Attachment A

Planning Proposal
757-763 George Street, Haymarket

CITY OF SYDNEY

Planning proposal – 757-763 George Street, Haymarket

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Executive summary

This planning proposal has been prepared by the City of Sydney (the City), in response to a request from the landowner, Samprian Pty Ltd, to prepare a planning proposal to vary the development controls for the site.

This planning proposal details the intent and justifies the proposed amendments to the Sydney Local Environmental Plan 2012 (LEP) for the subject site, 757-763 George Street, Haymarket. This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (the Act) and the "Local Environmental Plan Making Guideline" published by the Department of Planning and Environment (the Department) in December 2021.

Endorsed in 2016 and adopted by Council in 2020, the Central Sydney Planning Strategy sets the City's planning vision to ensure Central Sydney continues to be Australia's leading economic centre and location for workers, residents and visitors. It supports opportunities for additional height and density, where future development protects pedestrian amenity, contributes to the public domain and delivers environmental sustainability initiatives.

This planning proposal will facilitate development that is consistent with the City's vision for Central Sydney, providing additional employment generating floor space and a new hotel while protecting public space and delivering design excellence and public domain improvements.

This proposal will facilitate the redevelopment and adaptive reuse of the Sutton Forest Meat Company building heritage item, delivering new employment floor space and activity to Central Sydney, supporting future public domain upgrades, cultural uses, and the late night economy.

The subject sites have a total area of 1,030m^2 with frontages to George Street to the east and Valentine Street to the south. To the west of the site is a medium scale commercial office building and a mid-sized residential apartment building adjoins the site to the north. Existing development on the subject site consists of two low-scale retail commercial buildings, including local heritage item former "Sutton Forest Meat Company" building. Surrounding development is a mixture of commercial and office buildings, residential apartments, student and visitor accommodation, all of which generally includes ground floor space for food and drink and retail uses.

Existing LEP development controls for the site include building height of 50 metres, floor space ratio of 7.5:1 and additional floor space subject to other requirements, including design excellence. The site is zoned B8 Metropolitan Centre, which provides for a broad range of uses, including office, retail and tourism and visitor accommodation.

This planning proposal has been prepared following a detailed assessment of the landowner's request and supporting documentation. Further information and revised testing of the proponent's submission has been provided to address issues relating to public domain wind and daylight conditions, servicing and building envelope form.

A new site-specific clause for the 757-763 George Street site is proposed to be inserted into Division 5 of the LEP as part of this planning proposal, which will include the following:

- maximum building height of RL 117.87 metres;
- maximum above ground floor space ratio of 11.1:1 including design excellence;

- provide for non-residential development only;
- allow development consent to be granted subject to the satisfactory distribution of built form and provision of active ground floor uses; and
- below ground floor space of 0.63:1 for limited purposes to support the operation and viability of the above ground portion of the building.

The planning proposal is accompanied by a site-specific amendment to the Sydney Development Control Plan 2012 (DCP) to help deliver the objectives and intended outcomes of this planning proposal. The controls in the draft DCP help describe an acceptable built form for development of the site to manage impacts on public domain amenity and to adjoining development. The draft DCP will be exhibited with this planning proposal.

Future development facilitated by this planning proposal will deliver the following key benefits to the surrounding area and the wider Central Sydney:

- employment uses – the future tower will retain and expand the provisions of employment floor space through new retail and hotel floor space, which will increase Central Sydney's capacity for employment growth,
- adaptive reuse – the planning proposal will help deliver a high quality built form, with an appropriate podium height, setbacks and separation to the existing heritage item on site, and will sit comfortably in the context and streetscape,
- pedestrian amenity – the planning proposal details a building envelope that will not adversely impact upon pedestrian amenity and delivers acceptable daylight and wind conditions,
- public domain improvements – deliver retail activated frontages to George Street and Valentine Street to help support future public domain upgrades,
- ecologically sustainable development – the draft DCP associated with the planning proposal includes ambitious ecologically sustainable development benchmarks to ensure an energy efficient built form is delivered.

1. Site identification

1.1 Site identification

This planning proposal relates to Lot 11 DP 70261 and Lot 1 DP 1031645 known as 757-759 and 761-763 George Street, Haymarket. This site is referred to in this report as “site”, “757 George Street”, or “757-763 George Street”. The site is shown at Figure 1.

Figure 1. Land affected by this Planning Proposal

1.2 Site location

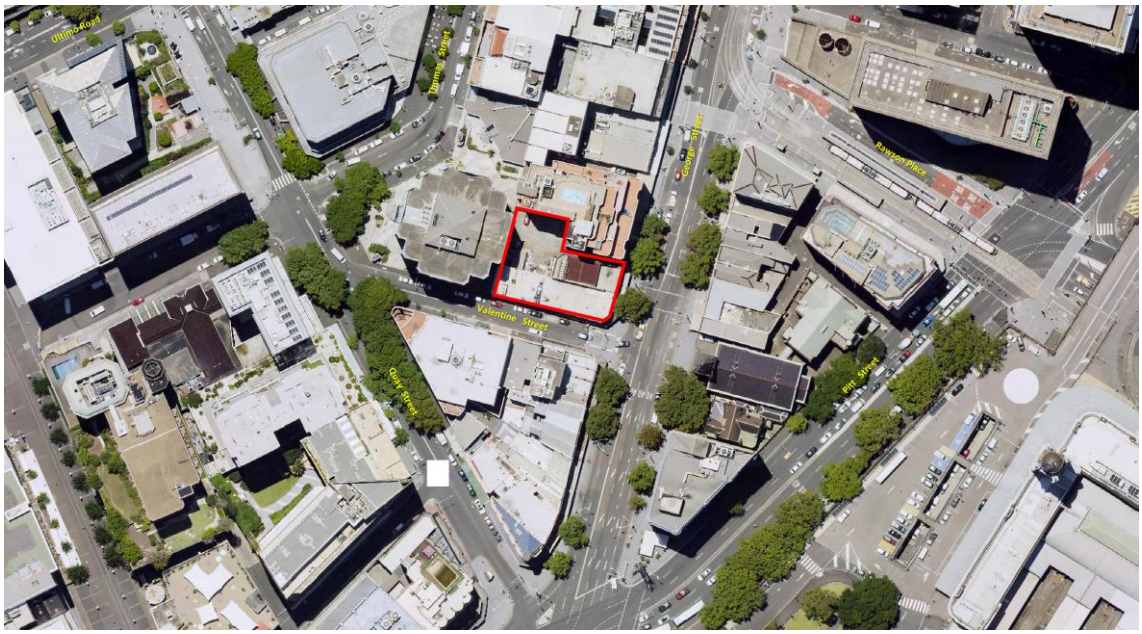
757-763 George Street is located in Haymarket, in the southern portion of Central Sydney in the City of Sydney local government area. The site fronts George Street to the east and Valentine Street to the south. It shares common boundary with a mid-sized residential apartment building to the north and a ten storey office building to the west.

The subject site is walking distance to Central Railway Station with connections on metropolitan, intercity, light rail and bus networks. The Haymarket light rail stop is located 75 metres from the site on Rawson Place. Railway Square, which provides pedestrian connections to Surry Hills is about 100 metres to the south of the site along George Street.

A site location plan and aerial photo of the surrounding area are shown at Figure 2 and Figure 3.

Figure 2. Site location

Figure 3. Aerial photo of the site



1.3 Site characteristics and context

The two lots comprising the subject site have a total area of 1,030m^2. The site's northern boundary with the adjoining site is 50 metres, the George Street frontage is 20 metres, frontage to Valentine Street is 40 metres and the western boundary is 30 metres in length.

Existing development on the subject site consists of two low-scale retail commercial buildings, including the two storey former "Sutton Forest Meat Company" building, a local heritage item, which fronts the intersection of George Street with Valentine Street.

Christ Church St Laurence, a State heritage item, is located on the eastern side of George Street, and a row of heritage listed commercial terraces between three and four storeys in height are located to the south of the site, fronting the western side of George Street.

Surrounding development is a mixture of commercial and office buildings, residential apartments, student and visitor accommodation, with ground floor food and drink and retail uses.

- East – On the eastern side of George Street is Christ Church St Laurence and associated buildings, which are listed on the State heritage register. Adjoining the church to the south is an eight storey masonry building, the former Lottery Office, a local heritage item that currently comprises a hostel and visitor accommodation. Three storey retail and commercial buildings front the eastern side of George Street opposite the subject site, adjoined by an eight storey masonry building, which is also a local heritage item and comprises a hostel and visitor accommodation.
- North – Capitol Terrace, a mixed use building consisting of ground floor retail and residential apartments directly adjoins the site along its northern boundaries. A retail arcade through Capitol Terrace provides a pedestrian connection from George Street to Thomas Street. To the north of Capitol Terrace, small and medium sized commercial buildings front George Street and the intersection with Rawson Place.
- West – Adjoining the site to its western boundary is a circa 1990s ten storey commercial office building, 187 Thomas Street. The western side of Quay Street features a row of buildings that comprise residential, tourist and student accommodation uses, ranging between 16 and 18 storeys in height.
- South – A row of heritage listed commercial terraces front George Street, primarily consisting of office, retail, entertainment, food and drink and tourist accommodation uses. Commercial and retail buildings between two and six storeys in height front Valentine Street and Quay Street to the south west of the site.

Figure 4 to Figure 6 detail the existing development on site, and the surrounding area is shown in Figure 7 and Figure 8.

Figure 4. Subject site, shown in red, viewed from intersection of George and Valentine Streets

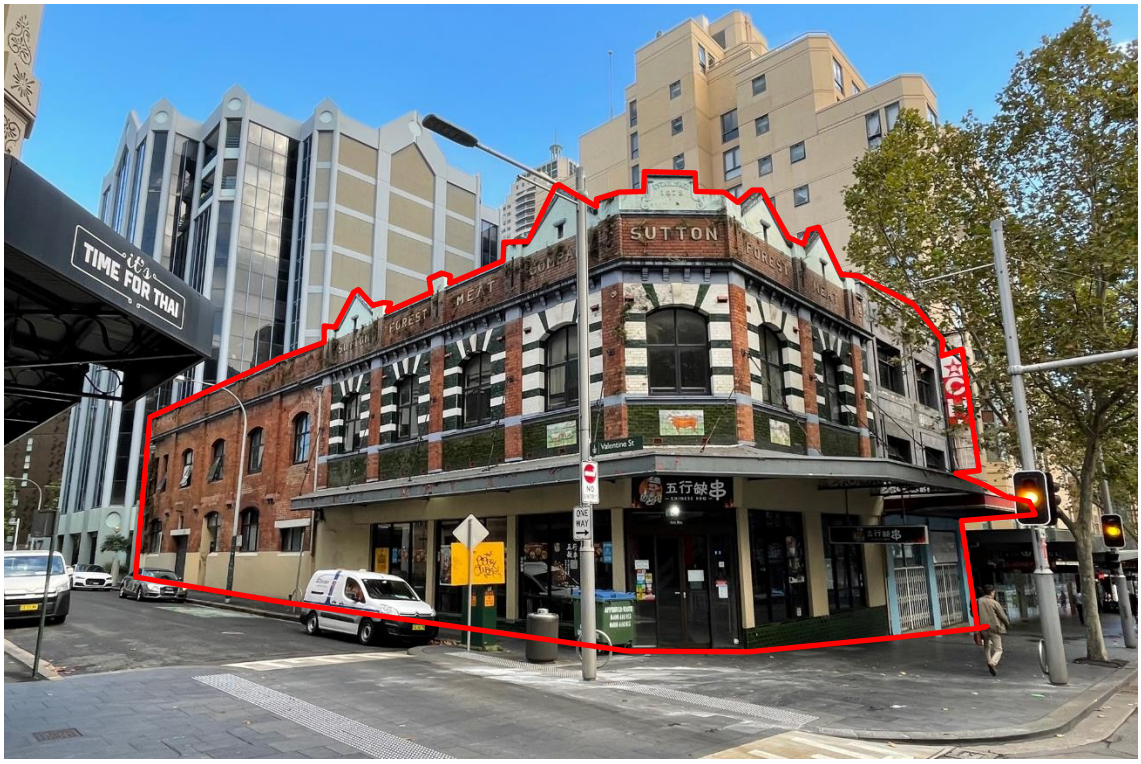


Figure 5. Looking west towards the 757-763 George Street sites, shown in red

Figure 6. Looking east along Valentine Street towards subject site, shown in red

Figure 7. View looking north along George Street towards Central Sydney

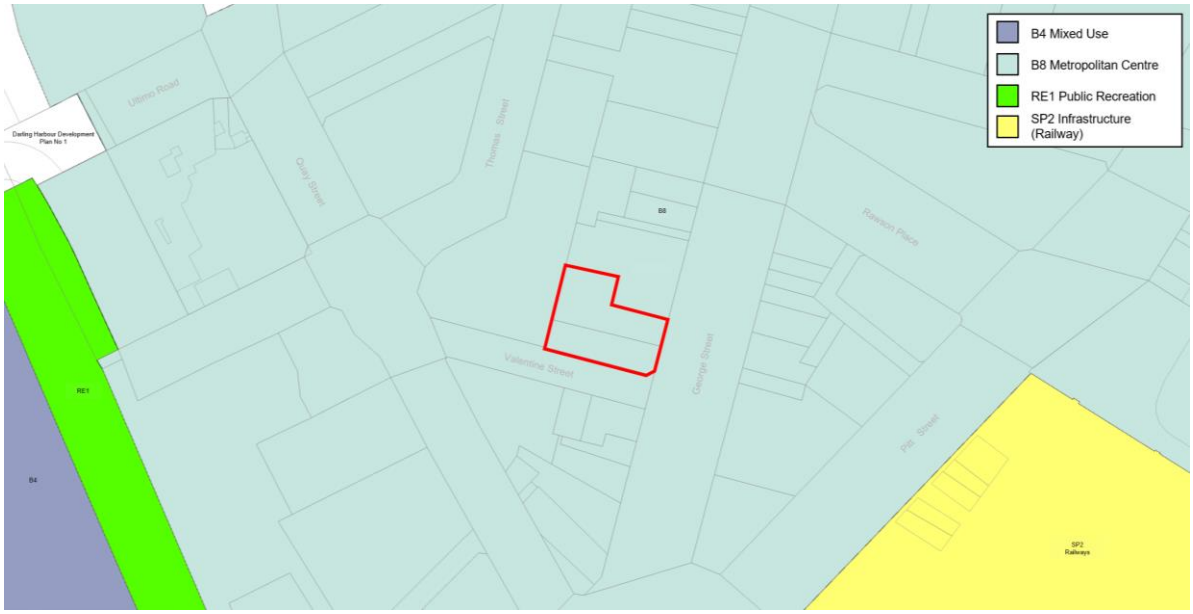
Figure 8. Looking south towards Railway Square along George Street

2. Planning background

2.1 Zoning

The subject sites are zoned B8 Metropolitan Centre, as shown in Figure 9. A wide range of uses are permitted within this zone, including business premises, food and drink premises, as well as residential accommodation, hotel and tourist and visitor accommodation.

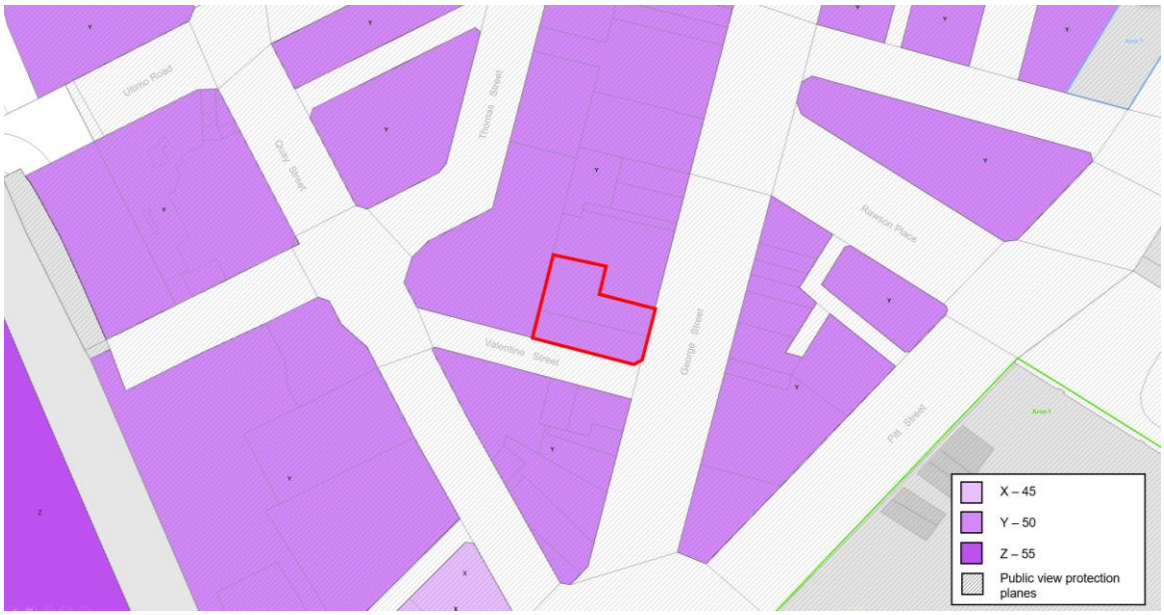
Figure 9. Extract from Zoning map in the Sydney Local Environmental Plan 2012



2.2 Building height

The maximum height for the site is 50 metres, as shown in Figure 10. The site is located in the Haymarket Ultimo investigation tower cluster area, and which is an area affected by public view protection planes towards the Central Station clocktower.

Figure 10. Extract from Height of building map in the Sydney Local Environmental Plan 2012



2.3 Floor space ratio

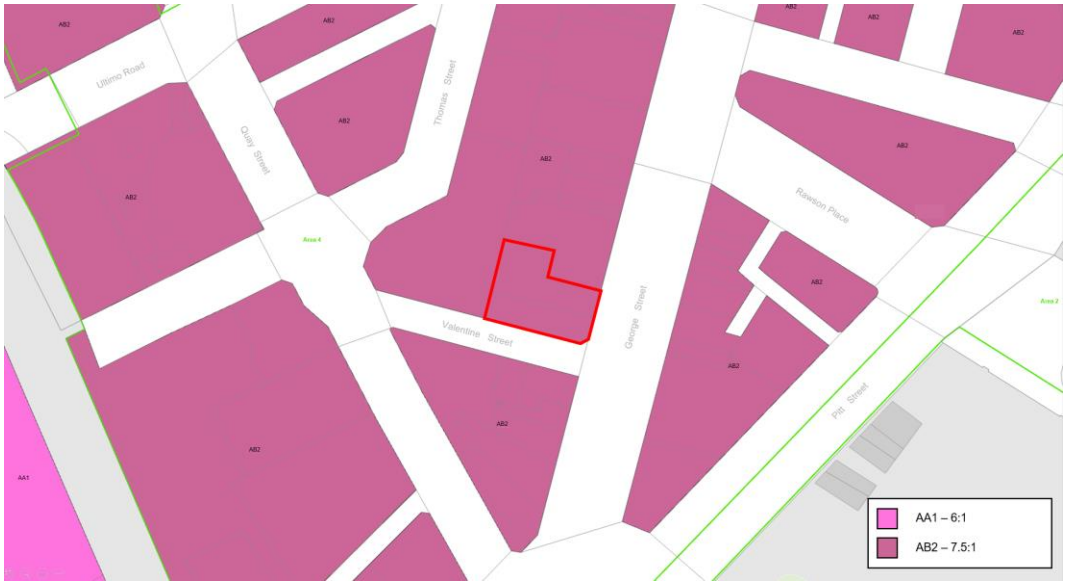
The maximum floor space ratio for the site is 7.5:1, as shown in Figure 11.

The site is eligible for accommodation floor space of 1.5:1 for business, retail and office premises, hotel and motel and entertainment uses. Residential uses are eligible for accommodation floor space subject to the date the development application is made, which will be nil from 1 July 2023.

Up to 10 per cent additional floor space may be granted subject to a competitive design process and the demonstration of design excellence.

The site is in an investigation tower cluster area, where development that meets certain criteria may be eligible for additional floor space up to 50 per cent of the mapped FSR and accommodation floor space.

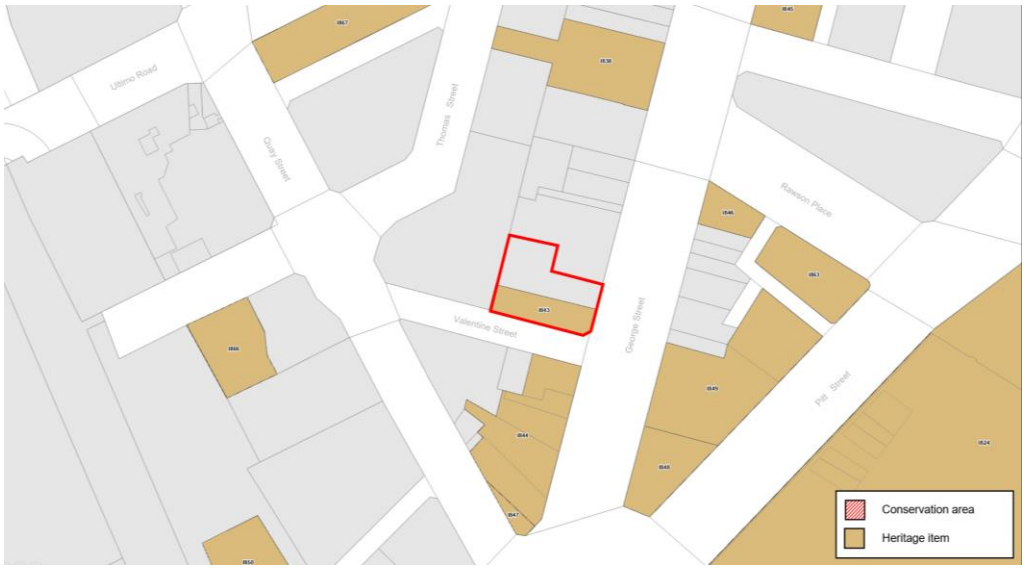
Figure 11. Extract from Floor space ratio map in the Sydney Local Environmental Plan 2012



2.4 Heritage

Local heritage item, the former Sutton Forest Meat Company building at 763 George Street comprises part of the subject site. State heritage item, Christ Church St Laurence is also located in close proximity to the site, on the eastern side of George Street fronting the intersection with Valentine Street.

Figure 12. Extract from Heritage map in the Sydney Local Environmental Plan 2012

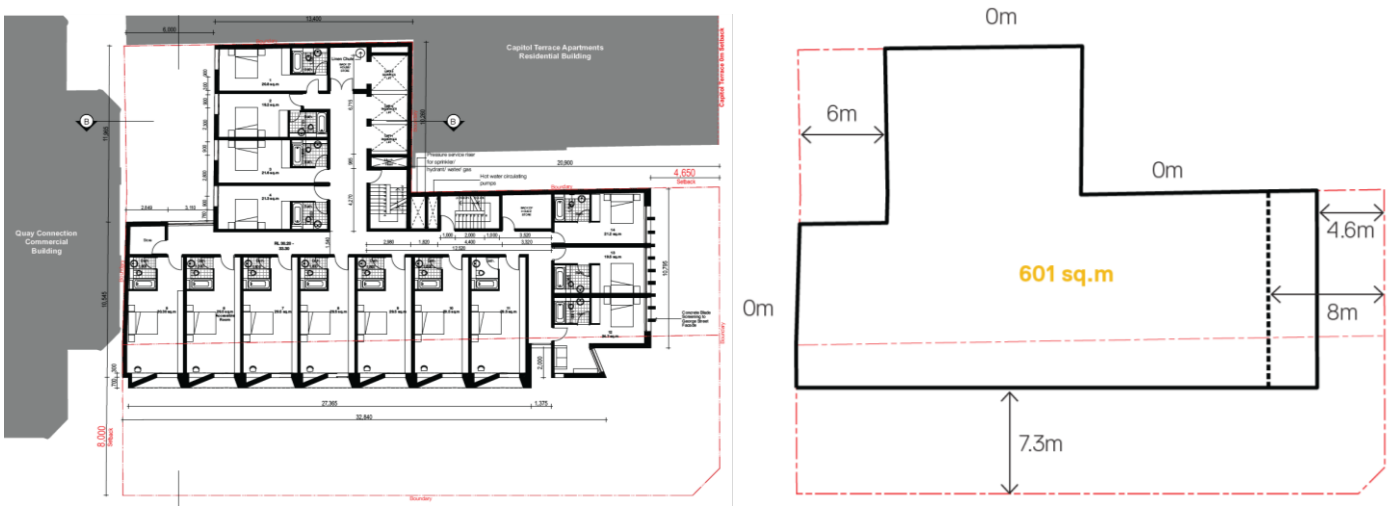


2.5 Approved development consent

The subject sites holds development consent for demolition of the buildings on 757-759 George Street, adaptive reuse of the heritage item at 761-763 George Street and construction of a 15 storey hotel building.

The hotel has an approved building height of 50 metres, floor space ratio of 7.2:1. gross floor area of 7,421m^2, nil setback to the northern boundary and a 10 metre setback to the southern boundary that reduces to 7.3 metres with a cantilever over the heritage item. Approved plans for the hotel are shown in **Error! Reference source not found.**. While construction of the approved hotel is yet to commence, the consent is currently active.

Figure 13. Approved plans and setbacks for the approved hotel at 757-763 George Street



2.6 Landowner request

Mecone, on behalf of the landowner Samprian, submitted the planning proposal request through the NSW Planning Portal in October 2020. Accompanied by a number of specialist reports to support the request, including a justification report, Heritage Impact Statement, Pedestrian Wind Environment Study and Architectural Design Report which contains public domain daylight testing. This planning proposal has been prepared by the City following detailed consideration and assessment of the proponent's submitted request.

To facilitate the redevelopment of the subject site to include a new commercial tower, the initial planning proposal request seeks to insert new site-specific controls into the LEP, increasing the maximum building height development control from 50m to RL 117.87m and maximum floor space ratio of 12:1, including design excellence floor space.

The initial planning proposal request included minimum tower setbacks of 8 metres to Valentine Street, 6 metres to George Street, 4 metres to the western boundary and minimum of 1.8m, 0.4m and nil setback to the northern boundary shared with Capitol Terrace. Following an assessment of the planning proposal, these setbacks have changed.

The proponent's vision for the future redevelopment of the site includes adaptive reuse of the former 'Sutton Forest Meat Company' heritage item with retail and hotel amenities and servicing. Adjoining and connected to the heritage building is the ground floor lobby for a new slender tower comprising mid-range hotel accommodation. The proposal delivers new employment generating floor space in Haymarket and the southern portion of Central Sydney, in line with the City's vision and strategies for the area.

The building envelope has been subject to public domain wind and daylight testing and urban design considerations to ensure future development is consistent with the local character of the surrounding area.

2.7 Assessment

Following the lodgement of the request to prepare a planning proposal for 757-763 George Street, Haymarket, the City has worked with the proponent to address issues. As such the proposal has been revised to ensure better strategic alignment and urban design response to the context.

The assessment of the planning proposal included seeking advice from City's the Design Advisory Panel (DAP) in February 2021. While the Panel provided general support, they indicated the importance of the proposal meeting acceptable wind and daylight conditions, consistent with the Central Sydney Planning Strategy (Strategy). Building height was not raised as an issue as long as acceptable public domain amenity was maintained and the tower maintained sufficient separation between the heritage item and the proposed tower, as well as separation to the neighbouring residential building.

Based on the assessment and DAP advice, the City requested amendments in April and November 2021 to:

– improve the relationship to the heritage item with greater setbacks and vertical separation to the tower,

– improved setbacks to the adjoining Capitol Terrace to ensure adequate building separation is maintained for residential amenity,

– changes to vehicle access and site servicing to ensure there was no obstruction to the road,

– additional wind testing to address areas in the public domain where wind conditions were uncomfortable and close to exceeding the safety standard.

At lodgement, the proponent's planning envelope sought approval for 11 per cent articulation, 200mm closed cavity facade, 12:1 FSR and 12,243sqm GFA, noting the constrained nature of the site. The proponent was tasked with addressing the constrained planning envelope, ensuring it contains sufficient flexibility to respond to amenity issues and provide greater architectural articulation required by the Guideline for Site Specific Planning Proposals in Central Sydney (Guideline).

Following an assessment, the planning envelope has been amended to ensure an average of 10 per cent architectural articulation, five per cent façade zones and a combined six metre roof and plant zone. The revised amount of articulation is an average, which accounts for constraints in the podium and heritage building, with 15 per cent articulation provided in the tower, in accordance with Guideline requirements.

The revised planning envelope recommended by this planning proposal provides 11.1:1 FSR above ground and 11,430sqm GFA. This will ensure future development is responsive to any environmental amenity issues that may arise without resulting in additional building height.

In March 2022, in response to the revised planning envelope and to ensure the viability of the proposed scheme, the proponent requested the proposal be further amended to include additional floor space below ground level. This floor space will be linked to the operation of the hotel, connected to ground floor retail space, delivering additional amenity to hotel guests and visitors.

By maximising multi-purpose active floor space in this manner, future development on the subject site will have a greater ability to contribute to the success of future pedestrianisation and public domain projects that will take place in its immediate vicinity. The site-specific provisions for the additional floor space of up to 0.63:1 below ground level will be restricted to active, cultural or late night uses that has a direct access to George Street or combined with a ground floor tenancy.

The City has prepared this planning proposal following the assessment of the proposed development scheme. The City has worked with the landowner and their project team to achieve a building envelope that is capable of delivering acceptable daylight and wind conditions in the surrounding public domain, consistent with the Strategy and associated Guideline, as well as Schedule 12 of the Sydney Development Control Plan 2012.

To support this planning proposal, a site-specific amendment to the DCP is proposed, which will contain provisions that will detail the proposed planning envelope and its relationship to the heritage building, adjoining development and the public domain. The DCP amendment will be exhibited concurrently with the planning proposal.

Figure 14. Photomontage of the future development scheme

3. Objectives and intended outcomes

This planning proposal will facilitate the redevelopment of 757-763 George Street Haymarket sites, including the adaptive reuse of the former Sutton Forest Meat Company building heritage item, to deliver:

– additional employment generating floor space;

– a built form that sensitively reuses a heritage item consistent with the future character of the surrounding area and with acceptable environmental outcomes, and

– greater street activation, public domain improvements and pedestrian amenity,

by:

– increasing the maximum building height to RL 117.87m;

– increasing the maximum floor space ratio to 11.1:1 above ground level, inclusive of design excellence;

– additional floor space of up to 0.63:1 located below ground level for limited purposes to support the operation and viability of the above ground portion of the building, while ensuring that on-site servicing is not compromised;

– provisions to ensure the application of accommodation floor space; and

– acceptable distribution of building form and restrictions to ensure provisions are only applicable to employment uses only.

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

– a tower comprising commercial uses with a maximum height of RL 117.87m including podium to provide definition to and activation of the public domain;

– an appropriate building form with sufficient setbacks and architectural articulation to provide adequate public domain wind conditions and daylight amenity and an appropriate relationship to the heritage item and neighbouring buildings;

– provisions and parameters for an architectural design competition; and

– achieve high standard of ecological sustainable development targets, including 5 star NABERS Energy Hotel Whole Building rating for the development and 5 star Green Star rating.

4. Explanation of provisions

4.1 Sydney Local Environmental Plan 2012

To achieve the intended outcomes, this planning proposal seeks to amend the Sydney Local Environmental Plan 2012 by inserting a new site-specific clause for the subject sites under Division 5 Site specific provisions to:

– allow a maximum building height of RL 117.87 metres;

– permit a maximum floor space ratio of 11.1:1 above ground, inclusive of design excellence and accommodation floor space of 1.5:1

– additional floor space of up to 0.63:1 below ground level for limited purposes to support the related uses in the above ground portion of the building; and

– restrictions to ensure the additional building height and floor space provisions are only applicable to employment uses and not residential accommodation or serviced apartments.

Building height

The maximum building height for the subject site is currently 50 metres as per clause 4.3 of the LEP. This planning proposal seeks to insert new site-specific provisions into the LEP to permit a maximum building height of RL 117.87 metres for future development that meets the requirements. Indicative plans prepared by Grimshaw indicate the proposed building envelope is capable of being accommodated within the revised maximum building height.

To ensure the proposed envelope includes sufficient architectural articulation and flexibility for design responses to potential amenity issues during the design competition, the proposed site-specific provision in the draft DCP will detail the required quantum of articulation.

Floor space ratio

New employment generating floor space will be facilitated through the planning proposal, to a maximum floor space ratio of 11.1:1 above ground, inclusive of design excellence.

Following a detailed assessment, the planning envelope was amended by the City to provide architectural articulation, delivering the revised FSR. This will ensure future development has the flexibility to respond to any issues that may arise without resulting in any additional building height, this is discussed in greater detail under section 5. Justification.

The mapped floor space ratio for the subject site is 7.5:1, as well as accommodation floor space of 1.5:1 for business, retail and office premises, hotel and motel accommodation and entertainment uses. Subject to the demonstration of design excellence, up to ten per cent additional floor space may be granted following a competition design process. Commercial development on the subject site is therefore capable of achieving a maximum floor space ratio of 9.9:1.

This planning proposal seeks to deliver additional site-specific floor space of 1.09:1, totalling a maximum floor space ratio of 11.1:1.

The site-specific provisions ensure heritage floor space will be applicable to future development pursuant to clause 6.11 of the LEP. There is no change to the application of heritage floor space for accommodation floor space. Heritage floor space is not applicable for the provision of the site-specific floor space.

The site-specific provisions include additional floor space of up to 0.63:1 to be located below ground level. This additional floor space is to be linked to and support the operation and viability of the related uses above ground. This additional below ground floor space will be restricted to active,

cultural or late night uses and is to be operated in conjunction with the hotel uses above ground. It is anticipated that by providing additional space for active uses in this manner, the proposal will further contribute to the success of adjacent public domain projects. The additional below ground floor space is a maximum and will not be eligible for a design excellence bonus.

Table 1: Application of the various floor space provisions applicable for 757-763 George Street

LEP clause	Applicable floor space	Floor space ratio
cl. 4.4	Mapped floor space ratio	7.5:1
cl. 4.6	Accommodation floor space	1.5:1
TBA	Site-specific floor space	1.09:1
		10.09:1
cl. 6.21	Additional floor space – design excellence	up to 10%
		11.1:1
TBA	Site-specific floor space – below ground	0.63:1

Employment generating floor space

This planning proposal will help deliver new employment generating floor space in Central Sydney, consistent with the City's Local Strategic Planning Statement and the Central Sydney Planning Strategy.

Residential and serviced apartment uses will be excluded from redevelopment of the site that looks to utilise the additional building height and floor space as specified in the new site-specific provision.

No change to the current B8 Metropolitan Centre zoning is proposed as part of this planning proposal. This zoning permits a wide range of uses, including tourist and visitor accommodation, ensuring the hotel proposed in the landowner's indicative scheme remains permissible.

Design excellence

The proposed indicative scheme facilitated by this planning proposal will be subject to an architectural design competition as required by clause 6.21 of the LEP and the Guideline.

Clause 6.21(3) of the LEP provides up to 10 per cent additional floor space subject to the demonstration of design excellence as part of an architectural design competition. The indicative scheme indicates that this additional floor space can be accommodated within the proposed planning envelope with a maximum height of RL 117.87 metres. As such, the proposed site-specific provisions will ensure additional floor space is to be applied to future development as opposed to additional building height.

Drafting instructions

The objectives and intended outcomes of this planning proposal will be delivered through a new site-specific clause for 757-763 George Street, which will be inserted into Division 5 site-specific provision of the LEP.

An example of how the provisions may be drafted is included in Appendix 1, which would be subject to agreement with Parliamentary Counsel.

4.2 Sydney DCP 2012 amendments

To ensure future development aligns with the planning proposal's intended outcomes and objectives, site specific provisions are to be inserted into the Sydney DCP 2012.

The DCP provisions describe and outline the desired future development to ensure a high quality built form is delivered and the public domain aligns with the City's future strategies for the area, including the following provisions:

- building envelope, design and bulk;
- street frontage heights and setbacks;
- active frontages and public domain;
- parking and vehicular access;
- public art;
- environmentally sustainable development targets; and
- design excellence strategy.

5. Justification

5.1 Proposed changes to development standards

The City's vision for future development on the subject site has been developed following an assessment of the landowner's concept, to which the City has amended to address particular issues and achieve the intended outcomes.

The proposed development scheme includes the redevelopment of the site to accommodate a new hotel tower comprising retail and other active uses at ground level fronting George and Valentine Streets achieved through the adaptive reuse of the former Sutton Forest Meat Company building heritage item. Key elements of the proposed development scheme are discussed below.

Built form

The proposed planning envelope has been developed to be responsive to the conditions of the subject site, while maintaining the ability to deliver acceptable daylight and wind conditions in the surrounding public domain.

The proposed indicative scheme includes retention of the existing heritage item on site, the former Sutton Forest Meat Company building and its adaptive reuse to include retail and other active uses with a direct connection to a new podium with street frontage of the same height. Above which will be a new tower to a maximum height of RL 117.87m.

To ensure amenity to the surrounding public domain and adjoining sites is not adversely impacted, the proposed development scheme includes minimum tower setbacks of 8 metres to Valentine Street, 6 metres to George Street, 3 metres to the western boundary and minimum of 3m, 1m and 1.6m to the northern boundary shared with Capitol Terrace. The setbacks are detailed in Figure 15.

The planning envelope includes a lightwell at the north eastern corner of the site, matching that of the adjoining residential apartment building to ensure sufficient amenity is maintained to the existing apartments. Further to this, Capitol Terrace's setback to the south eastern section of the common boundary will be mirrored by the proposed envelope, with a minimum building separation of approximately 3 metres, maintaining adequate daylight and air access to the existing lightwells.

An Architectural Design Report and Wind Impact Assessment accompanied the planning proposal and analysed how the proposed planning envelope can accommodate future development on the subject site without significant adverse impacts to public domain amenity. The proposed planning envelope was assessed compared to a base case envelope, prepared in accordance with the provisions of the Strategy and Guideline for Site Specific Planning Proposals in Central Sydney (Guideline) applicable at lodgement in October 2020. This testing shows that the planning envelope will result in an improved wind and daylight condition in the public domain compared to the base case envelope.

Further wind testing of the revised building envelope was undertaken to explore potential mitigation measures that would improve the windy environment at key locations, such as on George Street adjacent to the site. Mitigation measures include retention of the existing awning of the heritage listed building and a ground floor chamfer and areas for further articulation within the tower to redirect adverse wind flows away from the public domain. These measures are detailed in the draft DCP.

Figure 15. Setbacks of the proposed building envelope

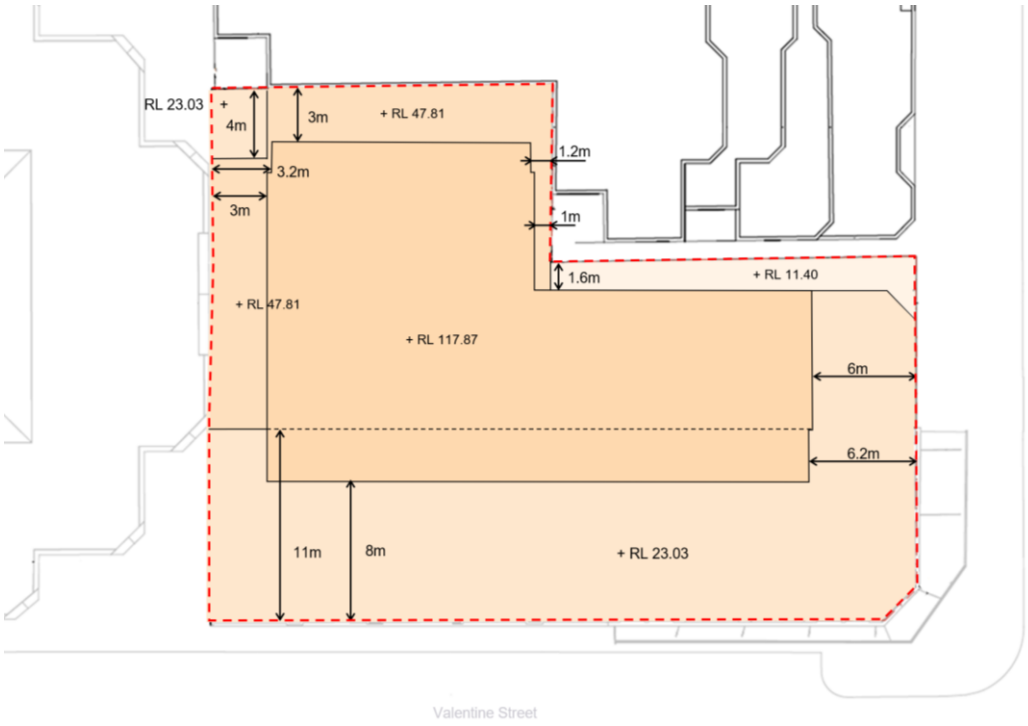
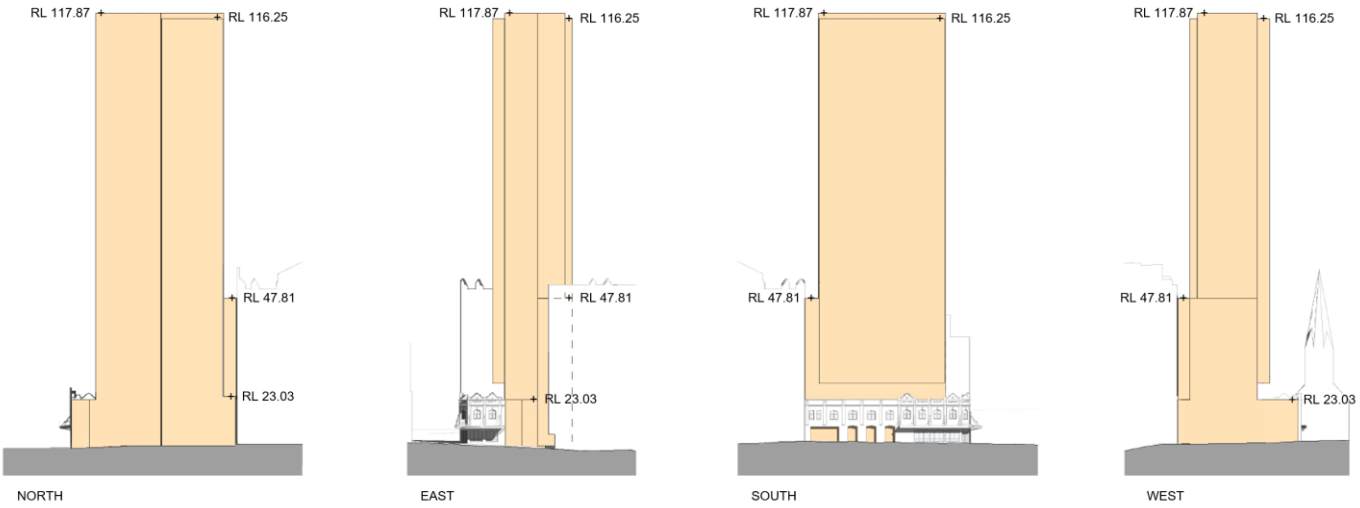


Figure 16. Elevations of the proposed building envelope



Future development facilitated by this planning proposal will be taller than the existing surrounding buildings, including adjoining Capitol Terrace. However, the subject site is in the Haymarket Ultimo investigation tower cluster area, where additional building height may be accommodated. As such, the proposed tower is consistent with the intended built form for this area and will not exceed any sun access planes.

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

Building height

The planning proposal seeks to insert a new site-specific provision into the LEP for a new building on the subject sites to a maximum building height of RL 117.87 metres (105.87 metres above street level). No change to the existing mapped building height development control of 50 metres is proposed.

The site-specific provisions seek to facilitate future development for employment generating uses, in the form of a new hotel tower on the subject site. This will be achieved by restricting development consent for additional building height to non-residential and non-serviced apartment uses only.

Floor space ratio

This planning proposal was lodged in October 2020 and at the time a draft Guideline had been considered by Council and exhibited. The Guideline details the matters for consideration in establishing the floor space ratio for a building envelope, including exclusion calculations for building core, façade zones and architectural articulation.

At the time of lodgement, a minimum of 15 per cent of the envelope was required for architectural articulation, as well as 5 per cent for façade zones. Due to site constraints, the planning proposal request sought approval for a total average of 11 per cent architectural articulation including façade zones, an FSR of 12:1 and GFA of 12,243m^2. Excluded from this envelope were other areas for articulation, namely vertical separation between the tower and the heritage building and between the podium at the rear of the site.

The revised planning envelope delivers an average of 10 per cent articulation across the envelope. This revised figure accounts for constraints on site and more articulation in the tower compared to the podium and heritage building. This will ensure future development has the flexibility to respond to issues where necessary without resorting to additional building height.

The revised FSR for this proposed planning envelope is 11.1:1 and a GFA of 11,435m^2, which includes 10 per cent average architectural articulation, 5 per cent for façade zones and the removal of GFA to provide for a combined 6m roof and plant zone as per the DCP.

The maximum FSR facilitated by this planning proposal comprises mapped FSR of 7.5:1, accommodation floor space of 1.5:1 and site-specific floor space for commercial development of 1.09:1. Future development above ground will also be eligible for up to 10 per cent bonus floor space subject to a competitive design process and demonstration of design excellence, resulting in maximum floor space ratio of 11.1:1.

The proposal also includes up to 0.63:1, 650m^2 to be delivered below ground level, linked to the operation of the hotel. The site-specific provisions restrict the below ground floor space below ground level to active, cultural or late night uses with a direct and visual connection to the public domain. It is anticipated that the below ground floor space will support the viability of future development on the site and the success of public domain projects adjacent to the site.

The planning proposal request was accompanied by a detailed Architectural Design Report prepared by Grimshaw that detailed the proposed planning envelope and indicative scheme. The subject site is capable of accommodating the future tower and adaptive reuse of the heritage item without significant detrimental impact to streetscape composition and public domain amenity.

Heritage

The subject site contains local heritage item, the former Sutton Forest Meat Company building that fronts the intersection of George and Valentine Street. State heritage item, Christ Church St Laurence is located on the eastern side of the George Street opposite the subject site. The subject site is also located within the Haymarket/Chinatown Special Character Area.

This planning proposal was accompanied by a Heritage Impact Statement prepared by Weir Phillips, determining the interior of the former Sutton Forest Meat Company building has little heritage significance having been modified significantly due to previous fire damage and alterations.

The proposed planning envelope and future indicative scheme has been designed to ensure any adverse impact to the heritage building is minimised. The building's podium matches the height of the heritage item, maintaining the streetscape in this location, with its lower scale and retention of the building's original features. The location of the tower element has been selected to minimise its impact on adjacent heritage, the setback to Valentine Street and the vertical separation will ensure

the tower is viewed as distinct and separate to the heritage building and will maintain the important views towards Christ Church St Laurence.

The site-specific draft DCP provisions that accompany this planning proposal will ensure future development on site will sympathetically relate to heritage building on site and in the nearby vicinity, including sufficient vertical separation between the tower.

Design excellence

Future development facilitated by this planning proposal will be subject to a full architectural design competition as required by clause 6.21 of the LEP and section 3.3 of the DCP.

The planning proposal was accompanied by a Design Excellence Strategy, which provides for an architectural design competition consisting of a minimum of six competitors, of which 50 per cent are Australian based competitors and a competition jury that will comprise of representatives nominated by the City. The accompanying draft DCP includes design excellence provisions for an architectural design competition.

Traffic and transport

The future development scheme includes basement valet parking of up to seven car parking spaces, below the maximum set out by the LEP. The planning proposal initially included on-street servicing and vehicle movements managed through a loading dock management plan and on-site attendant.

Following assessment by the City, the planning proposal was updated to include an on-site vehicle waiting bay and turntable to ensure all site servicing and vehicle queueing is accommodated within the site and that all vehicles are capable of entering and leaving the building in a forward manner to help protect pedestrian safety. Provisions have been included to ensure on-site servicing is prioritised ahead of any below ground floor space.

The draft DCP includes provisions to ensure that future development on the site is designed to anticipate and respond to future pedestrianisation of adjacent streets and conversion to shared zones. A further detailed traffic, access and parking assessment will occur as part of any future detailed application for the redevelopment of the site.

Public domain

The proponent's reference scheme identifies the opportunity for the public domain fronting the subject site to be upgraded in accordance with Council's endorsed strategies for the area, particularly including future upgrades to George Street and Railway Square, as well as to Quay Street and Valentine Street outlined in the Chinatown Public Domain Plan. The scheme has been designed to maximise activation and the provision of active frontages along George Street to contribute to any future public domain upgrade.

The draft DCP accompanying this planning proposal includes public domain provisions to ensure future development on the subject site positively contributes towards the public domain and is designed and constructed to accommodate any future pedestrianisation to George and Valentine Streets. Any future development application and change to the public domain associated with the site will need to be supported and approved by the City before commencement.

5.2 Draft development control plan

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

The draft DCP amendment includes provisions to ensure the delivery of future development is undertaken in a manner that is consistent with the objectives and intended outcomes of this planning proposal. The draft DCP amendments address the following considerations:

- building height;
- street frontage heights and setbacks;

- heritage;
- building design and bulk;
- parking and vehicular access;
- active frontages;
- public domain;
- public art;
- design excellence; and
- environmentally sustainable development.

5.3 Need for the planning proposal

Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal has been prepared in response to the Central Sydney Planning Strategy, which details the objectives and a framework to ensure growth is employment focused and occurs where it respects special places, is highly sustainable and responsive to climate change.

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

The landowner has commissioned a number of studies to support their request, including an Architectural Design Report prepared by Grimshaw, which details how the proposal can deliver on the City's vision for an economically competitive Central Sydney that is capable of accommodating growth through additional building height and density in selected locations where public domain amenity is protected. These studies have informed the planning proposal.

The supporting documents lodged with the landowner's request are attached in the following appendices to this planning proposal:

- Planning proposal – 757-763 George Street, Haymarket – Mecone
    - Appendix 1: Survey – Total Surveying Solutions
    - Appendix 2: Architectural Design Report – Grimshaw
    - Appendix 3: Landscape Concept Plans – Site Image
    - Appendix 4: Site Specific DCP – Mecone
    - Appendix 5: Economic Impact Assessment – Hill PDA
    - Appendix 6: ESD Report – LCI Consultants
    - Appendix 7: Supply and Demand Analysis – SMA Tourism
    - Appendix 8: Remediation Action Plan – EI Australia
    - Appendix 9: Flood Certification Statement – Australian Consulting Engineers
    - Appendix 10: Pedestrian Wind Environment Study – Windtech
    - Appendix 11: Design Excellence Strategy – Mecone
    - Appendix 12: Daylight Analysis – LCI Consultants
    - Appendix 13: Noise Impact Assessment – White Nosie Acoustics
    - Appendix 14: Heritage Impact Assessment – Weir Phillips Heritage
    - Appendix 15: Historical Archaeological Assessment – Austral Archaeology
    - Appendix 16: Traffic Impact Statement – Traffix
    - Appendix 17: Preliminary Geotechnical Report – EI Australia
    - Appendix 18: Stormwater Concept Plans – Australian Consulting Engineers
    - Appendix 19: Preliminary Public Art Plan – Site Image
    - Appendix 20: Services Design Brief – LCI Consultants

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

This planning proposal seeks to insert new site-specific provisions into the LEP for the subject site. The proposed indicative development scheme has been tested to ensure the future built form is appropriate and does not result in any adverse impacts to adjoining properties and the public

domain. The amended controls will facilitate the delivery of additional employment generating floor space, consistent with the vision of the Central Sydney Planning Strategy.

5.4 Relationship to strategic planning framework

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

A Metropolis of Three Cities – The Greater Sydney Region Plan

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

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

- Infrastructure – Future development will support the delivery of investment into infrastructure in Central Sydney, particularly public domain projects such as new public square and upgrades at Railway Square and George Street.
- Liveability – The indicative scheme includes retail activation and will facilitate the public domain upgrades delivering new opportunities for greater public life in Central Sydney.
- Productivity – The proposal will deliver additional employment generating floor space for new hotel and retail uses close to transport infrastructure contributing to Central Sydney's economy.
- Sustainability – Delivery of a new building with improved sustainability outcomes than the current building stock is a key priority of this planning proposal.

Eastern City District Plan

The Eastern City District Plan sets out the vision, priorities and actions for the Eastern District of the Greater Sydney area, which includes the City of Sydney.

It establishes a 20 year vision to be a global sustainability leader, managing growth while maintaining and enhancing liveability, productivity and attractiveness. Planning priorities and associated actions for productivity, liveability and sustainability seek to deliver on this vision.

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

- Planning Priority E1 – Planning for a city supported by infrastructure – This planning proposal will deliver additional employment generating floor space through new retail and hotel uses on a site that is close to existing and planned transport infrastructure to maximise the efficient use of the existing and future new capacity.
- Planning Priority E6 – Creating and renewing great places and local centres, respecting the District's heritage – This planning proposal includes the adaptive reuse of the heritage building to include fine-grained retail premises and active frontages. This will help deliver improved street life supporting future public domain strategies.
- Planning Priority E7 – Growing a stronger and more competitive Harbour CBD – Central Sydney is at the core of the Harbour CBD. This Planning Proposal will facilitate new a hotel, maximising the site's location close to Central railway station with easy interstate and international transport connections.
- Planning Priority E10 – Delivering integrated land use and transport planning for a 30 minute city – The future development scheme satisfies the 30 minute city objective as it will deliver access to employment opportunities close to existing and future public transport connections, for example Central Station, which includes direct train connections to many parts of Greater Sydney within 30 minute travel time.
- Planning Priority E11 – Growing investment, business opportunities and jobs in strategic centres – Future development on site will deliver additional employment floor space, which will add to the viability of the Harbour CBD economy.

- Planning Priority E13 – Supporting growth of targeted industry sectors – This planning proposal will deliver new visitor and tourist accommodation, an industry sector for which there is demand for more space and one that is targeted by the City and NSW government.
- Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently – The proposed development scheme will deliver a new commercial building with significantly improved sustainability outcomes. Future development on the site is to achieve ambitious ecological sustainable development targets.

Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC. or another endorsed local strategy or strategic plans?

City Plan 2036: Local Strategic Planning Statement

City of Sydney's endorsed local strategic planning statement, City Plan 2036 sets the land use planning context, vision and planning priorities to positively guide development. The planning statement outlines how the City will plan for and manage change, while delivering on the City's vision for a green, global and connected city. This planning proposal gives effect to the following priorities of the Statement:

Infrastructure

- I1. Movement for walkable neighbourhoods and a connected city – The development scheme provides for new hotel and retail uses in a highly accessible location that will encourage use of pedestrian and public transport networks.
- I2. Align development and growth with supporting infrastructure – The subject site is well located to take advantage of nearby existing and future transport infrastructure, including the new light rail and the Sydney Metro that is currently under construction. Both projects will increase the public transport capacity within Central Sydney considerably.

Liveability

- L2. Creating great places – Future development includes the adaptive reuse of the heritage building to include active uses and fine-grain retail premises, helping deliver improved street life and adding to the success of future public domain strategies endorsed by the City.

Productivity

- P1. Growing a stronger, more competitive Central Sydney – This planning proposal supports growth in Central Sydney by facilitating future development that will deliver additional economic and employment growth.
- P2. Developing innovative and diverse business clusters in City Fringe – The indicative scheme includes new hotel accommodation, which will help support the emerging wider tech industry cluster in the surrounding area and will contribute towards Sydney's visitor economy.

Sustainability

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

Sustainable Sydney 2030

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

- Direction 1 – A globally competitive and innovative city – The proposal will facilitate a high quality urban design outcome, delivering new employment opportunities and increasing the city's tourist capacity, helping to make Sydney attractive to global investors and visitors.

- Direction 2 – A leading environmental performer – This planning proposal will deliver ecological sustainable development on the site with ambitious minimum sustainability targets.
- Direction 3 – Integrated transport for a connected City – The subject site is well placed to capitalise on its close proximity to existing and planned transport infrastructure, with the Sydney Metro line currently under construction.
- Direction 4 – A city for walking and cycling – The proposed development scheme facilitated by this planning proposal includes ground floor retail and other active uses which will encourage greater public and active transport use, helping deliver a more people-oriented city.
- Direction 5 – A lively and engaging city centre – The mix of uses on the subject site will deliver greater activation and a livelier engaging city. Outdoor dining and other late night and entertainment uses are permissible to help deliver on the City's vision for the area.
- Direction 6 – Vibrant local communities and economies – Future development facilitated by the planning proposal will contribute to the surrounding area through greater capacity for businesses, active retail uses and potentially new entertainment premises for local residents and visitors.
- Direction 7 – A cultural and creative city – Public art delivered through the future development on the site will provide new creative and cultural experiences and opportunities for engagement with the public.
- Direction 9 – Sustainable development, renewal and design – this planning proposal will support delivery of future development that is more ecologically sustainable than the current building on site by establishing aspirational sustainability benchmarks.

Central Sydney Planning Strategy

The Central Sydney Planning Strategy is a 20-year growth strategy that revised previous planning controls in Central Sydney and delivers on the City's Sustainable Sydney 2030 program. Central Sydney plays a critical role in the economic success, growth and recovery of Greater Sydney and the national economy as the economic heart of Australia's global city.

The Strategy provides for new opportunities for additional building height and density in the right locations where balanced with environmental sustainability, urban design and public amenity considerations. This planning proposal is aligned with the following key moves of the Strategy:

- 1. Prioritise employment growth and increase capacity – This planning proposal will facilitate redevelopment of the site in the form of a new hotel tower, delivering new employment floor space, increasing the employment capacity and growth within Central Sydney.
- 2. Ensure development responds to context – This planning proposal is accompanied by a site-specific DCP to ensure future development is sensitive to its heritage context, with a built form that does not result in adverse wind and daylight impacts and sufficient tower setbacks.
- 4. Provide employment growth in new tower clusters – The subject site is located in the Haymarket and Ultimo tower cluster where additional building height may be accommodated.
- 5. Ensure infrastructure keeps pace with growth – Development facilitated by this planning proposal is subject to development contribution delivering new infrastructure linked to growth.
- 6. Move towards a more sustainable city – The proposal is consistent with the Strategy, as future development is to meet ambitious sustainability targets set out in this planning proposal.
- 7. Protect, enhance and expand heritage and public places – The proposal includes adaptive reuse of the heritage building comprising active uses and fine-grain retail premises, contributing activation and improved street life for future pedestrianisation of the area.
- 8. Move people more easily – The subject site is located within easy walking district of Central railway station and new light rail stops and as such is well located to capitalise on the recent investment in public transport projects.
- 9. Reaffirm commitment to design excellence – Future development on site will be subject to a full competitive design competition with the draft DCP to include design excellence provisions to ensure a high quality built form.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Camperdown-Ultimo Place Strategy

The collaboration area stretches from Camperdown to Ultimo and encompasses parts of Newtown, Darlington, Redfern, Eveleigh, lower Surry Hills and Haymarket. The precinct has evolved to become an eco-system with collaboration between education and research institutions with private companies. The Place Strategy informs public policy by identifying opportunities and priorities for growth.

This planning proposal is aligned with the Place Strategy as following actions:

- Action 5: Facilitate the renewal of Central Station and surrounding lands to improve pedestrian and cycling connectivity – The indicative scheme includes minimal private vehicle parking and as such will generate little traffic movements, encouraging greater use of existing and future pedestrian and active transport network.
- Action 16: Encourage active street frontages and prioritise pedestrians – The proposal includes the adaptive reuse of the former Sutton Forest Meat Company building heritage item to include ground floor retail uses, providing an activate frontage to George and Valentine Streets.
- Action 17: Foster vibrant places by activating night time precincts, activating ground floor areas – The subject site is located in an existing Late Night Trading area and as such is well located to include active uses that will contribute towards the night time economy.
- Action 22: Implement economic development that: reinforces the strengths and local identity of Haymarket; retains existing and attracts new businesses; attracts investment and drives jobs growth – This planning proposal provides for additional employment floor space within the wider precinct, which will attract new investment and help drive job growth.
- Action 26: Retain and manage commercial and business activities from conversion that allows residential development – The additional building height and floor space delivered through this planning proposal will be restricted to employment generating uses only and is not available for residential uses, which remains permissible however it will be limited to the controls available under the LEP.

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

This planning proposal is consistent with applicable SEPPs shown in Table 2. In this table, consistent means that the planning proposal does not contradict of hinder the application of the relevant state environmental planning policy.

Table 2: Consistency with State Environmental Planning Policies

SEPPs with which this planning proposal is consistent	SEPP (Biodiversity and Conservation) 2021; SEPP (Building Sustainability Index: BASIX) 2004; SEPP (Exempt and Complying Development Codes); SEPP (Industry and Employment) 2021; SEPP (Planning Systems) 2021; SEPP (Transport and Infrastructure) 2021;
SEPPs that are not applicable to this planning proposal	SEPP (Housing) 2021; SEPP No 65—Design Quality of Residential Apartment Development; SEPP (Precincts–Central River City) 2021; SEPP (Precincts–Eastern Harbour City) 2021; SEPP (Precincts–Regional) 2021; SEPP (Precincts–Western Parkland City) 2021; SEPP (Primary Production) 2021; SEPP (Resilience and Hazards) 2021; SEPP (Resources and Energy) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021

This SEPP provides for consultation with relevant public authorities about certain development types. As the future indicative scheme will be considered a `traffic generating development' for the

purposes of the SEPP as over 10,000m^2 of commercial floor space is proposed, any future development application will be required to be referred to Transport for NSW for concurrence prior to determination.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021

Under State Environmental Planning Policy (Biodiversity and Conservation) 2021 the subject site is located within the Sydney Harbour Catchment Boundary but not within the Foreshore and Waterways Area Boundary.

The planning proposal does not contradict or hinder the application of the planning principles for the SEPP.

Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

This planning proposal is consistent with the applicable ministerial directions as shown in Table 3.

Table 3: Consistency with Ministerial Directions

Ministerial Directions with which this planning proposal is consistent	1.1 Implementation of Regional Plans; 1.3 Approval and Referral Requirements; 1.4 Site Specific Provisions; 3.2 Heritage Conservation; 4.1 Flooding; 4.4 Remediation of Contaminated Land; 4.5 Acid Sulfate Soils; 5.1 Integrating Land Use and Transport; 5.3 Development Near Regulated Airports and Defence Airfields; 7.1 Business and Industrial Zones;
Ministerial Directions that are not applicable to this planning proposal	1.2 Development of Aboriginal Land Council land; 1.5 Parramatta Road Corridor Urban Transformation Strategy; 1.6 Implementation of North West Priority Growth Area Land Use and Implementation Plan; 1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan; 1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan; 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor; 1.10 Implementation of the Western Sydney Aerotropolis Plan; 1.11 Implementation of Bayside West Precincts 2036 Plan; 1.12 Implementation of Planning Principles for the Cooks Cove Precinct; 1.13 Implementation of St Leonards and Crows Nest 2036 Plan; 1.14 Implementation of Greater Macarthur 2040; 1.15 Implementation of the Pyrmont Peninsula Place Strategy; 1.16 North West Rail Link Corridor Strategy; 1.17 Implementation of the Bays West Place Strategy; 3.1 Conservation Zones; 3.3 Sydney Drinking Water Catchments; 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26; 3.5 Recreation Vehicle Areas; 4.2 Coastal Management; 4.3 Planning for Bushfire Protection; 4.6 Mine Subsidence and Unstable Land; 5.2 Reserving Land for Public Purposes; 5.4 Shooting Ranges; 6.1 Residential Zones; 6.2 Caravan Parks and Manufactured Home Estates; 7.2 Reduction in non-hosted short-term rental accommodation period; 7.3 Commercial and Retail Development along the Pacific Highway, North Coast; 8.1 Mining, Petroleum Production and Extractive Industries; 9.1 Rural Zones; 9.2 Rural Lands; 9.3. Oyster Aquaculture; 9.4 Farmland of State and Regional Significance on the NSW Far North Coast.

1.4 Site Specific Provisions

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

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

The proposed development scheme described in this planning proposal, the amendments to the LEP and the draft DCP have been developed by the City in consultation with the landowner based on their design vision for the site as well as the City's vision for future development in the precinct.

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

4.4 Remediation of Contaminated Land

This Ministerial Direction promotes remediation of contamination land to reduce the risk of harm to human health. When rezoning land and as part of development applications, it is required to be considered to ensure remediation work meets certain standards.

The planning proposal does not change the zoning of the land or expand the uses permitted on the land. Nevertheless, the planning proposal was accompanied by a Remediation Action Plan (RAP), which identified the sources of contamination over the history of use of the site, including underground storage tanks. The RAP confirms that subject to the proposed remediation strategy, the subject site is suitable for the proposal. Notwithstanding this, further assessment and remediation will be required as part of any detailed development application.

4.5 Acid Sulfate Soils

This Ministerial Direction seeks to avoid adverse environmental impacts from the use of land that contains acid sulfate soils. As this planning proposal results in intensification of land uses, it must suitably address the requirements of this Direction.

The subject sites are located on land identified as Class 5 Acid Sulfate Soils as per the Acid Sulfate Soils Map in the LEP, it is however within 500 metres of a Class 2 site, on Quay Street, 150 metres to the north of the site. A Preliminary Geotechnical Statement accompanied the planning proposal, which advised that due to the excavation proposed and the site's proximity to Class 2 soil, a detailed Acid Sulfate Soil Assessment may be required. This assessment is to include the identification of any contamination, presence of aggressive soils and acid sulfate soils.

As the proposal includes excavation for a basement, the detailed development application requires concurrence with Water NSW to identify and address acid sulfate soils prior to determination.

5.5 Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened specials, populations or ecological communities, or their habitats will be adversely affected because of the proposal?

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

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

The changes to the maximum building height and floor space ratio controls will provide for the redevelopment of the subject site.

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

The proposed scheme has been developed in collaboration with the proponent with any environmental impacts resulting from the proposal having been identified and resolved during assessment.

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

Building envelope and tower setbacks

The proposed planning envelope outlined in this planning proposal and the accompanying site-specific draft DCP provisions has been subject to public domain testing in accordance with the requirements of the Strategy. The proposed envelope has been tested to ensure it is capable of accommodating the proposed indicative scheme with sufficient room for any mitigation and architectural articulation to ensure future development will not result in adverse public domain amenity conditions.

The proposed envelope has been designed to ensure it is sensitive to the heritage item on site, with a matching podium height and setback so the majority of the tower above is set away and distinct from the heritage item, further achieved through a minimum separation of at least two storeys. This setback of 8 metres, will protect the important views along Valentine Street towards Christ Church St Laurence, a State heritage item on George Street adjacent to the site.

The setbacks to the other boundaries vary from the requirements of the Strategy, however they are considered acceptable as they do not result in significant adverse public domain amenity impacts and provide sufficient separation to the adjoining residential apartment and office buildings.

The planning envelope is consistent with the Strategy in that the planning proposal will deliver additional employment generating floor space through additional building height and floor space without detrimentally impacting pedestrian amenity, solar access and wind conditions in the public domain.

View analysis

The Architectural Design Report that accompanied the planning proposal request includes an indicative view analysis showing the proposed future development from key points in the surrounding area of the subject site. The analysis explored views west from Central Station, along George Street and east along Valentine Street towards State heritage item Christ Church St Laurence, as shown in Figure 17.

The analysis demonstrated that the proposed tower will be visible from prominent locations such as from Central Station and Railway Square, however the tower's setbacks to George Street will maintain views along this important view corridor, particularly as it forms the civic spine in Central Sydney. The proposal will not obstruct views towards the Central Station clock tower in accordance with clause 6.19 of the LEP.

The tower setback of 8 metres and vertical separation of at least two floors above the former Sutton Forest Meat Company building heritage item will ensure sufficient visual curtilage is provided and the building form remains distinct. The setback will protect important views towards Christ Church St Laurence along Valentine Street, providing sufficient sky view around the State heritage item.

Figure 17. Views along Valentine Street towards Christ Church St Laurence, the proposed indicative scheme to the left.

Overshadowing

The subject site is located within the sun access planes for Prince Alfred Park and the planned Railway Square (future Third Square). The Architectural Design Report includes an overshadowing analysis that the proposed maximum building height of RL 117.87m will not exceed the Prince Alfred Park solar access plane which is approximately 300m at this location and the proposed future Third Square will not be impacted by the proposed building envelope at the proposed times.

Daylight access / skyview testing

This planning proposal seeks additional building height and floor space for new employment generating floor space and as such the requirements of the Central Sydney Planning Strategy are applicable and the proposal is subject to public domain amenity testing, measuring daylight levels.

A ‘base case’ envelope has been prepared in accordance with the provisions applicable at the time of lodgement, namely 4.05 metre setbacks (3.33% of building height) and the heritage item excluded. Planning proposals may vary this envelope subject to equivalent or improved daylight access to the surrounding public domain.

The proposed planning envelope at RL 117.87m in height includes minimum building setbacks of 8 metres to Valentine Street, 6 metres to George Street, 3 metres to the western boundary and the combination of 3, 1 and 1.6 metres to the irregular northern boundary.

The Architectural Design Report that accompanied the planning proposal included a skyview factor analysis that measured public domain daylight levels surrounding the site, represented numerically. The results found that the proposed building envelope will deliver a minor improvement from the base case envelope, maintaining acceptable daylight access to the public domain.

Wind assessment

A Pedestrian Wind Environment Study prepared by Windtech accompanied the planning proposal, assessed pedestrian wind comfort and safety levels resulting from future development on the subject site through wind tunnel testing. Pursuant to the requirements, the wind tunnel tested two envelopes, a base case envelope with setbacks consistent with the Strategy as compared to the proposed planning envelope in order to identify whether the proposal will have an equivalent or improved outcome.

The initial assessment indicated that the proposed envelope was capable of achieving compliance with the base case envelope, however a number of locations were close to exceeding the wind safety standard and as such needed closer analysis. Similarly, after the planning envelope was amended with revised setbacks, additional wind tunnel testing was undertaken.

The additional wind tunnel testing found that the revised planning envelope would result in improved public domain wind conditions surrounding the subject sites, consistent with the requirements of the Strategy. Notwithstanding this, the proposed envelope would however result in a particularly windy environment in some key locations, particularly on George Street adjacent to the site, where the wind comfort levels achieved an 'uncomfortable' rating and the wind safety standard was exceeded.

Further wind tunnel testing was undertaken to address the locations of concern and identify potential mitigation measures. The envelope for this revised testing included retention of the existing awning of the former Sutton Forest Meat Company building as it was likely this awning will be retained. It is anticipated this awning may be used in future wind testing at detailed design phase.

The revised wind tunnel testing found that subject to retention of the heritage awning and a north-east facing chamfer at ground level, adjacent to George Street, the proposal would result in an acceptable wind environment. The testing found that these mitigation measures redirected strong wind speeds and the wind comfort level would move from an 'uncomfortable' to 'walking' standard. With the overall average wind comfort rating moving from a 'walking' to 'standing' wind comfort standard.

The draft DCP accompanying this planning proposal includes provisions that provide guidance on the potential wind mitigation measures to improve the public domain conditions at the detailed design phase and as part of the design competition, where additional wind tunnel testing will take place.

Residential amenity

The subject site is directly adjoined to the north by Capitol Terrace, a mixed use building that features residential apartments on the upper levels, which feature south-facing windows that look out onto the subject site, as shown in Figure 18.

Capitol Terrace is built directly to, or close to the common boundary it shares with the subject site. A lightwell is located close to the north-west corner of the subject site, which provides light and air to the west-facing apartment. While the building is built to the common boundary in this section, there are no windows which overlook the subject site. Along the east section of the common boundary is a shared driveway, above which the middle and east-facing apartments are set back approximately 1.6 metres, which feature south-facing windows from non-primary living spaces. The middle apartment on this elevation has a lightwell towards the middle corner of boundary that provides light and air to the living space and bedroom.

The podium of the proposed planning envelope is generally aligned in height to that of Capitol Terrace against the common boundary, shown in Figure 19. The podium will also be setback at the north-west corner to mirror the adjoining lightwell to maintain views and daylight into the west-facing apartment. Above the shared driveway on the eastern section of the common boundary, the proposed envelope will mirror Capitol Terrace's setback, providing a minimum separation between the two buildings of approximately 3 metres.

Views and daylight access to the south-facing apartments in Capitol Terrace was assessed in the Architectural Design Report that accompanied the planning proposal request and it found that while the proposed envelope will impact views and daylight levels to these apartments, the impact will be similar to that of the approved development application.

Figure 18. Floor plan and elevation of Central Terrace apartments showing affected windows

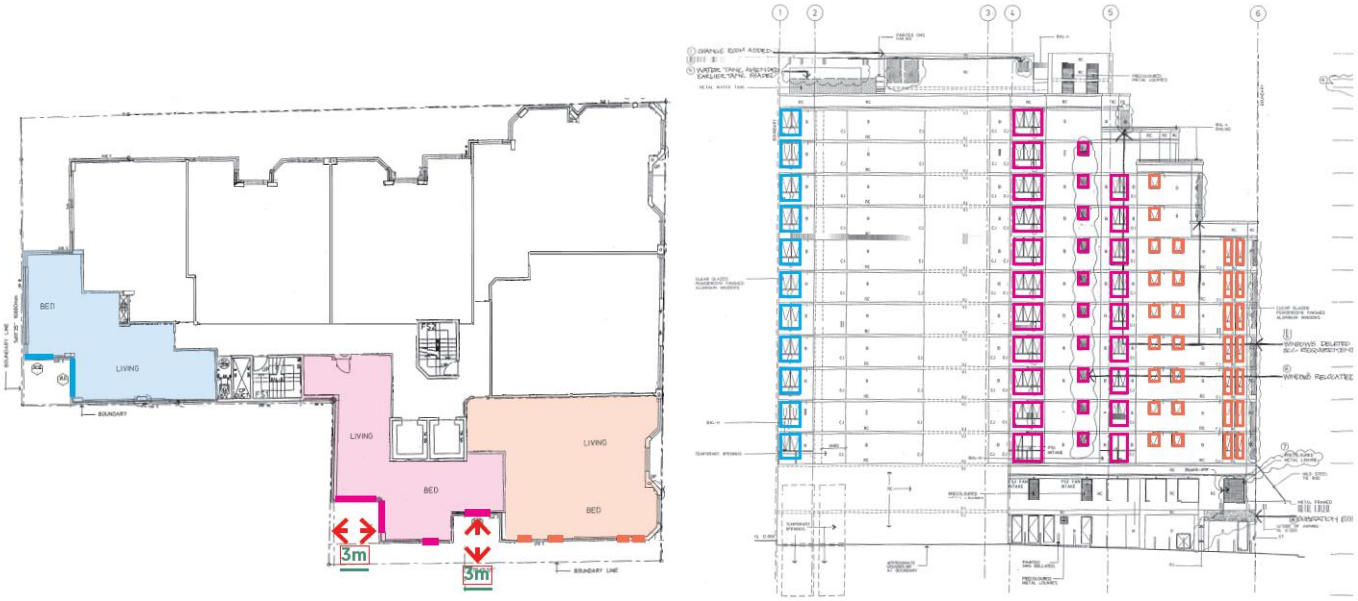
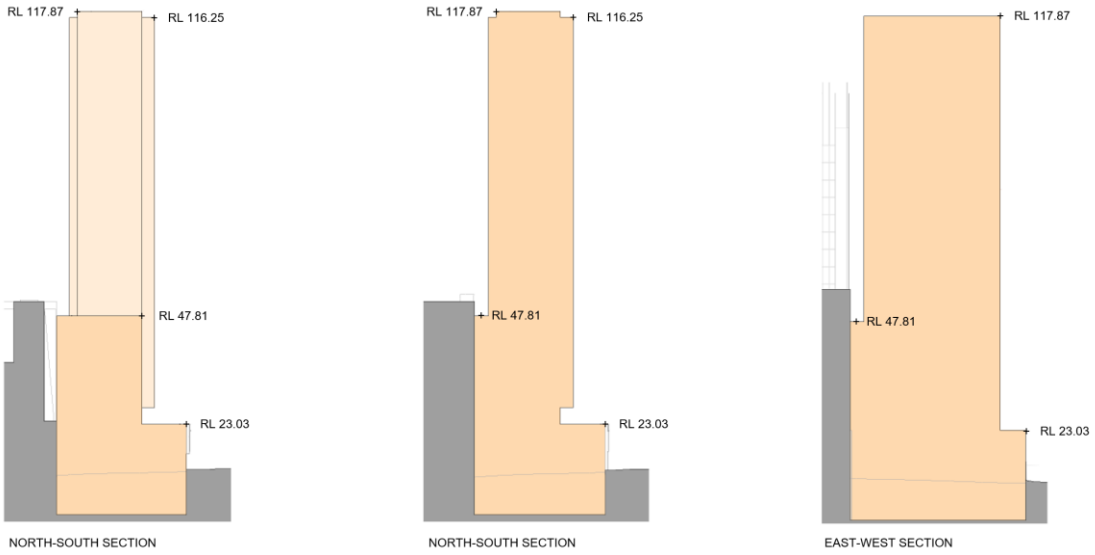


Figure 19. Section of proposed planning envelope (orange, right) and Capitol Terrace (grey, left)



Acoustic impact

The proposed indicative scheme includes an outdoor terrace on the roof of the existing heritage building, the former Sutton Forest Meat Company building and a potential outdoor terrace above the upper podium at the rear north-west corner of the site. The use of these terraces by hotel patrons has the potential to impact upon the residential amenity of the adjoining apartment building.

The planning proposal was accompanied by an Acoustic Impact Assessment that found that the proposed indicative development scheme of the future hotel is unlikely to result in unacceptable noise intrusion, with the majority of noise emanating from the site from mechanical plant equipment.

The draft DCP includes relevant provisions to ensure a future detailed development application for the site further details measures to ensure any adverse impact to residential amenity from the proposal is minimised.

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

This planning proposal provides an opportunity for the redevelopment of the subject sites, which is located in a tower cluster where additional building height may be accommodated subject to meeting public amenity and urban design considerations. Redevelopment will provide positive social and economic effects including:

- providing more than 11,500m^2 of new employment generating floor space which will strengthen and contribute to Central Sydney's role as a globally competitive city;
- creating an estimated 120 additional jobs;
- new hotel accommodation for business visitors and tourists, contributing towards Central Sydney's economy and tourist industry; and
- contributing towards the improved activation of the adjoining public domain, delivering improved amenity and safety for the public.

5.6 State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The site is well serviced by a full range of public utilities including electricity, telecommunications, water, sewer and stormwater. It is expected these services will be upgraded where required by the developer.

The proposal will provide contributions for local infrastructure and public domain improvements adjacent to the site, capitalising on the City's endorsed strategies for the precinct, timed to support the nearby existing transport connections and the planned upgrades.

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

What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

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

Clause 7.16 of the LEP requires concurrent approval from Sydney Airport for all proposed works that will penetrate the Obstacle Limitation Surface (OLS), which is between 152-156 metres at this location.

At RL 117.87 metres in height, the future development scheme does not enter the OLS zone and as such approval under the Airports Act 1996 is not required for the City to approve any future development application.

6. Mapping

No change will be made to any maps contained within the LEP is proposed as part of the planning proposal.

This planning proposal seeks to insert new site-specific provisions under Division 5 of the LEP, detailing the proposed changes to the building height and floor space ratio development standards discussed earlier in this document.

The proposed future development scheme as discussed in this planning proposal will be detailed in the draft DCP and will be accompanied by updated maps and figures to adequately describe the City's intended vision for the sites.

7. Community consultation

This planning proposal shall be exhibited in accordance with the requirements of the gateway determination once issued by the Department of Planning and Environment.

It is anticipated that public exhibition will be for a period of at least 28 days, which is consistent with the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guideline prepared by the Department dated December 2021.

The surrounding community, including adjacent landowners, occupiers and community interest groups shall be notified of the public exhibition by mail, email, social media and through public exhibition on the City of Sydney website, in accordance with the City's Community Participation Plan.

Consultation with the necessary NSW agencies, authorities and other relevant organisations will be undertaken as required by the conditions contained within the gateway determination.

8. Project timeline

This planning proposal is categorised as a Standard planning proposal as per the Local Environmental Plan Making Guidelines dated December 2021, the anticipated timeframe for the completion of the planning proposal is as follows:

Stage	Timeframe
Commencement / gateway determination	**June 2022**
Government agency consultation	**August 2022**
Public exhibition	**August 2022**
Review of issues raised in submissions	**September 2022**
Post-exhibition reporting	**November 2022**
LEP drafting	**December 2022**
LEP made	**January 2023**
LEP notification	**January 2023**

Appendix 1

The final version of the provisions that would be inserted into Division 5 is subject to drafting and agreement by the Parliamentary Counsel's Office, but may be written as shown in Table 4 below.

Table 4: Drafting instructions for 757-763 George Street, Haymarket in LEP

6.## 757-763 George Street, Haymarket

(1) This clause applies to 757-763 George Street, Haymarket, being Lot 1 DP 1031645 and Lot 11 DP 70261 (the subject land).
(2) The maximum building height for a building on the subject land is RL 117.87 metres.
(3) The maximum floor space ratio for a building on the subject land at or above ground level (existing) is determined by the sum of all of the following–
    (a) the floor space ratio shown for the land on the Floor Space Ratio Map,
    (b) 1.09:1 site specific floor space,
    (c) any accommodation floor space for which the building is eligible under clause 6.4,
    (d) any end of journey floor space for which the building is eligible under clause 6.6,
    (e) if the building is a building demonstrating design excellence–any amount of floor space, to be determined by the consent authority of up to 10% of the floor space ratio determined by the sum of paragraphs (a)–(c).
(4) Despite subclause (3), the floor space ratio for a building on the subject land at or above ground level (existing) must not exceed 11.1:1.
(5) The maximum floor space ratio for a building on the subject land below ground level (existing) is 0.63:1, but only if–
    (a) the building at or above ground level (existing) is used for the purposes of hotel or motel accommodation; and
    (b) if the building below ground level (existing) is used for retail, cultural and late night uses ancillary to the hotel or motel accommodation; and
    (c) the building below ground level (existing) has a direct and visual connection to the public domain.
(6) Development consent must not be granted to development that results in a building on the subject land exceeding the maximum building height shown for the land on the Height of Buildings Map, or exceeding the maximum floor space ratio shown for the land on the Floor Space Ratio Map, unless the consent authority is satisfied that the development will–
    (a) provide a satisfactory distribution of built form and floor space that is responsive and respects the heritage item;
    (b) deliver businesses and retail premises at street level; and
    (c) accommodate all on-site servicing prior to the consideration of the below ground floor space at subclause (5).
(7) Development consent must not be granted to development that results in a building on the subject land being used for the purposes of residential accommodation or serviced apartments.
(8) Clause 6.21D(3) does not apply to a building on the subject land.
(9) In this clause–
building demonstrating design excellence has the same meaning as in Division 4.