **Figure 46** shows how a potential future design within the envelope can provide a positive scale and contribution to Chifley Square.





**Figure 45 – Proposed podium envelope (fronting Chifley Square and Hunter Street)**

*Source: Architectus*



**Figure 46 – Proposed podium (reference scheme)**

*Source: Architectus*

### 8.1.2 Tower form in skyline / context

The city skyline views prepared by Architectus illustrate how the proposed envelope is capable of accommodating a tower with an appropriate height and form, and which would be a positive addition to the skyline at the eastern edge of Central Sydney (refer to **Figure 52** and **Figure 53**). The proposed tower envelope sits comfortably within the existing skyline. The tower is located within an existing tower context and is not isolated or overly prominent. It effectively ‘completes’ the skyline in this location along the eastern edge of the CBD in a sensitive manner.

The rounded form of the tower curves away from neighbouring towers within the block, and is angled at its peak to account for the Domain Sun Access Plane, providing relief to its form and visual interest. The roof angle reduces the tower’s perceived scale and mass, which in turn ensures its compatibility with other towers in the skyline. The stepping of the tower at its peak also breaks up the mass of the tower when viewed from pedestrian level and ensures it does not appear bulky when viewed from the east. Its relatively modest height as a result of compliance with the Domain Sun Access Plane (in the context of existing and future towers to the west) ensures the tower is not overwhelming in scale when viewed from public places to the west.



**Figure 47 – View of the envelope from the Royal Botanical Gardens (looking west)**

Source: Architectus

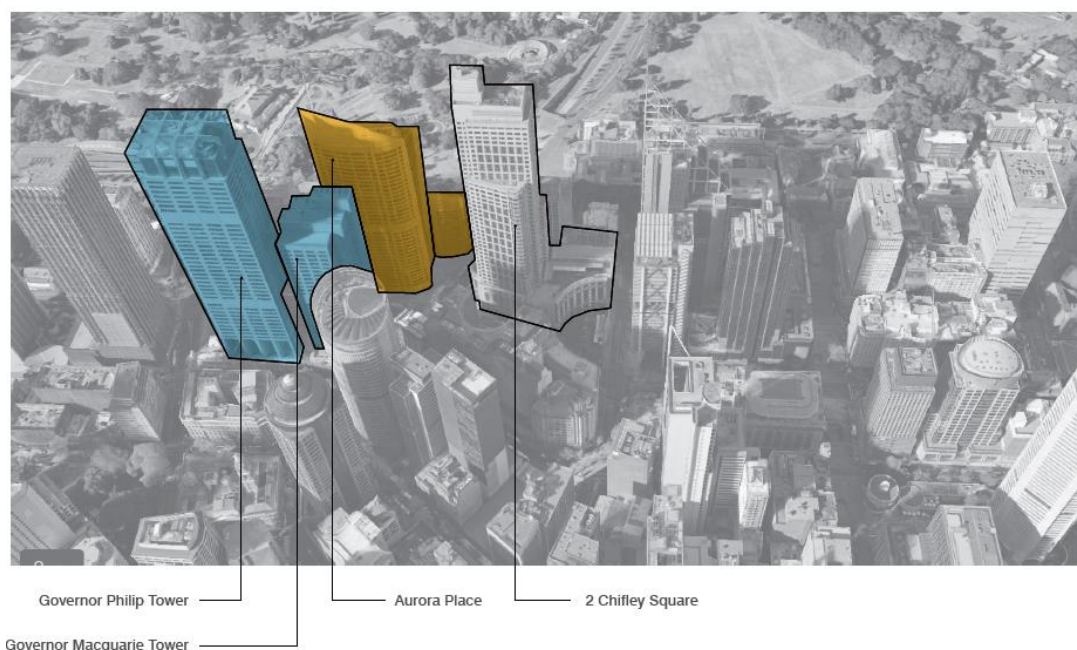




**Figure 48 – View of the envelope from Yurong Point (Looking south-west)**

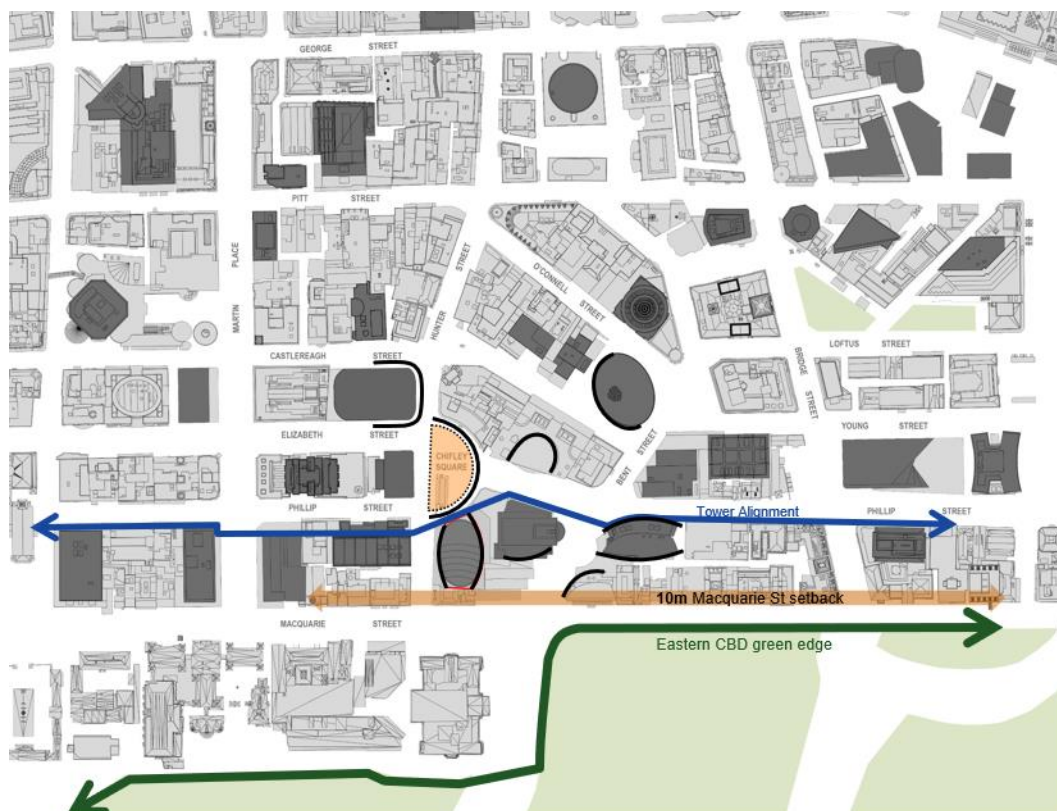
Source: Architectus

The tower envelope has been designed to create a harmonious relationship with the existing Chifley tower and other neighbouring towers. Through detailed consultation with Council and the DAP, successful two tower sites (refer to **Figure 48**) and the language of surrounding towers (refer to **Figure 49**) were identified as important reference points for the envelope design. As detailed within the Design Report at **Appendix A**, Architectus undertook a thorough urban context analysis to present contextual principles for the proposed tower envelope to respond to. In this regard, the tower envelope includes curved northern and southern elevations presenting a more contextually appropriate tower form. This form has been carefully designed and positioned on the irregularly shaped block, with a number of alignments used to inform and articulate each elevation of the building, as discussed in the following subsections.



**Figure 49 – Two tower sites established in proximity to the site**

Source: Architectus



**Figure 50 – Curved tower forms in proximity to the site**

Source: Architectus

The following matters also support the appropriateness of the tower envelope in the skyline and its context:

- The height of the proposal has been tested to ensure it provides an appropriate environmental outcome. Its height effectively 'complies' with the City's provisions. Its lower height compared to the existing Chifley tower creates harmony in a manner similar to other successful two-tower sites in the CBD.
- Compared to a complying envelope, it presents a superior urban design outcome, as its shape and proportions resolve the complexities which arise from the irregular shape of the site and respond appropriately to neighbouring buildings through separation.
- The proposed tower completes the skyline and complements the existing context of the CBD when viewed from the east. It fulfils an existing opportunity within the skyline and responds to the evolving context of the surrounding and future development for the area. In particular the curvature of prominent surrounding towers, including the existing Chifley Tower, Aurora Place and 1 Bligh Street.
- The site is located in an area of Central Sydney specifically identified to accommodate additional floor space and is representative of the tower cluster context intended for the site and the immediate locality under the CSPS. The proposed height is consistent with the intent of the CSPS which is to enable heights up to aviation restrictions and / or sun access planes, and to support the efficient use of land and maximise building capacity. It will set a positive precedent for tower cluster development given it has a site area which is appropriate and proportionate to its height and can provide a positive urban design outcome between the tower and public domain.
- The tower when viewed from the east provides adequate and well-considered inter-tower separation to the existing Chifley Tower, 167 Macquarie Street and the Deutsche Bank building (refer to **Figure 51**), ensuring views to the sky between the buildings, and ensuring the tower does not create a perception of a wall of towers.
- The tower is proportionate to the size of the site and its dimensions, responding well to its irregular geometry and ensuring it sits contextually in its city block. This extends to retaining the appropriate development potential of other sites in the street block, namely 167 Macquarie Street.



- The proposed height provides an acceptable visual impact from the public domain and from important public viewpoints within and surrounding the city (refer to the Urban Design Report at **Appendix A** and **Section 8.5**).
- The envelope height reflects its core CBD location and is strategically suitable for this location given its immediate proximity to existing and future mass transit.
- The proposed height complies with the relevant sun access plane which protects solar access to public places (refer to **Section 8.3**).



**Figure 51 – View of the envelope from the Domain (looking west)**

Source: Architectus



**Figure 52 – View of the envelope from Yurong Point (Looking south-west)**

Source: Architectus

### 8.1.3 Tower setbacks

The proposed envelope complies with required DCP tower setback to Chifley Tower (north), with alternative setbacks proposed to the south, east, west and north-east. Notwithstanding the variations from the DCP, the proposed envelope results in a positive urban design outcome and achieves improved wind comfort, wind safety and daylight levels in adjacent public spaces relative to the base case envelope, as set out in the Urban Design Report in **Appendix A** and in other sections of this report. The setbacks of the proposed envelope above the street frontage height compared to the street setback controls of the DCP are set out in **Table 4**. Each of the setback variations are discussed further below.

**Table 4 – Proposed tower setbacks compared to DCP controls**

Setback	DCP	Proposed	Strict compliance (Y/N)
Side setback (to Chifley Tower)	6.66% of total proposed height (12.53m)	13.9m – 21.7m	Y
Street setback (fronting Chifley Square)	8m	4m-6.3m	N (variation justified)
Street setback (fronting Hunter Street)	8m	4m – 9.8m	N (variation justified)
Side setback to north-eastern boundary (to boundary of 167 Macquarie Street)	3.33% of proposed total height of building (6.26m)	3m – 9.1m	N (variation justified)
Side setback to eastern boundary (to boundary of Wyoming Building and Horbury House – Macquarie Street)	3.33% of proposed total height of building (6.26m)	0m	N (variation justified)

### Tower setback to the east

#### Merit assessment

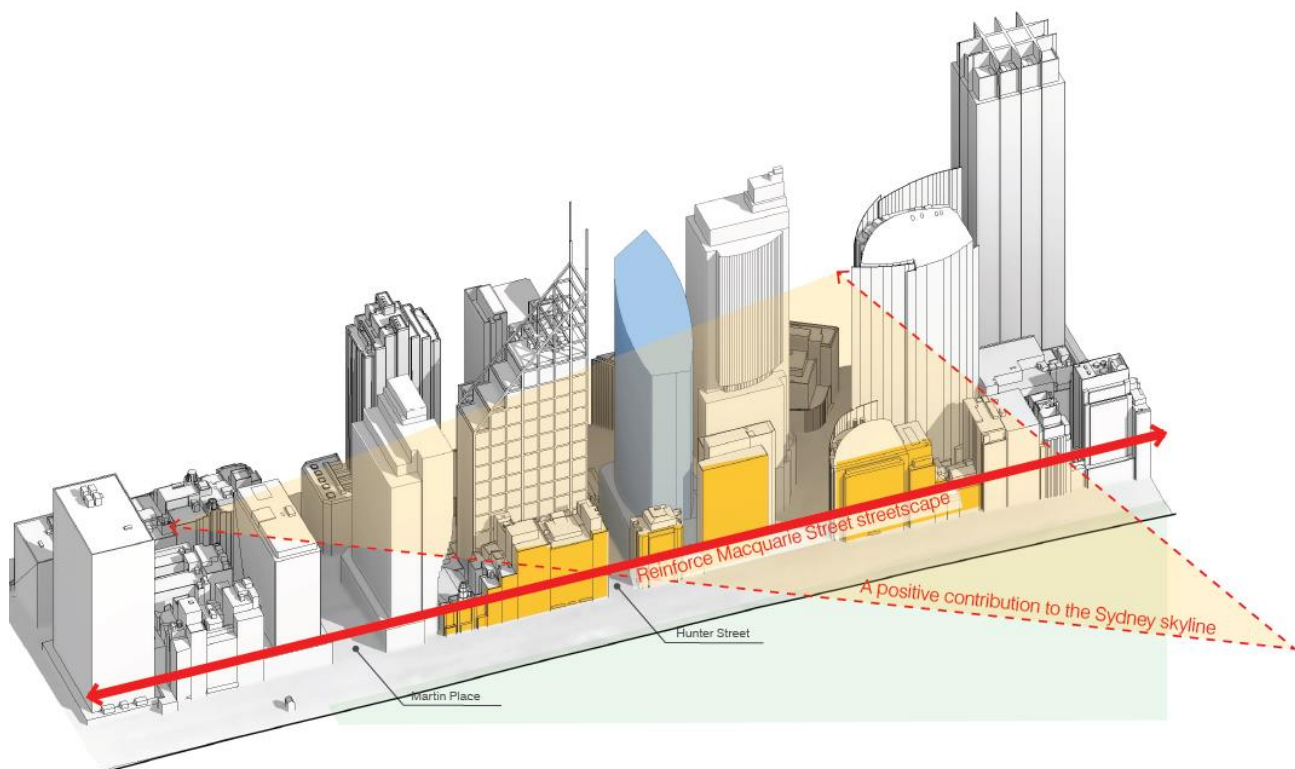
As discussed in the Urban Design Report in **Appendix A**, a nil tower setback is considered the most appropriate setback to the east boundary because it results in a logical and contextual urban design response for not just the site, but development within the whole city block, having regard to the Chifley SCA and the Macquarie Street SCA, whilst simultaneously maximising the opportunity provided by the site to deliver strategic employment floor space in a highly accessible location.

The proposed nil setback is considered appropriate and achievable for a number of reasons. Firstly, the Macquarie Street SCA under the DCP borders the eastern boundary of the site, and envisages towers set back at least 10m from Macquarie Street. As the setback of the proposed tower edge to Macquarie Street exceeds the minimum 10m requirement (up to 14m achieved), from a heritage and streetscape perspective, the proposed tower both complies with, and achieves the intent of, the SCA setback control.

There are examples in Central Sydney where a reduced setback to a heritage item can still achieve a high-quality urban design outcome. Specifically, this is best represented at 60 Martin Place, another prominent building in the City's eastern skyline. In this example, the approved tower has achieved design excellence and a respectful heritage response through a cantilevered tower partially sitting over the heritage significant St Stephen's Uniting Church. As such, through skillful design and detailed design treatments, a lesser tower setback can still yield a positive outcome to a sensitive adjoining heritage item. The subject proposal's setback to Macquarie Street is significantly greater than that achieved with 60 Martin Place. The built form interface with the eastern boundary can be further enhanced through the competitive design process.

Visually, the zero setback provides a tower in a location which complements the Macquarie Street streetscape and does not dominate the heritage items, as discussed in the Visual Impact Assessment in **Appendix A** and in the HIS in **Appendix F**. The contextual siting of the tower relative to the required 10m setback from Macquarie Street is evident in **Figure 53** and **Figure 54** for both the proposed envelope and the reference scheme.





**Figure 53 – Proposed envelope and nil eastern setback in Macquarie Street context**

Source: Architectus

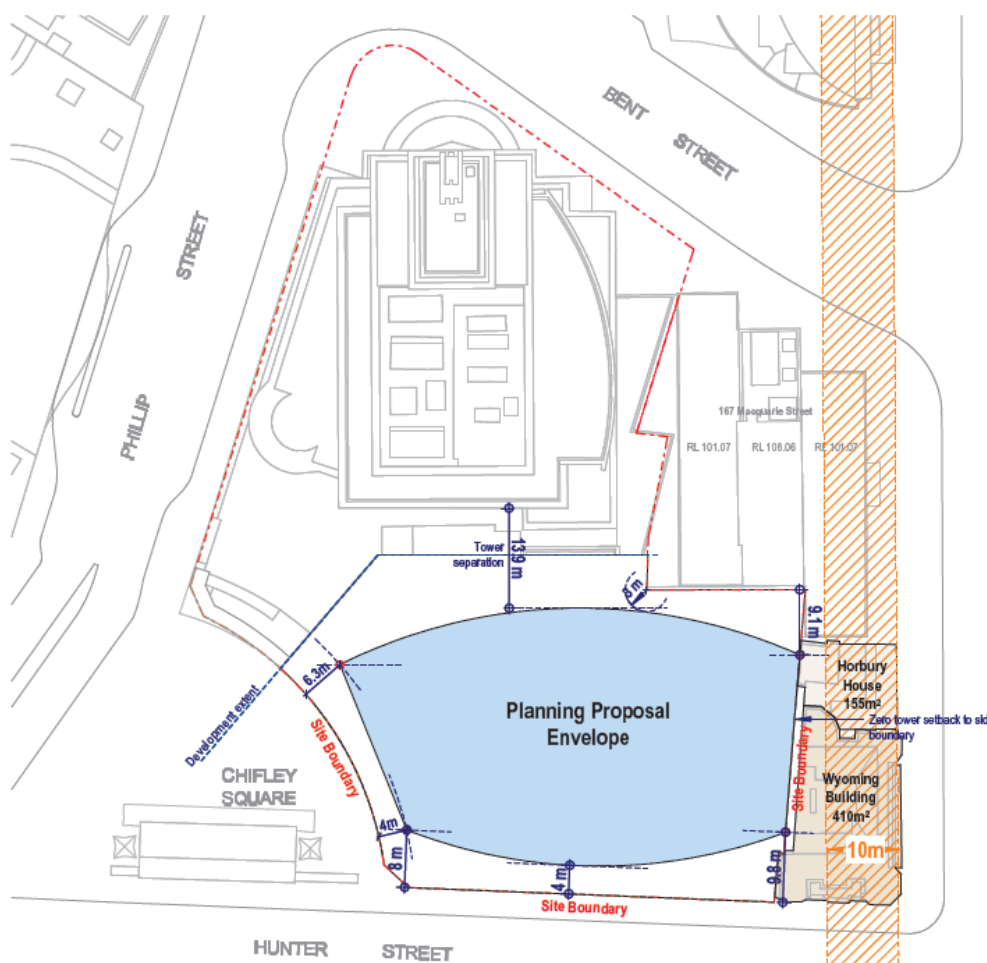


**Figure 54 – Reference design and nil eastern setback in Macquarie Street context**

Source: Architectus

Secondly, and having regard to the above, the Wyoming and Horbury House heritage sites which neighbour the subject site to the immediately east, are both highly unlikely to be developed, or to accommodate an addition above 55m in height. The significance of this is that the proposed tower setback is highly unlikely to impinge upon any air space development rights on land to the immediate east. The grounds for this assumption are:

- As a starting point, the DCP provisions require 'no further development' above the heritage items which would preclude additions to or development above heritage items.
- It is understood that according to Council's records, Horbury House was awarded 1,823m<sup>2</sup> of Heritage Floor Space (HFS) in 1973. In accordance with Clause 6.10(6) of the LEP, land is not to be included as part of a site area for the purposes of calculating FSR if the land was part of the site of a heritage building and an amount of HFS has been recorded in respect of that site (either under Clause 6.10 of the Sydney LEP 2012 or under a similar scheme in force before the commencement of the LEP in force). Therefore, in the unlikely event of a complete redevelopment of both sites, the redevelopment of the site would be further limited as a result of the application of that clause.
- The Wyoming building is approximately 45m in height, and as such, the potential for additions is limited. The combined area of the sites containing the Wyoming Building and Horbury House building is approximately 565m<sup>2</sup>. The LEP seeks to limit building heights to a maximum of 55m on sites with an area of less than 1,000m<sup>2</sup>.
- If a tower addition or complete redevelopment were considered across both sites, the DCP would require a 10m setback from the heritage street frontage height to Macquarie Street. As the Wyoming Building and Horbury House depths are limited to approximately 14m and 17m respectively, this does not allow feasible floor plates within the remaining height available under 55m, as illustrated in **Figure 55**.



**Figure 55 – Impact of Macquarie Street tower setback requirement on Wyoming and Horbury House potential additions**

Source: Architectus



### Technical grounds

From a technical standpoint, the proposed nil tower setback to the eastern boundary is considered achievable for the following reasons:

- The Wyoming Building and Horbury House land titles do not show any evidence of covenants or easements that would preclude the proposed tower from directly abutting the boundary.
- The future development will integrate external wall wetting sprinklers to the external eastern wall façade within 3m of the site boundary, in accordance with the Deemed to Satisfy (DtS) provision clause C3.2 of the BCA, to prevent the risk of fire spread and ensure fire engineering compliance.
- Access over the adjoining sites to the east for maintenance of the tower façade will be obtained through a formal agreement with the adjoining landowner. Alternatively, access can be enabled through the *Access to Neighbouring Land Act, 2000*.
- High levels of commercial amenity to the Wyoming building's southernmost west facing window will be retained through an outlook to the west over the Chifley podium, as it is located in the proposed envelope's tower setback zone to Hunter street.
- Notwithstanding the existing west facing windows of the Wyoming building located above the existing Chifley podium height, given the narrow depth of the Wyoming Building floor plates, the building will still achieve adequate daylight through the windows located on the northern, eastern and southern facades, commensurate with all other levels in the building, and will maintain some light through the existing light well to the west.
- The existing west facing windows on the Wyoming building are set back an appropriate distance of approximately 1.6m from the site boundary facilitating a light well, and thus, will not result in detrimental privacy issues, particularly due to the commercial nature of the uses and the remaining aspect of windows in the building to the north, east and south.

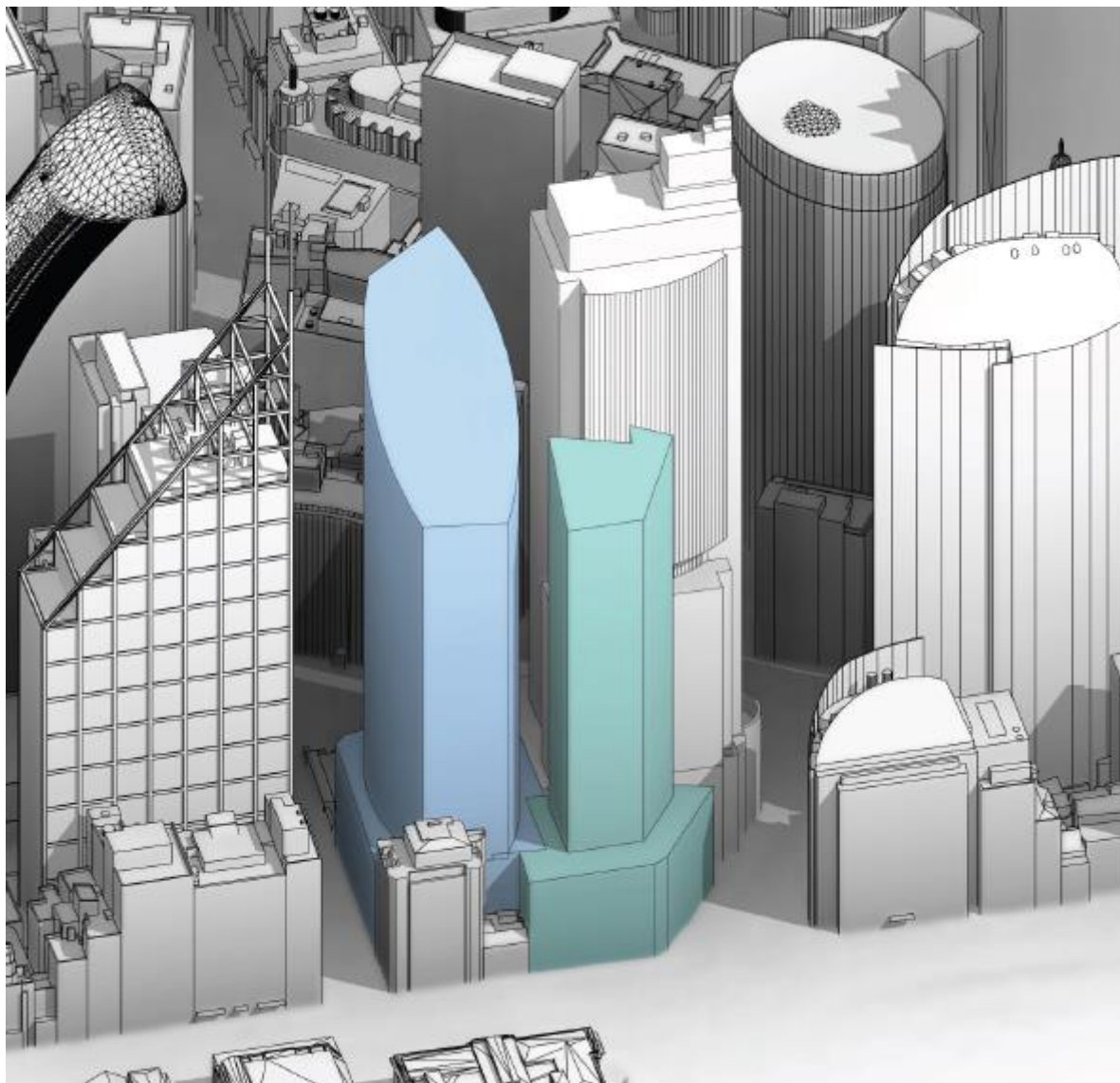
### **Tower setback to the north east (north-east boundary to 165-169 Macquarie Street, known as 167 Macquarie St)**

The proposed setback range of 3m to 9.1m to the north-east boundary is considered appropriate for the following reasons:

- At the eastern-most portion of the envelope, the proposed tower envelope is separated a generous 9.1m from the north-eastern boundary. The irregular site geometry presents a an irregular step in the boundary which has been managed through the rounded envelope being set back a minimum of a 3m setback immediately at the shortest dimension to the boundary (pinch point), with the tower then tapering away substantially from the neighbouring boundary. The curved tower design results in a weighted average setback of 5.4m. This enables sufficient breathing room to the existing building to the north east.
- Any future redevelopment of the site to the north east is considered unlikely to exceed 55m as a result of the 10m setback requirement in accordance with the Macquarie Street Special Character Area and the impact this has on the viability of a scheme. However, should a proposal eventuate, block modelling contained within the urban design report has demonstrated that a future redevelopment on that site would optimise the principal outlooks to the north and east, with the core to be most likely located facing west or abutting the south-western corner of the site. Therefore, it is highly likely that a non-active façade would abut the proposed envelope at this corner and hence the proposed setback remains suitable. This is best demonstrated in **Figure 56** and **Figure 57**.
- The proposed setback range takes advantage of the orientation of the existing building at 165-169 Macquarie Street, which presents a rear / blank wall to the south. A setback range of 3m to 9.1m provides sufficient separation between the existing building and the new envelope, given it is a blank wall.
- The curvature of the northern elevation provides the greatest separation when viewed from the east, ensuring minimal visual impact to the Macquarie Street streetscape (refer to the Visual Impact Assessment in **Appendix A**).



Source: Architectus



**Figure 57 – Separation to the 167 Macquarie Street building when viewed from the east (Macquarie Street)**

*Source: Architectus*

### Tower setback to the south (Hunter Street)

The proposed setback range of 4m to 9.8m to the southern boundary is considered appropriate for the following reasons:

- The reduced setback is offset by the reduced podium height, which provides a greater overall improvement with respect to the visual impact of the proposal.
- The setback allows the siting of a tower which sits comfortably in its context when viewed from the east (towards the city), and from the west (along Hunter Street). The tower location and extent are considered proportionate to the dimensions of the site and the width of Hunter Street, providing an acceptable and balanced visual outcome when viewed from the street. A full 8m tower setback would provide a negligible visual difference or benefit from these two viewpoints.
- The objective of providing an 8m tower setback in this location is achieved by the proposed southern tower setback, namely:
  - a comfortable street environment for pedestrians is still achieved, with high levels of daylight, and appropriate scale, sense of enclosure and wind condition achieved along Hunter Street; and
  - good separation between tall buildings and across streets is provided, whilst maintaining views to the sky and a sense of openness in the street.
- There is no established tower setback alignment along the northern side of Hunter Street. As such, a uniform 8m setback is not considered contextually responsive. The established tower setback alignment along the southern side of Hunter Street is zero (Deutsche Bank, 8 Chifley and Macquarie North Site) as illustrated at **Figure 60**. The proposed setback to Hunter Street should therefore primarily be determined based on its proportions to the street.
- The Visual Impact Assessment demonstrates that the proposal's curved southern façade with a 4m to 9.8m setback to Hunter Street provides a small narrowing of the gap between buildings to either side of Hunter Street (Deutsche Bank Place / 126 Phillip Street) from 26 to 24 metres (compared to an 8m setback), with no significant loss of visual amenity from Hunter Street. This small reduction, however, affords the site an opportunity to deliver a more viable building envelope from which to develop a more robust solution for a commercial office floorplate, whilst maintaining good separation to the Deutsche Bank building. A 24m separation between commercial buildings is also considered ample breathing space in the CBD context, given that even a residential development (being a more sensitive land use) would itself only be required to provide 24m separation under the ADG.
- The Schedule 11 procedures of the draft DCP permit consideration of alternative setbacks and building separation requirements where positive pedestrian amenity can be demonstrated relative to DCP complying envelope. The proposed setback has been tested against Schedule 11 and has been determined to be of equivalent benefit to pedestrian amenity when compared to a tower with an 8m setback.



**Figure 58 – Hunter Street tower setback context**

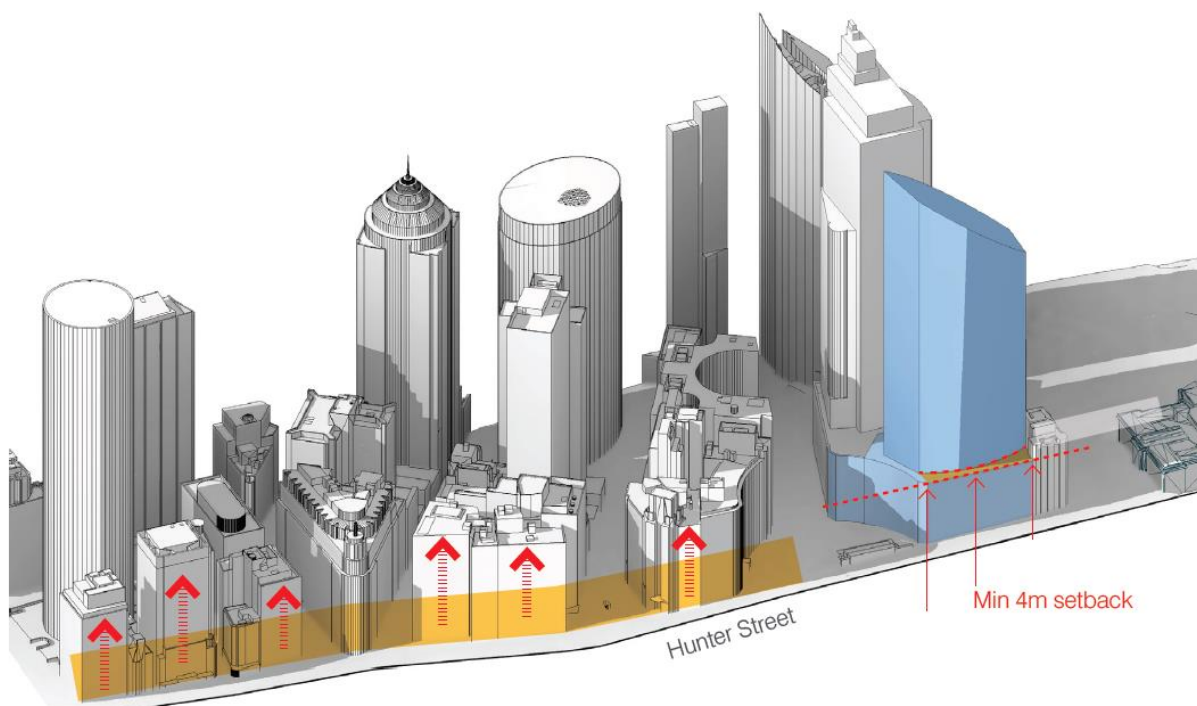
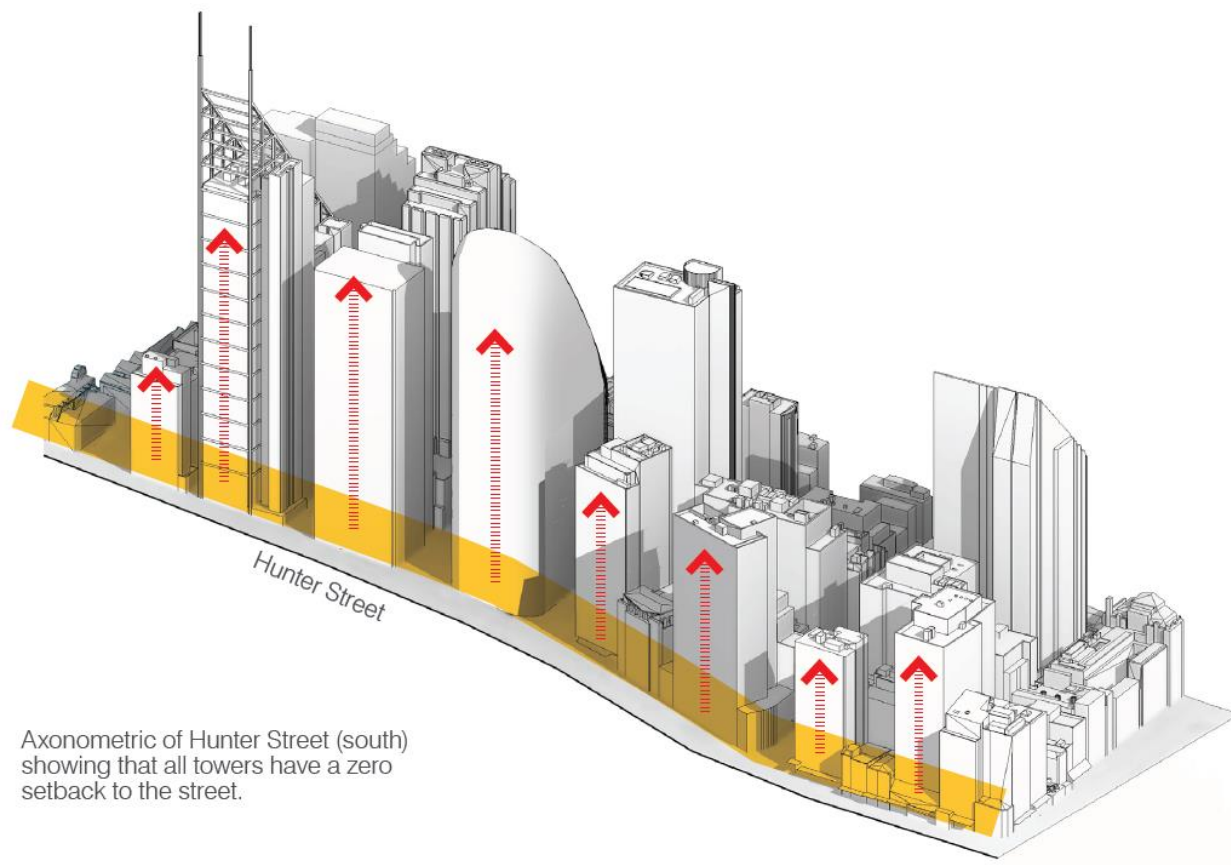
Source: Architectus





**Figure 59 – Proposal from Elizabeth and Hunter Street (looking north-east)**

*Source: Architectus*



**Figure 60 – Setback study for sites along Hunter Street, looking south (top) and looking north (below)**

Source: Architectus



### 8.1.4 Suitability of increased capacity / density

**Table 5** below provides a comparison of the permissible FSR (and resulting GFA) under the Sydney LEP against the proposed FSR (and its resulting GFA) for the site.

**Table 5 – Current LEP and Planning Proposal FSR/GFA comparison**

Site area	Sydney LEP 2012 FSR	Sydney LEP GFA	Planning Proposal FSR	Planning Proposal GFA
6,438m <sup>2</sup>	13.75:1 (8:1 base FSR + 4.5:1 accommodation floor space + 10% competitive design process bonus)	88,523m <sup>2</sup> (6,438m <sup>2</sup> site area x 13.75)	20.41:1 (including design excellence bonus, pro-rated based on-site area = 4.4% bonus)  19.55 (without the design excellence bonus)	131,391m <sup>2</sup> (6,438m <sup>2</sup> site area x 20.41)

Although the proposal generates an FSR higher than what is currently achievable under the existing controls, it is the product of urban and architectural design testing, rather than a target figure. This testing established the appropriate maximum building envelope in terms of its impacts (especially in relation to wind and sky view), and from there, allowed the development of a building envelope capable of accommodating a tower form which caters to the market the project seeks to deliver to, in a manner proportionate to the site and locality and in direct response to the CSPA objectives.

The City of Sydney Council prepared a Built Form Capacity Study that accompanied the CSPA in 2016. The Capacity Study revealed that the main historic statutory barrier to development within Central Sydney (being FSR) should and could be reassessed, and possibly removed, subject to testing on a site by site basis. This principle is also reinforced by the inclusion of the tower cluster LEP pathway in the most recent iteration of the Central Sydney Planning Proposal, which identifies specific sites (subject to testing) considered capable of accommodating larger FSRs, above that normally achievable under the height and floor space limits.

Although the site was not included within the group of sites that were tested at the time in the Built Form Capacity Study (2016), the site was identified at the edge of a tower cluster in the CSPA 2016. Notably, the site has since been nominated within the proposed tower cluster map in the CBD Planning Proposal as shown in **Figure 3**, where an FSR of 18.75:1 is theoretically achievable without a Planning Proposal.

The Capacity Study demonstrates that some sites in Central Sydney are capable of achieving density well above that available under the current controls. Those with the most uplift potential tested by Council are identified in **Table 6**.

**Table 6 – Commercial development capacity of identified blocks under the Built Form Capacity Study**

Block reference	Prevailing height control	Maximum potential height (RL)	Maximum potential height (m)	Total Floor Space sqm (moderate)	FSR (moderate) (x:1)	Total Floor Space sqm (High)	FSR (high) (x:1)
49A	Sun access plane	307	294	153,262	21.1	179,678	<b>24.7</b>
61 A1	Sun access plane	302	285	110,234	22.2	129,442	<b>26.1</b>
62 A	PAN OPS	330	309	106,684	20.9	125,046	<b>24.5</b>
28C	PAN OPS	330	326	99,972	22.9	117,502	<b>26.9</b>
44A	No additional overshadowing	315	302	155,050	22.9	182,246	<b>27.0</b>

Source: Appendix B – Built Form Capacity Study 2016, Central Sydney Planning Strategy

This is a fundamental shift away from setting a generic fixed FSR number in isolation of site and locality-specific environmental context and impacts. The alternative approach adopted in Council's Capacity Study is a more contextual approach and allows a more appropriate FSR (irrespective of its numerical value) to be established on a site-specific basis, which is the product of urban design feasibility and environmental testing. In this instance of the subject proposal, the FSR proposed provides an appropriate environmental outcome and supports a strong contextual response to the SCA in which the site is located.

Accordingly, an FSR number alone should not inhibit the development potential of a site which is latent, highly optimal and unconstrained, and can clearly bring to fruition all that Council envisions for Global Sydney under its CSPS. A more optimal site or a site with the same favourable attributes may take significant time to materialise. In the circumstance of the subject site, the site itself is already amalgamated, and the proponent is a prominent institutional commercial investor ready to invest in the delivery of commercial floor space and provide employment generation.

Finally, in the preparation of this site-specific proposal, extensive testing of the reference scheme allowed the designers to arrive at an appropriate FSR number, which resulted from establishing a number of internal space requirements for an envelope up to the maximum permissible height. These requirements included the provision and achievement of:

- appropriate and efficient structural wall thicknesses within the structural core to deliver a building of the permitted height;
- floor plates of a commercially viable size (targeting PCA Premium Grade);
- amenities to service floor plate capacity;
- mechanical, electrical and hydraulic service risers and rooms to all levels with plant levels distributed effectively in the building; and
- appropriate and efficient vertical transportation solutions to service a building of the permitted height and capacity.

These studies determined that the reference scheme and proposed envelope is capable of delivering an approximate FSR of 20.41:1 to deliver an efficient and viable tower as described within this report.

The proposed density is also considered appropriate having regard to the following:

- The Sydney LEP also has the following objectives that support additional density with which the proposal is consistent.  
*“Provide sufficient floor space to meet the anticipated needs for the foreseeable future; and  
 Provide an intensity of development that is commensurate with the capacity of existing and planned infrastructure.”*
- The proposal directly responds to the anticipated demand for commercial floor space and can be accommodated on the site from a services perspective, and will support the existing rail and light rail in the locality;
- The site is within a locality of Central Sydney with very high levels of transport accessibility;
- The site is highly accessible to pedestrians;
- The proposal demonstrates a high level of public amenity at the public domain, and a high level of amenity for occupants; and
- The location of the site is predominately commercial meaning the amenity of residential buildings is largely unaffected by the future built form on the site.

#### 8.1.5 Articulation within the Planning Envelope

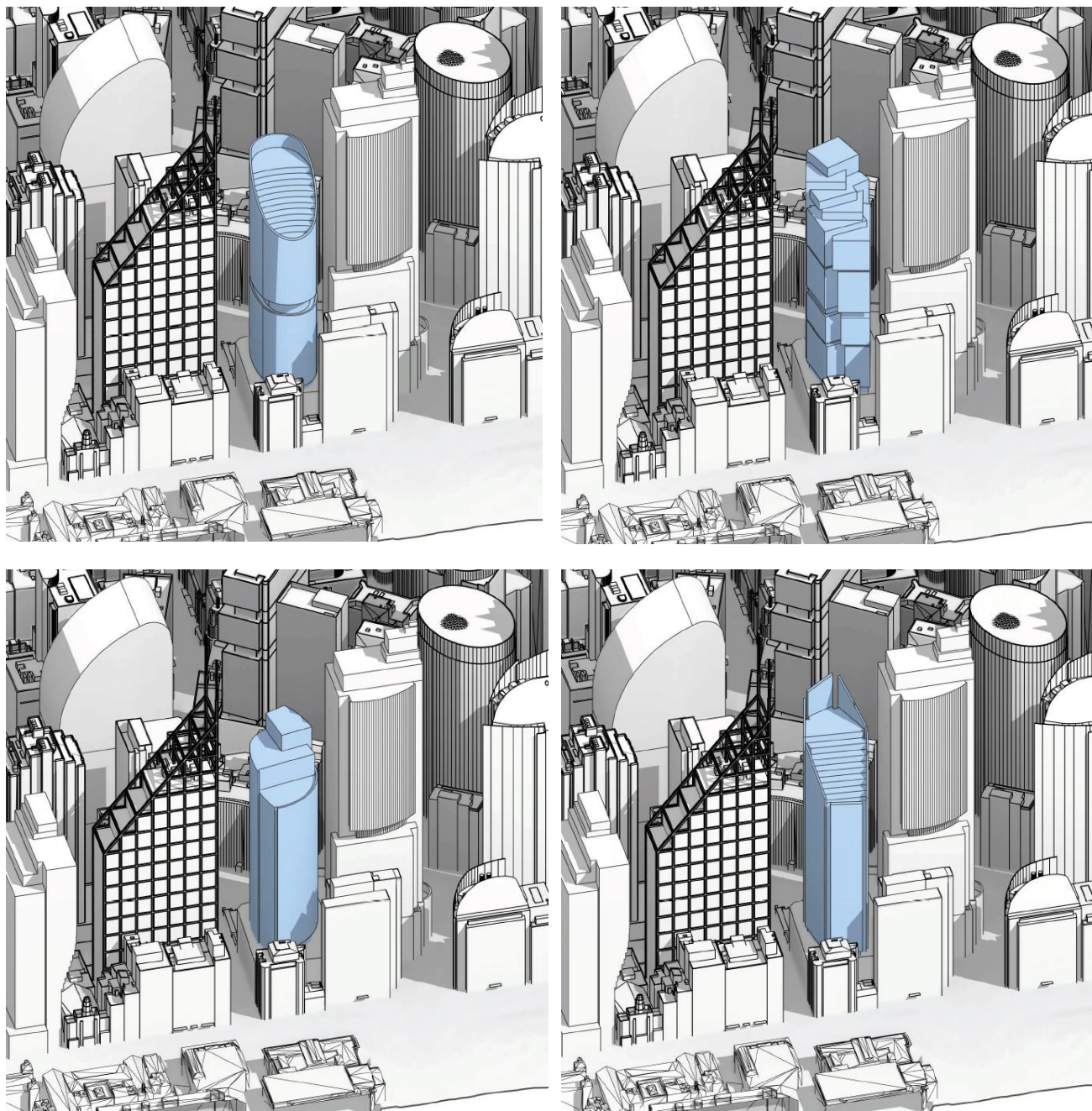
In the *Guideline to Preparing Site Specific Planning Proposals in Central Sydney*, the detailed proposal to be contained within the envelope is, for a tower of the height proposed, to allow for approximately 11% articulation volume. The reference design and resultant proposed FSR complies with this requirement, providing significant opportunity for a range of architectural and urban design outcomes to ensue from the future design competition.

The refinement of a building within the proposed planning envelope was subject to extensive discussion with Council and the DAP following the lodgement of the draft Planning Proposal in September 2020. As the proposed planning envelope evolved, Architectus prepared additional studies that demonstrated the proposed envelope will



not result in a 'shrink-wrapped' outcome for the future architectural design competition, with a range of outcomes possible.

Specifically, as detailed at **Appendix A**, Architectus has illustrated a range of articulated architectural envelopes that can emerge within the proposed planning envelope. The indicative envelopes presented at **Figure 61** demonstrate that a range of architectural forms can emerge within the proposed planning envelope and assumed tolerances, allowing sufficient flexibility for competitors to deliver varied architectural outcomes in the architectural design competition.



**Figure 61 – Alternative articulation opportunities with the planning envelope**

Source: Architectus

## 8.2 Design excellence

Included in **Appendix D** is a Design Excellence Strategy that details the process and approach Charter Hall proposes to adopt in achieving the objectives and requirements of Clause 6.21 of Sydney LEP 2012. Overall, the strategy seeks to:

- Establish a methodology for the proponent to implement a competitive design process for the redevelopment of the subject site, in accordance with the Policy;
- Ensure that the competitive design process works within the framework of this approved Design Excellence Strategy;
- Establish the process for the selection of a competition jury;
- Ensure the project vision is imbedded in the competitive design process;
- Ensure sustainability initiatives and ecologically sustainable development targets are defined and developed through the Competition, detailed design development and construction phases through to completion of the project; and
- Ensure that design excellence integrity is continued in the subsequent detailed development proposal through construction phase to completion of the project.

The proponent has elected to conduct a single Invited Architectural Design Competition for the project. The process is to be undertaken prior to the lodgement of a detailed DA on the site. The Invited Architectural Design Competition will be conducted primarily in accordance with the Policy and Competitive Design Model Brief, however it will also draw on efficiencies supported within the City of Sydney Competition Protocols COVID 19, dated 5 May 2020.

The design competition will be pursuing up to 4.4% additional floor space under the site-specific clause resulting from this Planning Proposal and the Policy, with the floor space bonus pro-rated based on the site area of the redeveloped southern podium and new southern tower (being approximately 2,856m<sup>2</sup>). The proposed site-specific DCP establishes a maximum building envelope for the competitive process and the future built form on the site. The detailed proposal must be contained within this envelope which allows for approximately 11% articulation volume.

## 8.3 Overshadowing and solar access

### The Domain Sun Access Plane

The Domain Sun Access Plane applies to the site (as proposed to be amended under the CSPS). The intended period of protection which the Sun Access Plane governs is 9am-2pm, all year round, with the primary plane date and time being 21 June at 2pm. The proposed envelope has been designed to comply with the Domain Sun Access Plane. To demonstrate this, Architectus has undertaken an assessment of the shadow cast by the proposed envelope on the Domain during the period of protection (refer to **Appendix A** for detailed solar diagrams).

The shadow study has illustrated that the proposed envelope will result in only minor overshadowing of a small portion on the western edge of the Domain between 1pm and 2pm on 21 June. As shown in **Figure 62**, this is considered to be an overall minimal impact, as the vast majority of shadows generated by the preferred building envelope are absorbed by existing development surrounding the site.

With the proposed building envelope complying with the Sun Access Plane for the Domain, the objectives of Clause 6.17 (Sun Access Planes) of Sydney LEP 2012 are thereby deemed to have been satisfied. Those objectives are:

- (a) to ensure that buildings maximise sunlight access to the public places set out in this clause, and*
- (b) to ensure sunlight access to the facades of sandstone buildings in special character areas to assist the conservation of the sandstone and to maintain the amenity of those areas.*

Some reduction in sunlight to public spaces is inevitable as smaller, older buildings are replaced with new buildings designed to the City's height limits. The City's expanded floor space capacity and its success in terms of economic output, job creation and vitality will affect solar access to some degree, especially during winter months, to some extent. This was recognised by the City some time ago, and accordingly, the City focused its planning controls on protecting solar access to certain important and highly valued public spaces such as Martin Place, and the Domain.

The tools used to achieve what it considered a reasonable or acceptable level of protection of these spaces are the Sun Access Planes, along with the “No Additional Overshadowing controls” applying in some circumstances. These have become enshrined in the Sydney LEP 2012 and now proposed to be amended with the CSPS.

The Sun Access Plane for the Domain is a complex set of planes formulated for the moving solar conditions between 10:00am and 2:00pm in midwinter. This is designed to ensure that there is minimal additional overshadowing of this important public space during the key lunchtime period at the “worst case” time of year when the sun is at its lowest angle in the sky. Additional overshadowing before or after this time period is deemed acceptable provided the building fits within the envelope created by the Sun Access Plane, which in this instance complies.



**Figure 62 – Shadow diagrams on 21 June, 1pm (above) and 2pm (below), additional shadow identified in pink**

Source: Architectus

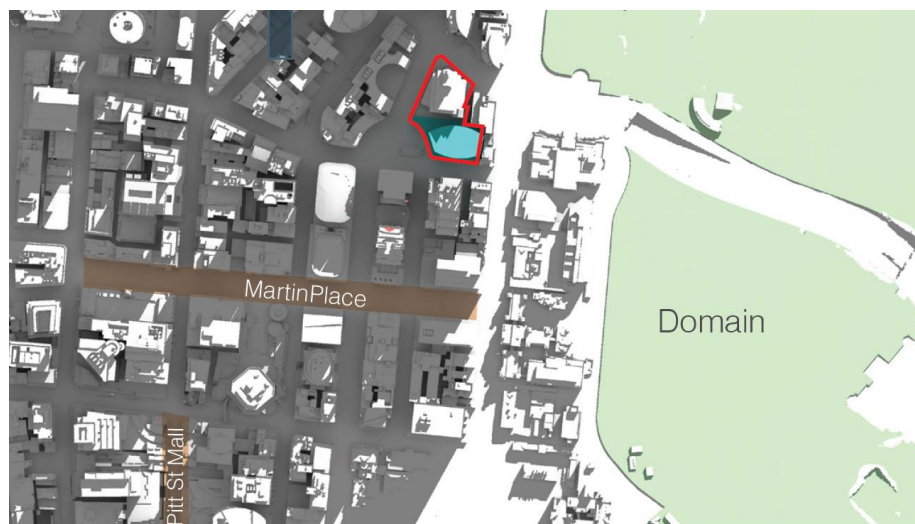


### No Additional Overshadowing controls

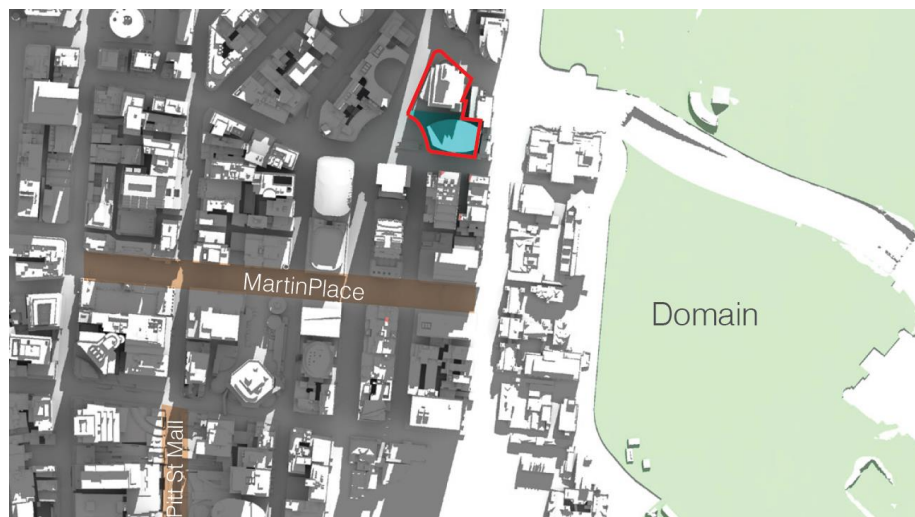
As noted above, the mechanisms used to achieve what is considered a reasonable or acceptable level of protection of these spaces are the Sun Access Planes, along with the “No Additional Overshadowing controls” applying in some circumstances. The site is also within close proximity of public spaces which require protection from any additional overshadowing between 14 April and 31 August as illustrated in **Figure 63**. These include:

- Martin Place (between Pitt Street and George Street) which is protected between 12:00pm and 2:00pm; and
- Pitt Street Mall, which is protected between 10:00am and 2:00pm.

#### 10am

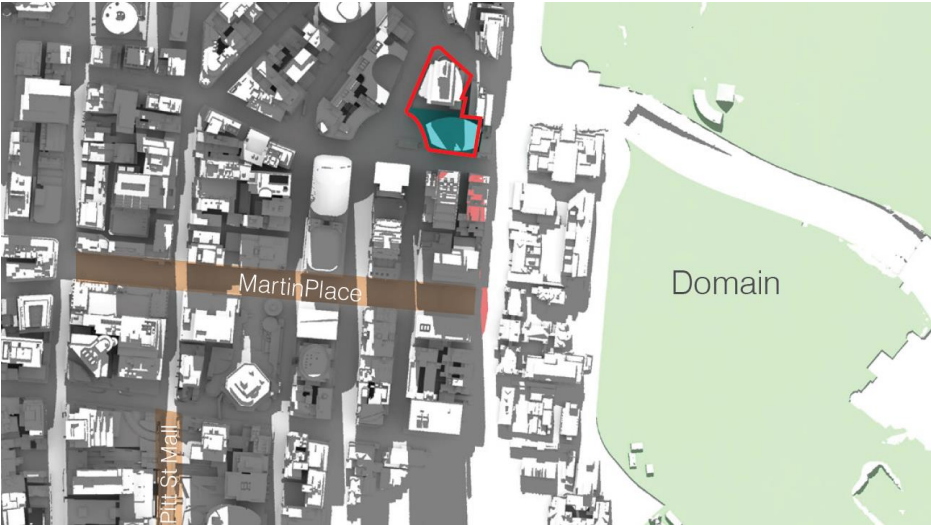


#### 11am

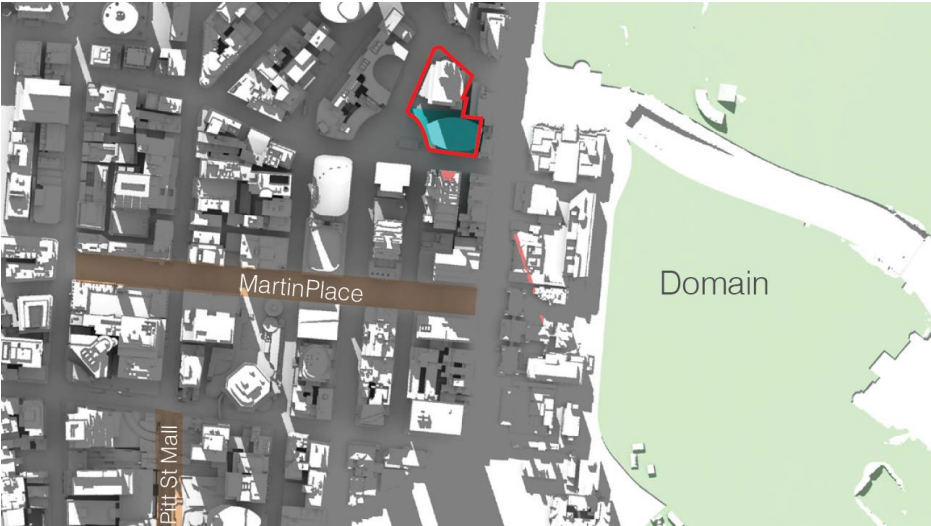




12pm



1pm



2pm



**Figure 63 – Shadow diagrams on 21 June from 10am to 2pm, additional shadow identified in pink**

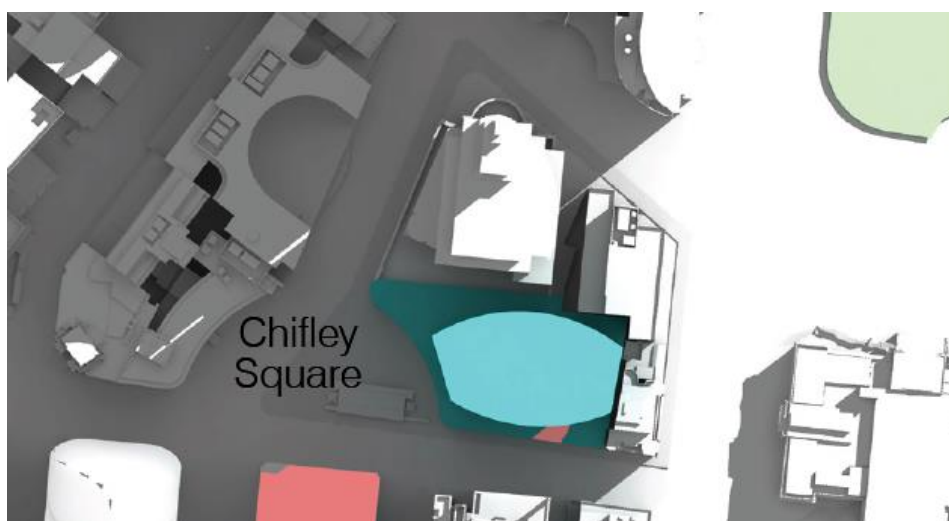
Source: Architectus

The shadow diagrams included in **Appendix A** demonstrate that the proposal will not result in any additional overshadowing to the identified public spaces at the control times.

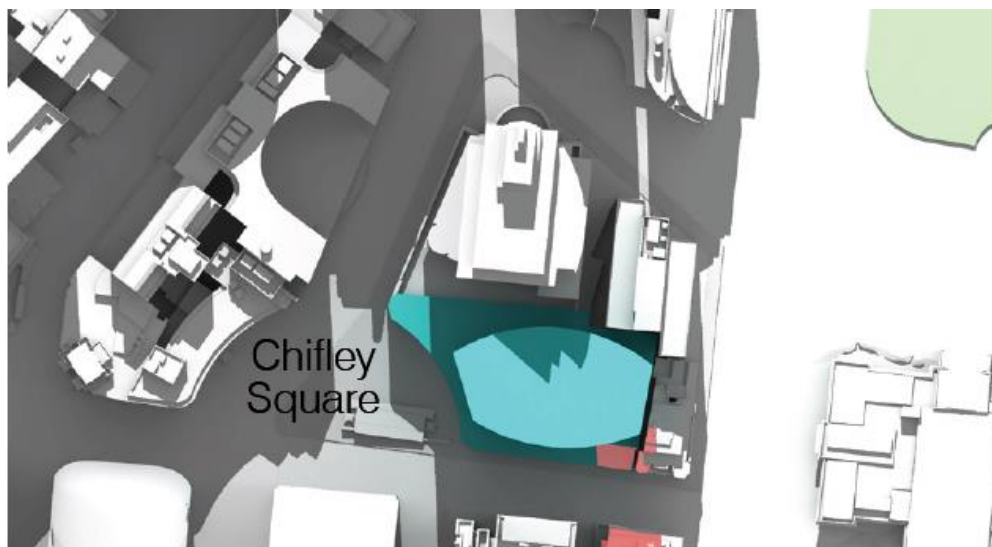
#### Chifley Square

The proposed envelope does not cast any additional shadow onto Chifley Square throughout the day between 9am and 3pm during the period of 14 April and 31 August. This is illustrated at **Appendix A** where the study has assessed the Summer and Winter solstices as well at given dates (requested by Council) during Spring and Autumn at 30 minute intervals between 9am and 3pm. Notwithstanding this, under the draft Sydney LEP, Clause 6.19 is to be amended to remove Chifley Square from the list of public places to be protected as it is already cast in full shadow by existing development during the nominated period of protection.

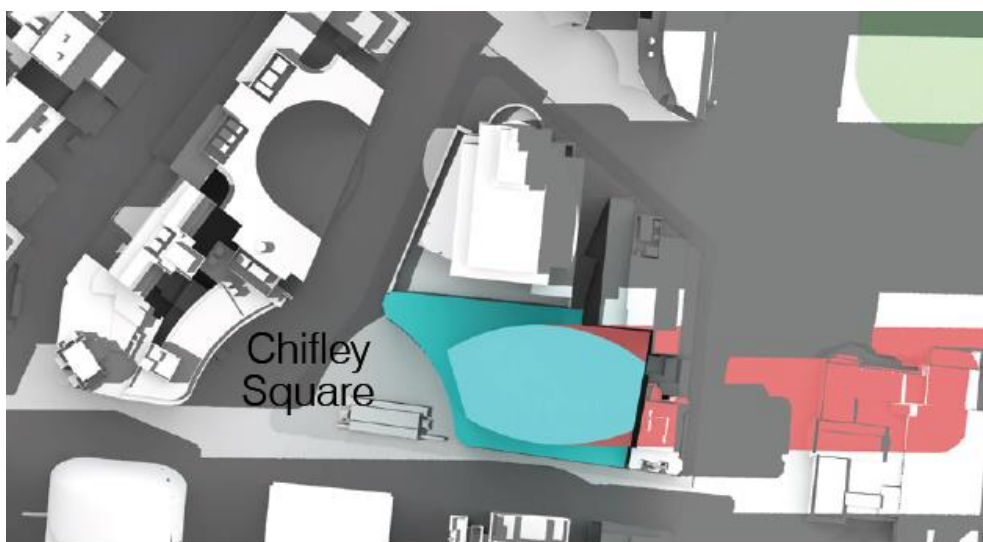
9am



12pm



3pm

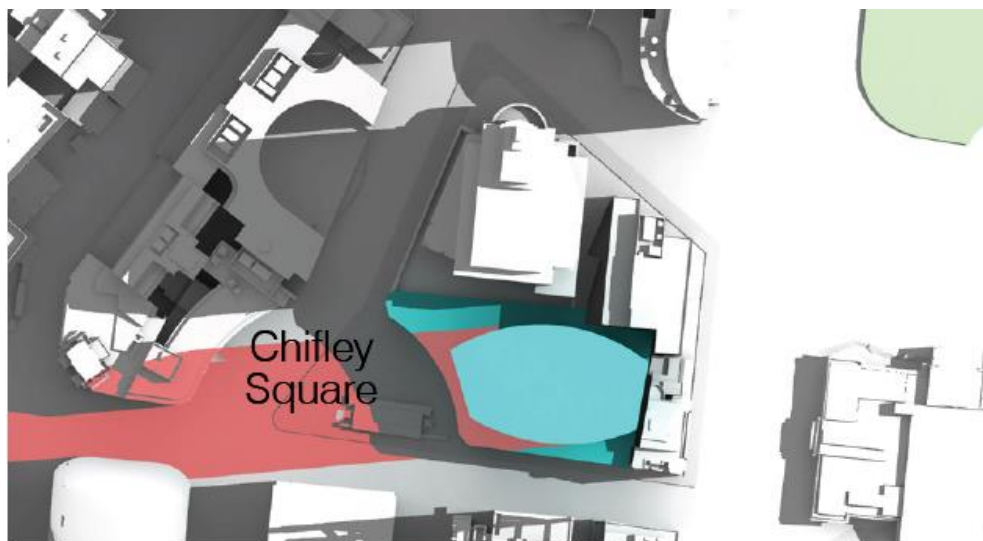


**Figure 64 – Shadow diagrams on 21 June, additional shadow identified in pink**

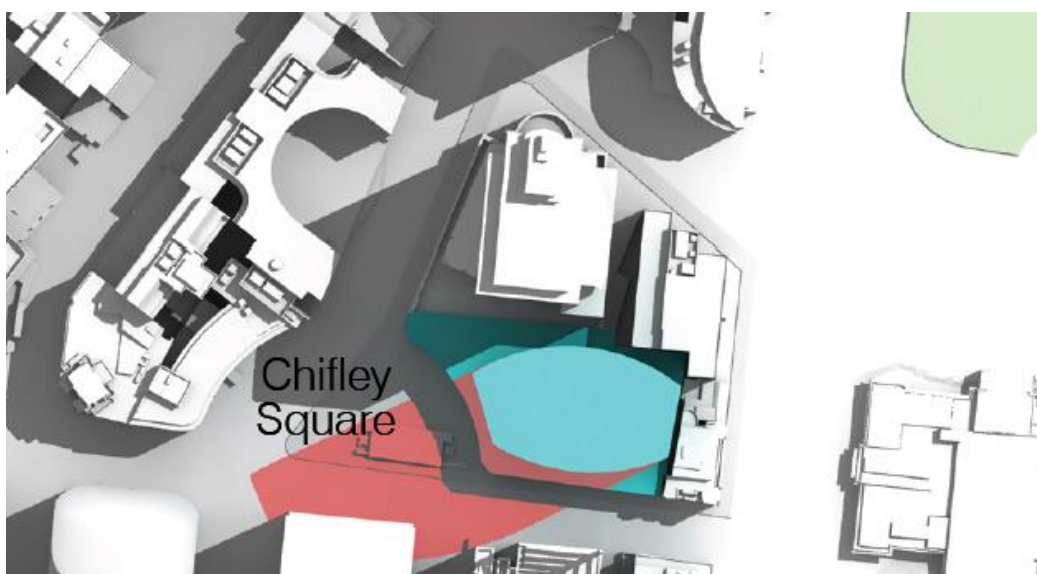
*Source: Architectus*

The shadow analysis has also extended to include the Summer Solstice (21 December). As illustrated at **Figure 65** below, the proposed envelope creates limited additional overshadowing from 9am to 12pm to Chifley Square. From 12pm through to 3pm, Chifley Square experiences unrestricted solar access. It is noted that the period of protection does not extend to the Summer Solstice. In accordance with the uplift envisaged under the CSPS, it is inevitable that proposals will generate some additional overshadowing at certain times throughout the year. In this instance, the additional overshadowing is considered reasonable as it is limited to the hotter time of year being the Summer Solstice, where direct solar access is not as desirable.

**9am**

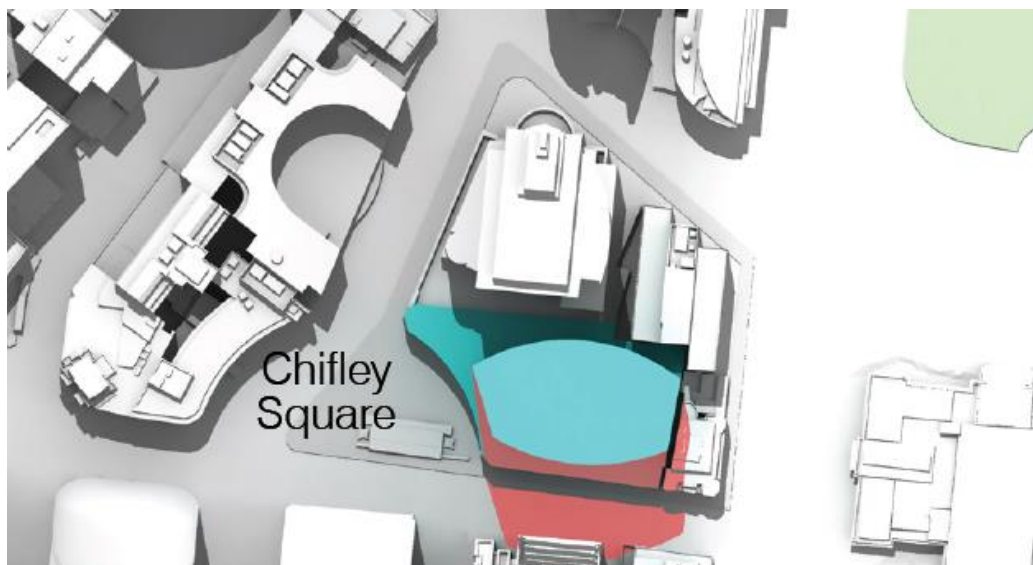


**10.30am**





12pm



**Figure 65 – Shadow diagrams on 21 December, additional shadow identified in pink**

Source: Architectus

#### 8.4 Daylight analysis

BIM Consulting have undertaken an analysis of the daylight levels of the proposed envelope to adjacent public places (included at **Appendix I**). The analysis identifies the potential impact of the proposed envelope on daylight levels extending 50m from the site. The analysis uses the Council's Sky View Factor (**SVF**) methodology which measures the proportion of sky visible when viewed from the ground up. SVF is measured from 0 to 1, with 1 being that the sky is visible to the horizon in all directions. The analysis compares the SVF generated by the proposed envelope and compares it to the SVF generated by envelope which follows the procedure in Schedule 11 of the DCP. In summary, the analysis demonstrates, when averaged, there is an overall **+ 0.064239%** improvement in SVF with the proposed envelope compared to the base Schedule 11 envelope. A detailed analysis is provided in **Appendix I**.

#### 8.5 Visual Impact

A Visual Impact Assessment (VIA) of the proposed envelope has been prepared by Architectus (refer to **Appendix A**). The intent of the VIA is to identify, describe and assess the appropriateness of the potential visual impact associated with the proposed envelope.

A review of the City of Sydney CSPS and Locality Statements indicates that a number of views within the site's context are relevant to assess, in order to provide a clearer understanding of the impact of the insertion of a tower in the visual setting. Views and vistas of Macquarie Street, Hunter Street and Richard Johnson Square, as well as the broader context of the wider Sydney skyline from various public vantage points such as the Domain and Botanic Gardens were considered. The view locations are identified in **Figure 66**, and are:

1. Macquarie Street looking north;
2. Macquarie Street looking south;
3. Macquarie Street looking west down Hunter Street;
4. Richard Johnson Square looking east;
5. View at the corner of Elizabeth Street and Hunter Street looking north;
6. Botanical Gardens looking west;
7. The Domain looking west;
8. Yurong Point;
9. Elizabeth Street and Hunter Street looking north-east;
10. The corner of Hunter and Philip Street (south);
11. Macquarie Street looking south-west; and
12. Macquarie street looking north-west.



**Figure 66 – Key visual impact viewpoints**

Source: Architectus

## Assessment

The Macquarie Street locality statement outlines a clear need to maintain view lines to Circular Quay and Sydney Harbour along Phillip and Macquarie Streets. Development should not encroach within any of the views nominated, and where possible, should improve views to Sydney Harbour (surface of the water) through modulation of built mass. Supplementary views from the public domain, particularly those to the east from the Botanic Gardens, the Domain and Art Gallery Road have also been identified by the City of Sydney as significant view points from which to evaluate the visual impact of any future development on the wider city skyline.

A number of views were assessed from Macquarie Street, with the proposal determined as having a generally low to moderate visual impact on views from this important north-south CBD street. The assessment identifies that, when considered in the context of the current streetscape, the proposed envelope will not have a substantial visual impact on the amenity or character of Macquarie Street, largely as a result of the envelope being visibly set back from the street. **Figure 67** and **Figure 68** illustrate this point, showing how the tower being set back more than 10m from the Macquarie Street boundary ensures it respects the Macquarie Street context.

When viewed from strategic viewpoints to the east, where the CBD skyline is most prominent (such as from the Botanic Gardens, the Domain and Yurong Point), the proposal is determined as having a moderate visual impact on the view. The impact is the result of the insertion of a tower in this location where there is currently no tower, rather than directly related to the specific form of the envelope. The assessment finds that, while readily visible, the height and form of the envelope is not inconsistent with the high density commercial character of its immediate context and provides reasonable building separation to ensure it may be read as an individual element within a larger collection of parts. **Figure 69** shows the proposed envelope in its future context when viewed from the Royal Botanic Gardens to the west.

The VIA also considers views of the proposed envelope from the west and south, including at various points along Hunter Street and Phillip Street. Again, the proposal is determined as having a moderate visual impact on these more localised and CBD-centric views, which is largely attributed to the insertion of a tower in this location where there is currently no tower, rather than directly the result of its specific form. The assessment notes that whilst the development of the tower will be clearly visible from within the Chifley SCA, the scale of the podium to Chifley Square remains consistent with the scale of the existing podium, and will preserve the amenity and character of the open space and the Hunter Street interface, as shown in **Figure 70**.

Further to this, the VIA illustrates the views from Chifley Square, which is a defining public open space within the street block. When viewed from Chifley Square, the proposed podium not only enables human scale, but it reflects the curved geometry of the existing podium. In this regard, the view impact from the podium in isolation beyond the existing site situation is negligible. Pursuant to the detailed design process, the podium architecture will be enhanced to further improve the important interface with Chifley Square. Regarding views to the tower, the building separation is highly legible (refer to **Figure 70**), contributing a new successful two tower site, well defined from Chifley Square. The tower setback above the podium height also offers visual relief and does not present an overbearing street wall to this key public space.

Finally, it is important to note that the visual impact of the proposal will be refined and improved through the design excellence process and detailed design, as the Planning Proposal assessment considers a maximum building envelope. In summary, the analysis demonstrates that the preferred envelope generates an overall acceptable visual impact that can be supported.





**Figure 67 – View from Macquarie street looking north with building envelope**

*Source: Architectus*



**Figure 68 – View from Macquarie Street looking south with building envelope**

*Source: Architectus*





**Figure 69 – View from Botanic Gardens looking west with building envelope**

*Source: Architectus*



**Figure 70 – View from the corner of Hunter and Philip street (south) with building envelope**

*Source: Architectus*

## 8.6 Heritage assessment

A Heritage Impact Assessment (HIS) has been prepared by Urbis Heritage (**Appendix F**). The report considers the impact of a future proposal built in accordance with the proposed controls on nearby heritage items. The HIS was prepared in accordance with the Heritage NSW 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).

The HIS notes that the site is not heritage listed, however it is situated in the vicinity of several heritage items which are listed under Schedule 5 of the *Sydney Local Environmental Plan 2012* ('LEP'), including some State heritage items, being:

- Chifley Square (I1708) (Local item)
- Commercial Chambers "Wyoming" including interiors (I1878) (Local item)
- Terrace house "Horbury House" including interior (I1877) (Local item)
- Wentworth Hotel including interiors (I1674) (Local item)
- Former "Qantas House" including interiors (I1811) (State item SHR 01512)
- Former "City Mutual Life Assurance" building including interiors (I1675) (State item)
- Richard Johnson Square including monument and plinth (I1673) (Local item)
- State Library of NSW including interiors (I1950) (State item)
- Shakespeare Place including Shakespeare monument and Bourke Statue (I1949) (Local item)

Additionally, the site is located in close proximity to Macquarie Street, which is within the nominated National Heritage List curtilage for the Governor's Domain and Precinct.

Based on an overview of the site's history, planning context, physical setting, and heritage significance (and the history and context of the heritage items located in the site's vicinity), the HIS concludes that:

- As the podium of Chifley Tower follows the curve of Chifley Square, it respects the semi-circular form which was proposed for the northern side of the square in its original design of 1908. Therefore, retention of the element below a new tower is appropriate.
- The form of the western façade would gesture towards the curvilinear podium and the curved podium will remain the dominant feature.
- The new tower surmounting the podium is shown to be sympathetically set back a minimum of 4m-6.3m from the western façade of the podium. This would retain the relationship between the podium and the height of the heritage listed Qantas House opposite. It would further retain the existing sense of enclosure and scale within Chifley Square.
- The new mass would not obscure any significant views around Chifley Square or towards any significant items from Chifley Square
- The form of the proposed building envelope is in keeping with those adjacent which are also of contemporary construction and are visible from the Domain and Botanic Gardens. It is also only marginally different from the allowable or the DCP compliant envelope. The impact of the character of the outlook from the Domain or Botanic Gardens would therefore be neutral.

As the proposal does not seek consent for any works or a detailed design at this stage, Urbis has set out recommendations to inform the subsequent competitive design and detailed design process, as set out below:

- The replacement of the podium may be supportable if it is required to be subject to ongoing heritage advice and provided that the height of the podium has a relationship with Qantas House and continues to directly contribute to the intentional sense of enclosure.
- There may be new requirements for the internal layout of the podium. There are no heritage constraints against the re-organisation of the internal spaces.

- The proposed tower is not to have any physical impact on the listed fabric adjacent. The proposal must demonstrate that sufficient separation is maintained to ensure there is no physical impact on the item. The construction management plan is further to specifically address the protection of the item during construction.
- The future proposed building is to be of a design quality befitting of its context. The Design Excellence Competition is to require in the submissions a specific response to the heritage context with reference to a heritage brief which is to be adapted from the HIS accompanying this Planning Proposal.

## 8.7 Wind assessment

A pedestrian wind environment assessment has been prepared by Windtech, and is included in **Appendix G**. The wind report provides an assessment of equivalency of the proposed envelope against the CSPS base case envelope, as required by the Guideline and in accordance with Procedure B of Schedule 11 of the DCP. The report also provides an assessment in the change in wind conditions resulting from the proposed envelope compared to the existing situation with regard to pedestrian level wind comfort and safety.

The wind tunnel test included three different built form scenarios, being:

- The existing situation;
- The CSPS base case envelope; and
- The proposed envelope.

The assessment of the results obtained through the wind tunnel test concluded the following:

- The proposed envelope performs better than the base case envelope with respect to the equivalency test under Schedule 11 of the DCP, and is therefore an improvement relative to the base case; and
- The proposal is an overall improvement (both in terms of comfort and safety) to the existing situation. This can be attributed to the tower envelope capturing the north-easterly winds and funnelling them towards the western end of the site through the channel created by the existing Chifley Tower, and the overall shielding effect the tower envelope provides from the site's exposure to north-easterly winds.

The assessment identifies that there are exceedances of both the comfort criteria and (to a lesser extent) the safety criteria in some of the tested locations in both the existing situation and the proposed envelope situation. The wind assessment identifies that this is because the site, being on the eastern edge of the CBD, is more exposed to prevailing north-easterly winds relative to other CBD locations which are better shielded. The site is therefore impacted by the prevailing north-easterly winds due to the exposure of the CBD from the east, reflected in the results of the existing situation.

Importantly however, it is noted:

- Where there is an exceedance of the comfort or safety criteria with the proposed envelope, this exceedance is a pre-existing condition evident in the existing situation, with the proposed envelope resulting in a reduction in the wind speed in the location of the exceedance; and
- With respect to safety, the introduction of the proposed envelope resolves a significant number of pre-existing locations which fail the safety test.

In addition, given the assessment is currently limited to a sheer envelope, the detailed design is also expected to result in further improvement to the wind conditions within and around the site. Nonetheless, where there is a pre-existing comfort or safety exceedance, further mitigation measures to be introduced at detailed design stage and following further wind tunnel testing will be introduced, and are expected to further reduce wind speeds.

## 8.8 Traffic and Transport

A Preliminary Traffic and Transport Report has been prepared by AECOM (**Appendix E**), which outlines the existing traffic and transport context on the site, as well as the likely traffic outcomes resulting from the development outcomes likely to result from the Planning Proposal.



### 8.8.1 Existing conditions

AECOM has reviewed the existing traffic conditions around the subject site. This includes a review of the existing public transport provision, pedestrian and cycling facilities and the local road network. Specifically, AECOM finds that:

- There are four main signalised intersections which surround the project site. They will be used to provide access to the site for construction vehicles and the vehicles required for operation of the development. The four intersections are:
  1. Macquarie Street / Bent Street / Shakespeare Place (Eastern Distributor on & off ramps)
  2. Phillip Street / Bent Street
  3. Hunter Street / Elizabeth Street / Chifley Square
  4. Macquarie Street / Hunter Street
- Being located within the Sydney CBD, Chifley Square is very well serviced by bus routes. The Martin Place Station bus interchange on Elizabeth Street is located about 150 metres from the site and is served by 19 bus routes. The Martin Place bus interchange on Castlereagh Street is located about 200 metres from the site and facilitates an additional five bus routes. One more bus route operates on Macquarie Street, with bus stops less than 100 metres from the site.
- Chifley Square is well serviced by train services, including the future Martin Place Metro Station (only 100 metres from the site). The current closest train station is Martin Place, located about 200 metres from the site. Other nearby train services also include Circular Quay, Wynyard and St James Stations which are located 500 metres to the north, west and south of the site respectively.
- Chifley Square is serviced by ferry services through the Circular Quay ferry terminal which is located about 500 metres north of the site. Circular Quay consists of five wharfs which facilitate eight ferry services. The eight services all run along Parramatta River and Port Jackson Bay towards the west and east of Circular Quay respectively.
- Chifley Square is also serviced by the Sydney CBD & South East Light Rail line. There are three stops located within 500 metres of the development site. These are Circular Quay, Bridge Street and Wynyard light rail stops which are located to the north, north-west and west respectively

### 8.8.2 Traffic generation

Based on the trip generation rates specified in the RMS “Guide to Traffic Generating Developments”, AECOM has determined that the proposal will generate 70 additional peak hour vehicle trips (170 total trips across the whole site). AECOM conclude that due to the site’s location in Central Sydney with high access to a range of existing and emerging public transport, it is not expected that the additional commercial areas will add any significant levels of traffic to the area. Importantly, as the site is located on the periphery of the CBD, the majority of traffic generated by the development will not travel through the CBD centre and therefore not contribute to congestion within the CBD.

### 8.8.3 Parking and access

Since the initial car parking approvals for the existing Chifley Tower in 1988, there have been several reconfigurations in the number of parking spaces provided. The current parking arrangements at Chifley Square include a total of 361 car parking spaces (noting that 2 Chifley Square was approved for 374 car spaces). The basement car park and vehicular access details will be further designed and approved under a future development application following the Planning Proposal process. However, it is noted that Charter Hall is committed to reducing the number of car parking spaces provided on the site despite the increase in development yield on the site. Therefore, the result of this would likely mean a reduction in the number of vehicular trips generated by the combined development. The total number of parking spaces to be provided on the site will be determined through a subsequent Development Application process.



## 8.9 Pedestrian activity and comfort assessment

As part of the Traffic and Transport Report at **Appendix E**, AECOM has included a Preliminary Pedestrian Comfort Assessment. This assessment discusses the pedestrian implications of the proposal, including an assessment of the existing and future post-development pedestrian conditions along the site's frontages.

### 8.9.1 Existing conditions

Due to the COVID-19 pandemic, pedestrian counts were unable to be completed, and more importantly would have likely been distorted by a higher percentage of people remaining at home during the various pandemic-associated restrictions. As such, a preliminary assessment has been carried out for the future 2026 performance based on available public data from pre-COVID-19 levels (Sydney Metro EIS data). In a later stage, this assessment will be reviewed and updated with survey data once demands return to normal levels, if required.

The streets surrounding the site experience a morning peak and an afternoon peak between. As illustrated by AECOM, under the existing conditions, the pedestrian footpaths along Elizabeth Street and Hunter Street frontages predominantly operate at 'Level B' or above, with the exception of a single morning peak route along Elizabeth Street, experiencing a 'Level C' service. Given that the site is located within Central Sydney's commercial core, this is considered by AECOM to be an acceptable level of operation.

### 8.9.2 Pedestrian traffic generation and comfort assessment

In order to assess the potential impact of the Planning Proposal, the existing street conditions have been compared with the anticipated conditions in 2026 given this is the anticipated timeframe of the proposal. Two options have been considered, being 2026 conditions 'with no development' and the 2026 conditions 'with development'. Specifically, the 2026 'with no development' includes the growth and demand due to employment and the impact of future Sydney Metro at Martin Place. The additional pedestrians expected to arrive at and depart from Chifley Square due to the proposal, includes:

- 895 arrivals in the AM Peak
- 300 arrivals in the PM Peak
- 375 departures in the AM Peak
- 755 departures in the PM Peak

AECOM's analysis finds that the 2026 'with development' scenarios have the increases in flows at the northern footpath along Hunter Street. The impacts to the Hunter Street / Elizabeth Street intersection are less pronounced as there are high flows already using the intersection in the 2026 'no development' scenarios. However it is noted that this is a conservative analysis, as it does not consider that some pedestrians would access both the existing and proposed development via this lower ground entrance which provides a large space for people to disperse, helping to relieve footpath congestion on both Hunter St and Phillip Street.

AECOM conclude that the development itself is not expected to cause a significant impact on the surrounding street network. Issues identified at the Hunter Street / Elizabeth Street intersection are already present without the development. Changes to improve pedestrian performance could be implemented by the City of Sydney its stakeholders. Recommendations to consider includes adjusting the signal phase timings for more pedestrian green time and increasing the marked pedestrian crossing line widths. Other strategies may also be required, such as demand management through providing more attractive alternative routes for pedestrians.

## 8.10 Sustainability

The proponent is targeting to construct the new tower in accordance with the following sustainability commitments and targets identified in the ESD Strategy prepared by Floth (**Appendix H**).

- 6 Star Green Star certified rating under Design & As-Built v1.3
- 5.5 Star NABERS Energy rating (Commitment Agreement)
- 4 Star NABERS Water rating (Target)

- 5 Star NABERS Waste rating (Target)
- Climate Active Carbon Neutral Certification

The ESD targets and sustainability initiatives will be carried through the competition phase, design development, construction, and through to completion of the project to deliver an exemplar of environmentally sustainable development. In the context of the existing commercial podium and tower on the site, the Planning Proposal will allow the new tower to deliver significantly improved environmental performance and sustainability outcomes. Further details regarding the proposed overall ESD Strategy to be pursued is provided within **Appendix H**.

## 8.11 Social and economic effects

### Economic role of the City of Sydney

The proposal will contribute towards strengthening Sydney's role as a globally competitive City, by supporting business activities and ensuring adequate capacity for new and upgraded office accommodation in the CBD. The potential provision of some 64,654m<sup>2</sup> of commercial and retail space in a future building that achieves design excellence will contribute to the City of Sydney as a principal centre for business consistent with the objectives of the Metropolitan Centre Zone.

### Employment generation

The proposal will support a future development capable of providing office floor space to accommodate up to approximately 4,000 people employed in the building. This represents a significant increase the potential capacity of the site to contribute to the City's job targets. The future construction of the proposal will also have the potential to generate over 1,500 construction jobs.

### Amenity, safety and security in the public domain

The proposal provides for active uses along the edge of the podium to Chifley Square and Hunter Street. This activation as well as a potential future upgrade of Chifley Square (subject to further dialogue with Council) will:

- result in a significant improvement to the amenity and quality of the public domain;
- generate increased pedestrian activity and interaction;
- increase safety and security in the surrounding public domain;
- complement and augment the soon to be open Sydney Metro station; and
- provide good opportunities for the integration of public art and site interpretation.

### Improved accessibility and legibility of existing through site connections

The proposal supports provision of active uses and the creation of new, open and accessible connections within and through the site, linking up with the surrounding street/laneway network. These features will improve pedestrian and disabled access and the legibility of the surrounding access network.

## 8.12 Airport operations

Clause 7.16 of Sydney LEP requires that the consent authority must not grant development consent if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. In effect, the consent authority will require the federal Department of Infrastructure and Regional Development to authorise the penetration of the Obstacle Limitation Surface (OLS) prior to determination of the DA. The applicable OLS applying across the Sydney CBD is 156m AHD.

A tower constructed up to the Sun Access Plane will penetrate the OLS and therefore will require approval as a controlled activity under the *Airports Act 1996*. Given that the existing LEP already permits a tower up to the Sun Access Plane on the site, as well as tower precedent in proximity to the site, it is considered that the aviation approval required in the future will be forthcoming at the appropriate stage.

### 8.13 Public Art

The proposal will implement a significant portion of the Sustainable Sydney 2030 vision and will align its public art strategy with the City of Sydney's policies. Public artwork will be developed closely with City of Sydney art committees and in accordance with City of Sydney policies, and procurement of public artwork will run in parallel with the building design.

Public art is offered as part of the voluntary planning agreement associated with the Planning Proposal, providing new creative and cultural experiences within future development. Charter Hall is committed to providing a public art strategy that will achieve the following objectives:

- Ensure that art is visible and accessible to people, enabling experiences that are meaningful to them;
- Work in close cooperation with artists as early as possible, helping them realise their proposed artworks; and
- Encourage openness, showing artists respect and giving them free reign to think deeply about the project

The Public Art Strategy will put forward some initial concepts for types and locations for art in keeping with the vision of Charter Hall and the design intent of the proposal. This strategy will facilitate further discussion of the possibilities for art and will contribute to creating a unique customer experience and activating the ground plane. Charter Hall is committed to work together with artists to offer a new way of experiencing art, architecture and retail in the public domain.

## 9.0 Part 4 – 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 an additional building height and floor space ratio is proposed to be included through a new site specific LEP clause as discussed earlier in this Planning Proposal document. A range of figures / maps will be prepared in relation to required amendments to the Sydney DCP 2012.

## 10.0 Part 5 – Community Consultation

The proponent has and continues to consult and keep a dialogue with key adjoining and adjacent landowners. Formal public consultation will also take place in accordance with Sections 3.34 and 3.35 of the EP&A Act. This is likely to involve notification of the proposal:

- On Council's website;
- In newspapers that circulate widely in the City of Sydney Local Government Area; and
- In writing to the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the Site.

It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination. Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

## 11.0 Indicative Project Timeline

Below is an indicative timeline for the Planning Proposal.

**Table 7 – Indicative project timeline**

Milestone	Timing
Submission of Planning Proposal	26 July 2021
Reporting of Planning Proposal to CSPC	November 2021
Referral to Minister for Gateway Determination	November 2021
Date of Gateway determination	January 2022
Commencement and completion dates for public exhibition period	April – May 2022
Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination)	May – June 2022
Timeframe for consideration of submissions	May – June 2022
Reporting of exhibition of Planning Proposal to CSPC	July 2022
Date of submission to the Department to finalise the LEP	August 2022
Anticipated date RPA will make the plan (if delegated)	September 2022
Anticipated date RPA will forward to the department for notification	September 2022



## 12.0 Conclusion

This report has been prepared by Ethos Urban to support a Planning Proposal to the City of Sydney, seeking amendments to the *Sydney Local Environmental Plan 2012* to facilitate the commercial redevelopment of the 2 Chifley Square for a global office precinct up to a height of 188.1m and an FSR of 20.41:1. Amendments to the *Sydney Development Control Plan 2012* will also be required to support this outcome. It is noted, however, that should the CBD Planning Proposal be finalised and published prior to the finalisation of this Planning Proposal, then an amendment to that new LEP, as opposed to the SLEP 2012, would be required.

The Planning Proposal is underpinned by a shared vision with Council to allow additional site-specific uplift on this site, to enable the development of a world-leading super tower precinct which will strengthen 'Global Sydney' as a centre for economic and cultural activity. It will reiterate Sydney as Australia's pre-eminent centre for business and importantly will deliver on the City of Sydney's objective of growing the employment capacity of the City through to 2036.

More specifically, this Planning Proposal will establish the planning framework to facilitate:

- An environmentally sustainable office precinct capable of providing in-demand premium grade commercial floor space, which will support significant employment growth in Central Sydney;
- A next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, and security;
- A world class destination at ground level, by leveraging off the site's scale and length of frontage to provide a completely new and invigorated street level outcome, supporting fine-grain activation and permeability;
- A high standard of architectural, urban and landscape design, and provide a recognisable and high-quality contribution to the Sydney skyline, reinforcing Sydney's status as a global city; and
- Sustainability initiatives supporting the highest level of environmental performance of commercial development in Central Sydney.
- Provide a substantial amount of jobs to stimulate the NSW economy for a post-COVID economic recovery.

The 2 Chifley Square site is a sizeable, latent, highly optimal and largely unconstrained city site that does not require amalgamation of disparate landholdings in order to achieve the project vision. This Planning Proposal demonstrates that it can suitably accommodate Charter Hall's vision for an additional tower, whilst also minimising environmental impacts and not compromising the amenity of the city's streets, parks and valued public spaces. This supports the site-specific merit of the Planning Proposal. More broadly, this report outlines that the Planning Proposal has demonstrable strategic merit and will deliver the vision and implementation of Council's draft CSPA, given it supports greater height and floor space for employment generating uses in line with that anticipated for the site and surrounding tower cluster under the draft CSPA and accompanying Planning Proposal.

For these reasons, we have no hesitation in recommending this Planning Proposal for Gateway Determination.