

# **Attachment A1**

**Planning Proposal Justification Report –  
Ethos Urban – 15-25 Hunter and 105-107  
Pitt Street, Sydney**

# ETHOS URBAN

## Request to Prepare a Planning Proposal

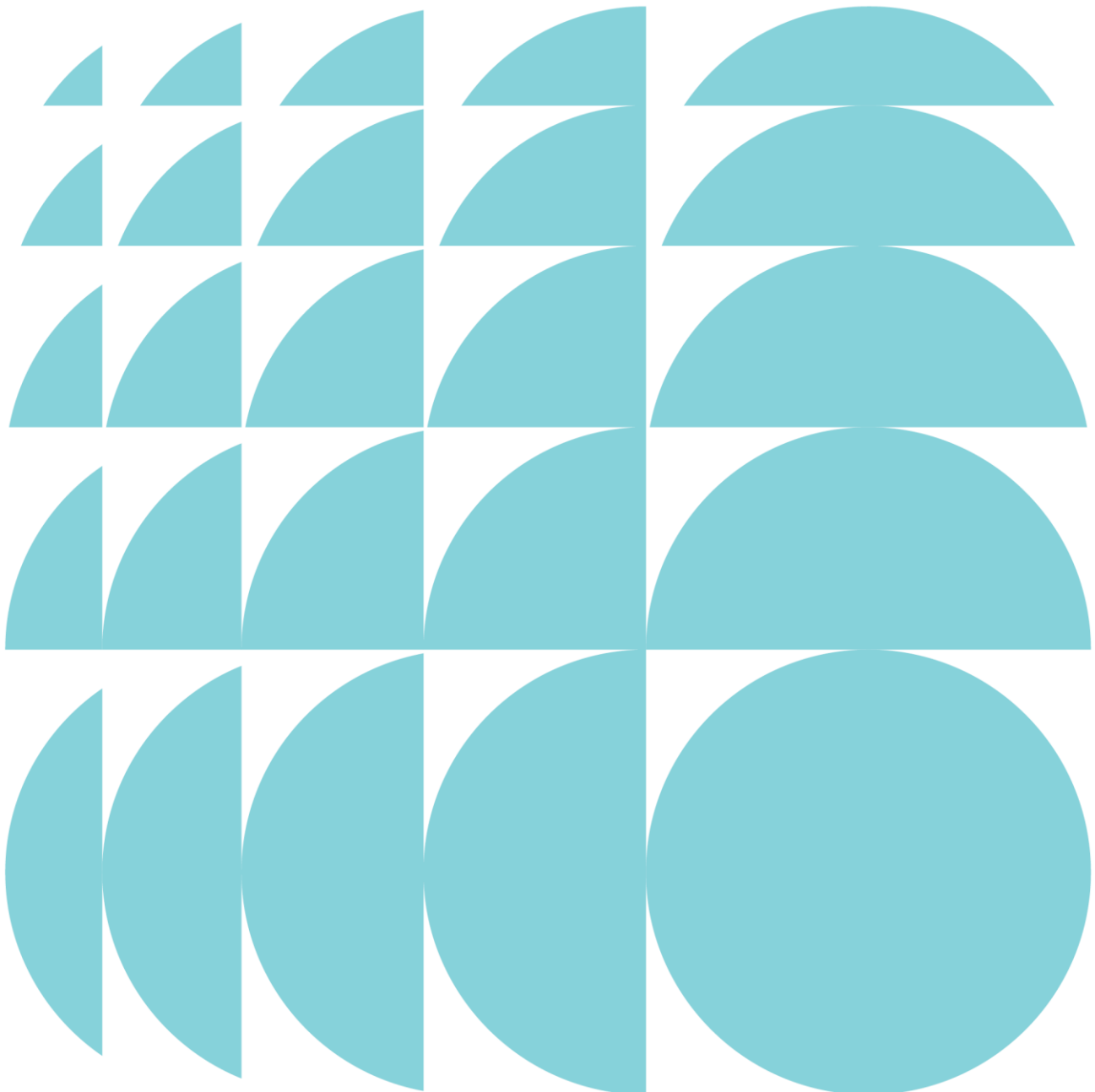
15-25 Hunter Street and 105-107 Pitt Street, Sydney

Amendment to the maximum height, maximum floor space ratio, new heritage listing and concurrent Development Control Plan amendments

Submitted to the City of Sydney Council  
On behalf of FT Sydney Pty Ltd

18 October 2021 | 2190590

**Updated 26 May 2022**



*Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.*

*We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.*

*We pay our respects to their Elders past, present and emerging.*

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REV A	1 June 2020	LF	BH
REV B	22 July 2020	LF	BH
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<b>A</b>	Design Report (updated) <i>Bates Smart</i>
<b>B</b>	Site Survey <i>TSS</i>
<b>C</b>	Draft Site-Specific Development Control Plan (DCP) (updated) <i>Ethos Urban</i>
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<b>N</b>	Waste Management Statement (updated) <i>WSP</i>
<b>O</b>	Public Art Approach <i>Amanda Sharrad</i>
<b>P</b>	Public Benefit Offer (updated) <i>Milligan Group</i>

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**Q** Consultation Summary Table (updated)

*Ethos Urban*

**R** Structural Statement

*TTW*

**S** Sky View Factor Report (updated)

*Bates Smart*

**T** Flood Impact Assessment (updated)

*TTW*

## Executive Summary

# The City's vision for Central Sydney

## Draft Central Sydney Planning Strategy A catalyst for growth

### City's Target



**2.9million**  
metres of floor  
space unlocked



**100,000+**  
jobs delivered



**Protection**  
of public places,  
spaces, solar access  
and heritage



Existing buildings are ageing and  
the site is underutilised

Not fit for prominent location  
within a tower cluster zone

### What can Milligan Group do to support the City's vision?

Break strata locked  
buildings to form a viable  
development site



Complex  
amalgamation of  
6 landholdings

## The project will deliver

**5,487** JOBS

Comprising **1,682** FTE construction jobs and **3,805** operational jobs



A redeveloped site in line with Transit Oriented Principles

**\$30**~million

Developer Contributions



30-minute city



Best practice environmentally sustainable design



World class workplace design



Activated street frontages



Public art



Opportunity for design excellence



Architectural contribution to the city skyline



Sky view factor positive



Pedestrian wind impact positive

## 1.0 Introduction

This request for a Planning Proposal is submitted to the Council of the City of Sydney (Council) for amendments to the *Sydney Local Environmental Plan 2012* (Sydney LEP) relating to land at 15-25 Hunter Street and 105-107 Pitt Street, Sydney (the site). Ethos Urban has prepared this Planning Justification Report on behalf of FT Sydney Pty Ltd (controlled by Milligan Group) (referred to as the Proponent).

The purpose of the Planning Proposal is to introduce new maximum Height of Buildings and Floor Space Ratio (FSR) development standards for the site, and to provide a local heritage listing on the existing building at 15-17 Hunter Street. Collectively, these amendments will unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS). The proposal will also deliver significant public and city-building benefits through activation and embellishment of the public domain, creating a new laneway and fine grain texture to the city, while protecting the amenity of the existing surrounding public realm in regard to solar access and wind conditions.

The Planning Proposal is the first stage of the redevelopment program for site which will ultimately enable the delivery of a commercial office tower accommodating:

- A maximum height of 213.5m (RL 222.5) consistent with the updated Sun Access Plane for Martin Place.
- A maximum Floor Space Ratio (FSR) of 24.26:1 equating to 51,150m<sup>2</sup> of Gross Floor Area (GFA). This total FSR comprises an above ground FSR of 22.26:1 and a below ground FSR of 2:1.
- Partial retention and protection of the existing building at 15-17 Hunter Street via a local heritage listing under the Sydney LEP.

Amendments to the Sydney Development Control Plan 2012 (Sydney DCP) are also proposed to support the Planning Proposal and proposed redevelopment. These amendments will address key design and development outcomes, including provisions related to the future built form, the provision of publicly accessible through site links, design excellence, and sustainability. Images of an indicative tower form which could be delivered by the proposed LEP and DCP controls is provided at **Figure 1** and **Figure 2**.

This Planning Justification Report describes the site, the proposed amendments to the Sydney LEP and Sydney DCP, and provides an environmental assessment of the proposed height and FSR controls, the proposed heritage listing, the building envelope and the indicative tower. The report should be read in conjunction with the Design Report prepared by Bates Smart (**Appendix A**) and specialist consultant reports appended to this proposal (refer to the Table of Contents).

The Planning Proposal component of this Report 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.
  - Need for the Planning Proposal.
  - Relationship to strategic planning framework.
  - Environmental, social and economic impact.
  - State and Commonwealth interests.
- Part 4 – Mapping.
- Part 5 – Community Consultation.
- Part 6 – Project Timeline.



The Central Sydney Planning Strategy (CSPS) is a catalyst for city shaping developments that will continue to position and strengthen Central Sydney as Australia's leading global city. The associated Planning Proposal: Central Sydney 2020 and the amended Sydney DCP were endorsed by the City of Sydney at its meeting on the 14 December 2020, and amendments to the Sydney LEP were gazetted in December 2021. This request for a Planning Proposal seeks to contribute to the aims and objectives of the CSPS.



**Figure 1** Photomontage of an indicative tower resulting from the planning proposal (Pitt Street)

Source: Bates Smart





**Figure 2** Photomontage of an indicative tower resulting from the planning proposal (Hunter Street)  
*Source: Bates Smart*




## 1.1 Project Vision

FT Sydney Pty Ltd is a subsidiary controlled by developer, Milligan Group. Milligan Group was founded over a decade ago with a mission to create signature buildings that inspire people and enrich communities. Milligan Group is passionate about creating developments that add value and complement communities. Ranging from small boutique office spaces to grade-A commercial buildings, Milligan Group’s portfolio is a testament to their commitment to deliver high quality buildings within the City of Sydney. Milligan Group’s City of Sydney project portfolio experience includes:

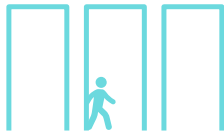
- 830-838 Elizabeth Street, Waterloo ‘Iconic’.
- 21-43 Harris Street, Pyrmont ‘Workshop’.
- 19 Ralph Street, Alexandria ‘Clarion’.
- 20-22 William Street, Beaconsfield.
- 32-34 and 36 York Street, Sydney.
- 10-14 Cooper Street, Surry Hills.
- 80-88 Regent Street, Redfern.

These projects demonstrate a commitment to design excellence and reflect the capabilities of Milligan Group to provide premium liveability and amenity for communities and workers within the City of Sydney Local Government Area (LGA). As an active stakeholder in the City of Sydney LGA, Milligan Group is committed to supporting the growth and development of Sydney as Australia’s leading Global City. It is Milligan Groups vision for this project to deliver a legacy building for Central Sydney, led by a world class commercial office tower in the commercial core of the CBD. The project is designed to support Council’s aspirations for Central Sydney as a pre-eminent centre for business. Importantly, the project will deliver on Council’s objective of growing the employment capacity of the CBD through to 2036 and beyond.

This Planning Proposal establishes the planning framework to deliver on Milligan Group’s vision for the site, which will be focused on the following key elements.

	<p><b>Realised strategic merit</b></p> <p>Over several years, Milligan Group has gone to great lengths to consolidate the numerous land holdings which make up the site, facilitating an amalgamation of a super tower site which can deliver a project of scale and significance in-line with the endorsed CSPS. This complex amalgamation will enable the development of a building that maximises employment opportunities and capitalises on direct access to the Sydney Light Rail and the future high-speed Sydney Metro rail network at the site’s doorstep. With the construction of the Sydney Metro (a step-change piece of transport infrastructure and a significant investment by the NSW Government) there is a responsibility and reasonable planning expectation for the development capacity of the site to be realised in conjunction with maximised public benefits, as envisaged in Council’s CSPS. The Planning Proposal will update the planning framework under the Sydney LEP to reflect the opportunity of an amalgamated site.</p>
	<p><b>Commitment to Design Excellence and Sustainability</b></p> <p>Key parameters for the future competitive design process will be prescribed through the Sydney DCP amendment to deliver an architectural solution that befits such a prominent site. The Planning Proposal will enable the development of a substantial new office building that exhibits design excellence and contributes to the architectural legacy of Central Sydney. The proposal will also enable the highest level of sustainability initiatives, supporting the improved environmental performance of commercial development in Central Sydney.</p>
	<p><b>Enhanced economic value</b></p> <p>The project facilitated through this Planning Proposal will contribute to Sydney’s competitive edge and reinforce its status as a Global City, in-line with the NSW Government’s and Council’s aspirations for the Sydney ‘Eastern City’. The proposed development will deliver approximately 1,682 Full Time Equivalent (FTE) construction jobs and approximately 3,805 operational jobs when the building is fully occupied. Total Gross Regional Product (GRP) output at full occupancy is estimated at an additional \$1 billion pa (2019 dollars), which includes significant output contributions from industry factors such as professional services which has been adopted as a proxy for all office workers in the building. Value added by industry is an indicator of business productivity. It shows the net economic uplift by excluding the value of production inputs. Its value added in economic terms is estimated at around \$533 million pa (2019 dollars) at full occupancy of the building.</p>





**Enhanced public and civic value**

It is fundamental that a growing commercial centre creates, retains or enhances publicly accessible space as highlighted by the CSPA. With this in mind, a key development driver is to unlock the ground plane and activate the site’s public domain interfaces. Being at the corner of two prominent Central Sydney streets, there is a recognised responsibility to activate and enhance the urban realm through this development, as highlighted through the proposed Sydney DCP amendments.

The future redevelopment of the site within the framework established by this request for a Planning Proposal is in full alignment with the objectives and intended outcomes of the City’s ground-breaking CSPA. Specifically, 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. The proposal delivers new employment generating floor space in the right location, with greater jobs delivered at no expense to the sunlit public spaces and parks which make Sydney special.

The project is reflective of Milligan Group’s support for the CSPA and their commitment to working together with the City Council in implementing the CSPA and associated statutory documents.

**1.2 Project Grounding in the Central Sydney Planning Strategy**

The CSPA was first released in 2016 and sets out a 20-year land use vision, planning priorities and actions to achieve a place-led and people-led vision for growth in Central Sydney. The CSPA and accompanying Planning Proposal: Central Sydney 2020 were endorsed by Council on 14 December 2020 and gazetted in December 2021.

The central aim of the CSPA is to support good growth while balancing the need to protect and enhance the public places that make the city unique. It provides the strategic direction to continue to position and strengthen Central Sydney as Australia’s leading global city and to ensure the global competitiveness of Sydney. At the heart of the CSPA is the aim to protect and prioritise commercial floor space in order to meet the job demands anticipated for Central Sydney, while continuing to serve the needs of residents, workers and visitors. The CSPA is the primary tool for Central Sydney to achieve Council’s job targets through to 2036, being 100,000 jobs unlocked through an additional 2.9 million square metres of employment generating floor space delivered in tower cluster areas (refer to **Figure 3** and **Figure 5**).

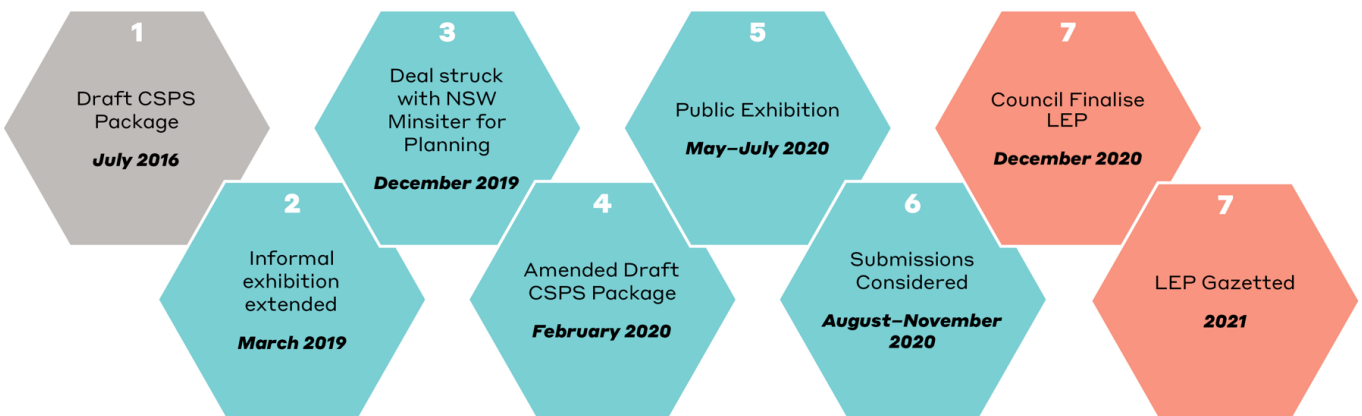


**Figure 3 Indicative tower cluster areas identified under the CSPA**

Source: City of Sydney

Implementing the endorsed CSPA are a suite of changes to the planning framework in Central Sydney. These amendments include Planning Proposal: Central Sydney 2020 which amended parts of the Sydney LEP, changes to the Sydney DCP, an 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).

As indicated at **Figure 4**, the CSPA and accompanying Central Sydney Planning Proposal was endorsed by Council on 14 December 2020 and the amended LEP was gazetted in December 2021. This Planning Proposal seeks to facilitate the delivery of employment generating floor space in accordance with the strategic intent of the CSPA and subsequent LEP, and therefore is submitted to be considered concurrently with the wider amendments associated with the CSPA and supporting documents. This Planning Proposal shows the Proponent is strongly supportive of the City’s focus on employment growth and growing an internationally competitive CBD as reinforced in the endorsed CSPA.

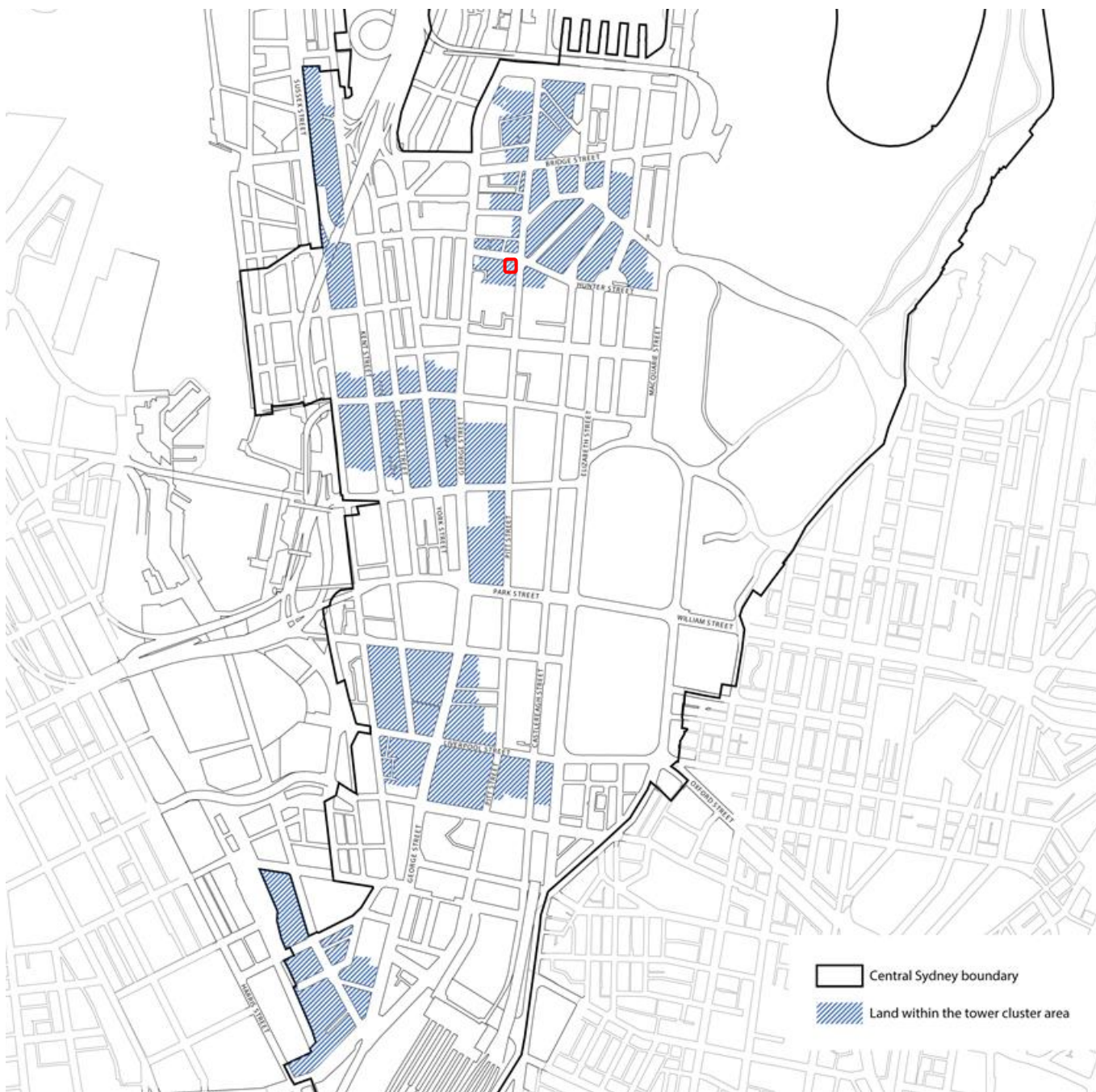


**Figure 4** Anticipated timeframe for the finalisation of the CSPA and supporting amendments

Source: Ethos Urban

The content of the CSPA and supporting amendments has evolved over the years, most notably in response to the decision reached on implementation of the CSPA between Council and the Minister for Planning and Public Spaces in December 2019. Three key changes were included in this agreement, including revisions to the approach to residential development, the provision of a new tower cluster pathway, and a new draft Development Contributions Plan, as outlined further below.

Relevant to this Planning Proposal is the identification of the new tower cluster pathway which comprises a direct pathway to accessing increased height opportunities and up to 50% additional floor space on sites mapped within a tower cluster, provided they meet certain site tests and design excellence criteria are satisfied. These cluster areas are intended to create growth opportunities for employment floor space, support a more efficient use of land and encouraging innovative design. The tower cluster zones largely reflect the City’s capacity studies supporting the CSPA and identify sites capable of accommodating uplift without compromising public amenity in terms of sun access. As illustrated at **Figure 5**, the subject site sits within a tower cluster, and is in prime position to deliver additional employment generating floor space in a highly serviced location.



**Figure 5 Tower cluster areas under the Central Sydney Planning Proposal (site outlined in red)**

Source: Ethos Urban

As identified above, the Proponent has engaged in detailed consultation with Council staff on the process of delivering a proposal that aligns with the vision and strategic intent of the CSPS within a reasonable and efficient timeframe. Through this consultation, it was determined that a site-specific Planning Proposal would be the optimal planning pathway for the site. The need for this site-specific Planning Proposal is also support as followed:

- The Planning Proposal: Prior to finalisation of the CSPS and new Sydney LEP in December 2021, the Proponent and the City had undergone significant negotiations to determine that a more efficient means of realising the vision for the site was pursuant to a site specific LEP amendment that could be progressed.

- The Proponent, Bates Smart and Ethos Urban have worked collaboratively for over two years, testing various development concepts on the site. Through a detailed site investigation, it was recognised that as a result of its size and surrounding context, the site is capable of accommodating greater employment capacity in-line with the CSPS, over and above the additional 50% floor space permitted through the 'straight to development application (DA)' tower cluster pathway.
- The total amount of employment generating floor space which could be achieved through the future Sydney LEP tower cluster pathway (18.75:1) is below the ultimate FSR which can be appropriately delivered on the site based on the extensive testing undertaken to date by the project team and in consultation with Council. As such, a staged DA progressing through the tower cluster pathway of the Sydney LEP is not considered appropriate for the site and a missed opportunity to deliver employment generating floor space on a prime Central Sydney site consistent with the CSPS.

While a site-specific Planning Proposal is being sought for this site, this proposal is still made in complete consistency with the CSPS which seeks to grow employment floor space to maintain Sydney's economic vitality and resilience. As such, this report provides a variety of references to the CSPS, including a detailed analysis of the proposal's consistency with the CSPS in **Section 6.0**.

### 1.3 Consultation with Council staff

The Proponent has engaged in early, ongoing and productive pre-lodgement discussions with Council staff. This initially involved meeting on three separate occasions prior to an informal lodgement of the Planning Proposal on 28 August 2020, including meetings on:

- 20 January 2020 – Council staff meeting
- 19 March 2020 – Council staff meeting
- 4 June 2020 – Council staff meeting

The intent of this initial pre-submission consultation was to determine how to unlock the full employment generating potential of the site most effectively in an appropriate building envelope, while ensuring the proposal does not compromise public amenity.

Following the draft lodgement of the Planning Proposal on 28 August 2020, further meetings were held with Council staff, and the proposal was also presented to the City of Sydney Design Advisory Panel (DAP) on three separate occasions, as outlined below:

- 26 October 2020 – DAP Meeting 1 advice - Council letter requesting preparation of a Planning Proposal
- 4 November 2020 – Council staff meeting
- 11 February 2020 – Council staff meeting
- 2 March 2021 – DAP Meeting 2 - Council letter requesting Planning Proposal lodgement
- 25 November 2021 – DAP Meeting 3 - Council requested to lodge updated Planning Proposal
- 15 March 2022 – Council feedback received

This feedback has been addressed in the design where possible and a full response to all written feedback received by Council and the DAP has been provided at **Appendix Q**. Each comment is further considered in more detail throughout this report. The Proponent welcomes continued engagement with Council staff, including engagement as required with the City's DAP through the assessment of this Planning Proposal.

### 1.4 The COVID-19 Pandemic and Evolving Commercial Office Market Demands

In the current COVID 19 climate, it is integral that projects of this size and scale and continued to be considered and planned to secure the future recovery of the State and Australia economy more broadly. COVID-19 is an unprecedented global health crisis and economic event that is rapidly evolving, and the long-term impacts of the pandemic are still unknown. The pandemic is not a self-imposed correction of the market, rather it is an external obstruction which we must adapt to overcome. Despite the obstruction of this pandemic, our cities cannot stand still, and we must take this opportunity to retool and plan for growth and change.



While the ultimate impact from COVID-19 will not be known for some time, it is clear that the pandemic has had substantial implications for the commercial office market and a potential shift to 'work from home' options. At current, showing an unexpected resilience to COVID-19 work from home orders, the Sydney office market has remained strong. Specifically, Sydney saw expansions in office floorspace, rather than the anticipated contractions. Premium grade assets recorded the lowest vacancy in Sydney CBD (at 3.4%), emphasising the flight to quality for prime grade spaces. This flight to quality reflects increased expectations from tenants in what their commercial offices should provide.

There is a strong desire for efficient, open, collaborative facilities in the market. This means that older, secondary quality commercial office stock is potentially being left behind. Commercial office buildings will play a central role in the recovery from the pandemic. Developments such as Milligan Groups present the opportunity to improve the way we work, by creating safe and desirable environments. While the health rating of buildings is not a new concept, the pandemic has resulted in tenants having increased expectations around sanitation, ventilation and design that protects people. These factors will become an expectation and necessity to bring people back to Central Sydney and ensure its vitality is maintained.

Central Sydney is expected to remain a key focus for businesses and activity into the future, as highlighted in the CSPS. While working from home and increased flexibility has grown in importance, commercial offices remain a key contributor to local and regional economies, providing the most productive areas for work where collaboration, innovation, relationships and culture can thrive. As such, this proposal is made to look to the future and plan for the continued economic resilience of Sydney as a true Global City.

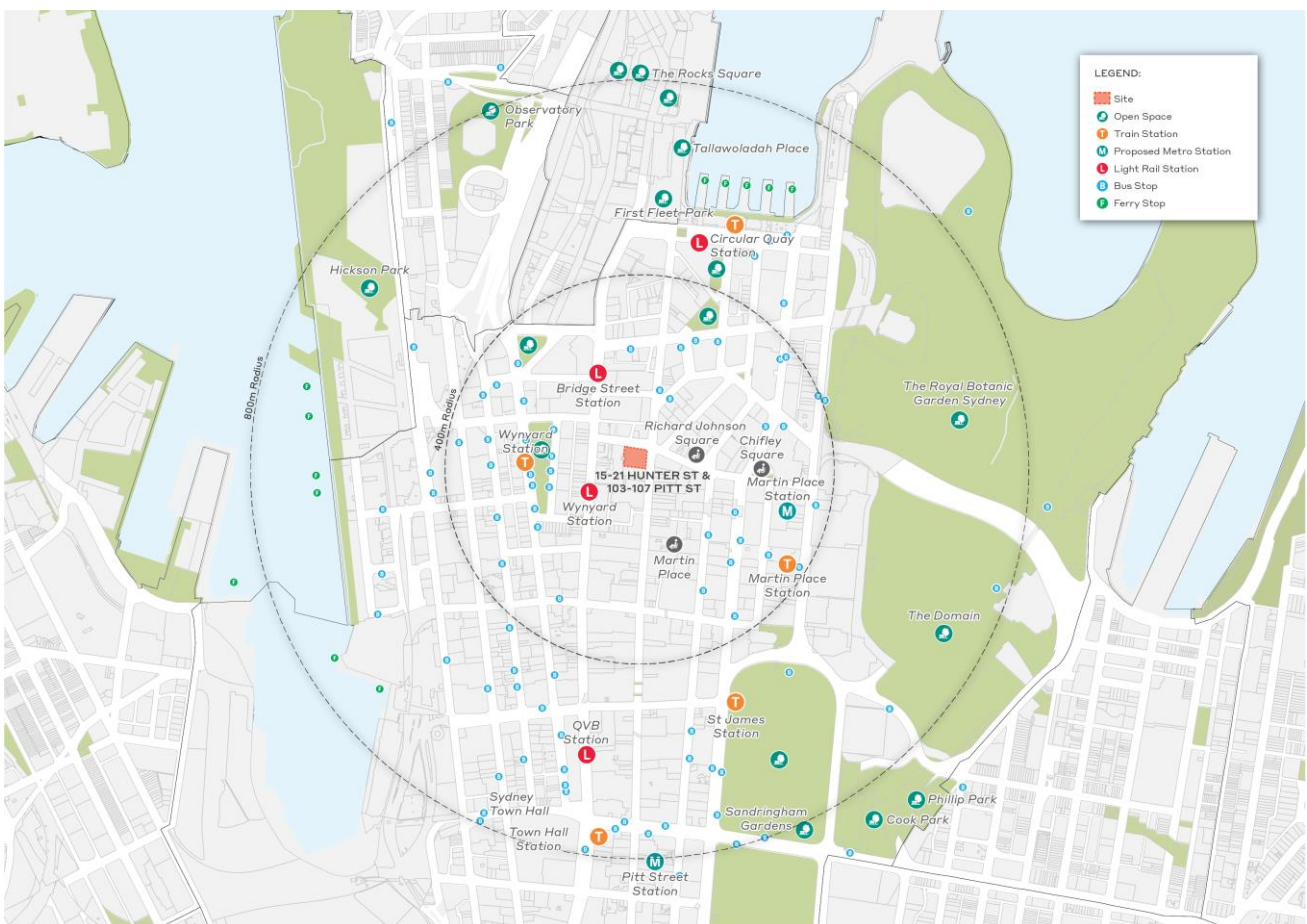
## 2.0 Site Analysis

### 2.1 Site Location and Context

The site is located at 15-25 Hunter Street and 105-107 Pitt Street, Sydney within the City of Sydney Local Government Area (LGA). Prominently sitting at the corner of Pitt and Hunter Streets, the site is located in an evolving precinct which is experiencing change through the delivery of a number of significant new or refurbished commercial buildings located close to Martin Place. More broadly, the site is in the northern portion of the Sydney CBD in proximity to a range of local and regionally significant uses and landmarks including Sydney Harbour, Circular Quay, Wynyard Park, Martin Place and the Royal Botanic Gardens.

The site is in a highly serviced public transportation and walking location, proximate to existing and planning transport infrastructure, including Wynyard Station (100m), Martin Place Station (275m) and Pitt Street North Metro Station (160m) on the emerging CBD Metro line. The site is also approximately 70m from the CBD Light Rail extending along George Street. The ferries and train station of Circular Quay are located approximately 500m to the north of the site.

The site's locational context is illustrated further at **Figure 6**.



**Figure 6 Site Context**

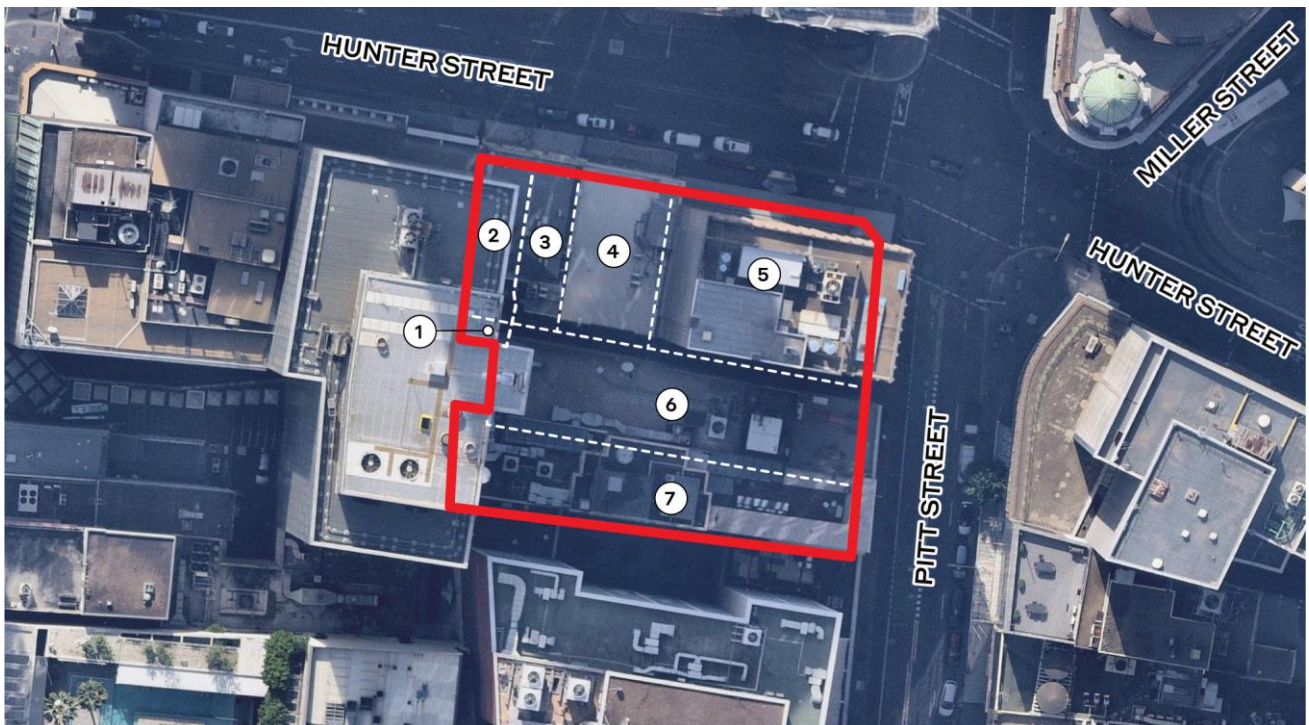
Source: Google Maps and Ethos Urban

## 2.2 Site Description

The site is generally rectangular in shape has a total area of 2,108m<sup>2</sup>. The site has a dual road frontage including Hunter Street to the north (48.2m) and Pitt Street to the east (39.2m). The Proponent has undertaken a complex site amalgamation including seven allotments as outlined in in **Table 1**. A Survey Plan is provided at **Appendix B** and a site aerial is provided at **Figure 7**.

**Table 1** Property Title Description

Lot	Address	Approximate. Area (m <sup>2</sup> )
Lot 1 DP 630190	15 Hunter Street, Sydney	19
Lot A DP 109825	15 Hunter Street, Sydney	118
Lot B DP 109825	15 Hunter Street, Sydney	114
Lot 1 DP 59754	19-21 Hunter Street, Sydney	228
SP 69888	23-25 Hunter Street Pitt Street, Sydney	526
SP 60693	105 Pitt Street, Sydney	585
Lot 1 DP 63968	107 Pitt Street, Sydney	504



The Site

NOT TO SCALE

- 1 Lot 1 DP 630190: 15 Hunter Street, Sydney
- 2 Lot A DP 109825: 15 Hunter Street, Sydney
- 3 Lot B DP 109825: 15 Hunter Street, Sydney
- 4 Lot 1 DP 59754: 19-21 Hunter Street, Sydney

- 5 SP 69888: 23-25 Hunter Street Pitt Street, Sydney
- 6 SP 60693: 105 Pitt Street, Sydney
- 7 Lot 1 DP 63968: 107 Pitt Street, Sydney

**Figure 7** Site Aerial

Source: Nearmap and Ethos Urban



## 2.2.1 Existing Development on the Site

The site contains four existing buildings, ranging in scale and age. These buildings vary from four to 15 storeys and mostly contain commercial uses with retail uses on the ground floor. None of the buildings have basement access, and generally all buildings extend to their site boundaries. Empire Lane runs between 105-107 Pitt Street and 23 Hunter Street.

The site is underlain by Hawkesbury Sandstone comprising medium to coarse-grained quartz sandstone with minor shale and laminate lenses. Nearby boreholes have disclosed a subsurface profile generally comprising fill and residual sandy clay overlying sandstone bedrock at depths of 2m to 5m, though possibly deeper near the Tank Stream (discussed below). Around the Tank Stream, it is possible that loose alluvial sands will be encountered.

Each building located on the site is discussed in more detail below.

### 15-17 Hunter Street

The existing building at 15-17 Hunter Street contains a four storey Victorian Italianate style building formally known as Pangas House (refer to **Figure 8**). While exhibiting a historical façade, the site is not a listed heritage item (discussed further in **Section 7.7**). The interiors of this building have been significantly altered with the removal of much of the original fabric and detail. The building currently contains ground level retail with tourist and visitor accommodation uses at the upper levels.



**Figure 8** Existing building at 12-17 Hunter Street

Source: Bates Smart



### 19-21 Hunter Street

The existing building at 19-21 Hunter Street also contains four storeys with the height aligned with the existing building to the west (15-17 Hunter Street) (refer to **Figure 9**). The building presents a uniform ageing façade to Hunter Street. It contains ground floor retail with commercial levels above.



**Figure 9** Existing building at 19-21 Hunter Street

Source: Ethos Urban

### 23-25 Hunter Street

The existing building at the corner of Hunter and Pitt Street is identified as Currency House (refer to **Figure 10**). This building contains ground floor retail with 15 storeys of B Grade commercial office floor space above and appears to be of concrete frame construction.



**Figure 10** Existing building on 23-25 Hunter Street

Source: Ethos Urban

## 105 – 107 Pitt Street

The site at 105-107 Pitt Street contains two adjoining slender commercial office buildings (refer to **Figure 11**). The existing building at 105 Pitt Street contains seven storeys with ground floor food and beverage with commercial offices above. The existing building at 107 Pitt Street contains seven storeys with ground floor food and beverage with commercial offices above.



**Figure 11** Existing buildings at 105-107 Pitt Street

Source: Ethos Urban

### 2.3 Surrounding Development

The site is within a CBD context, as such it is characterised by a range of high-density developments, predominantly containing retail, commercial office and entertainment uses. The surrounding buildings vary in architecture, built form, scale and massing. Central Sydney is currently experiencing significant change, prompted by a number of factors, including the construction of the Sydney Metro, as well as the continued investment in new buildings and significant refurbishments as Sydney remains a desirable place for global businesses (refer to **Figure 12**). While **Figure 13** predominantly shows the existing built form context, there are a number of recent and ongoing projects emerging in the vicinity of the site, including:

- **Lendlease Circular Quay Tower** (under construction): 55 storey commercial tower and podium with four basement levels comprising commercial premises, food and drink premises, public cycle facilities and public domain improvements.
- **Sydney Metro Station Martin Place Precinct** (under construction): Construction of two commercial buildings (28 storeys and 39 storeys) above and integrated with the new Sydney Metro station at Martin Place, with a maximum GFA of 125,437m<sup>2</sup>.
- **Sydney Metro Station Pitt Street Precinct** (under construction): 39 storey commercial building integrated with the Pitt Street Metro Station, with approximately 54,412m<sup>2</sup> of commercial GFA.
- **One Carrington** (nearing completion): 27 storey commercial building above Wynyard Station, with 89 car parking spaces across two levels of basement.
- **Quay Quarter Tower** (nearing completion): 50 storey commercial tower with approximately 90,000m<sup>2</sup> of floor space including 8,000m<sup>2</sup> of retail.

These transformative developments, amongst other projects in the planning pipeline, represent a critical shift in Central Sydney development to support employment generating uses and world class workplaces that attract premium global tenants. Central Sydney is rapidly evolving as it increases its role in the global economy, and therefore this future context is important to understand. The site's proximity to these large-scale developments and location within an emerging tower cluster reflects its strategic importance as a prime site to deliver premium commercial floor space to support the City's vision.





Circular Quay Tower



Martin Place OSD



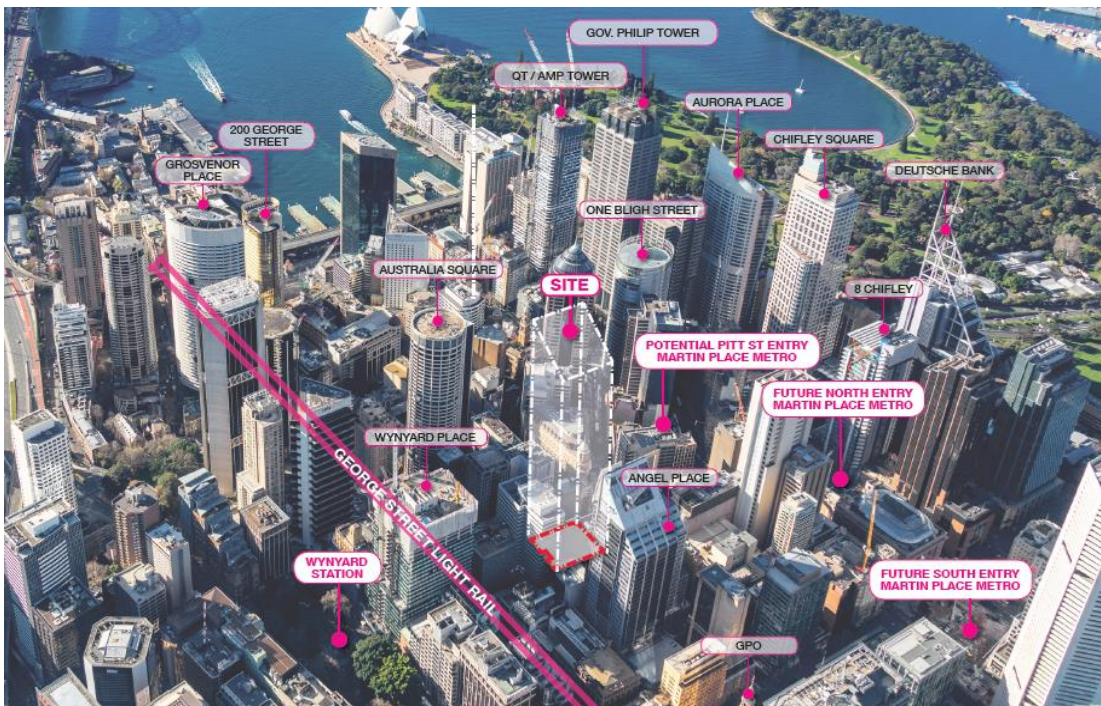
One Carrington



Quay Quarter

**Figure 12 Photomontages of future surrounding buildings**

Source: Various



**Figure 13 The site's Central Sydney context**

Source: Bates Smart



### 2.3.1 To the north

To the north of the site, on the opposite side of Hunter Street is a 12 storey hotel building with ground floor retail and the Tank Stream Hotel on the upper levels (refer to **Figure 14**). To the north west, on the corner of Pitt, Hunter and O’Connell Street is the heritage listed Former Wales House, which has a ground floor restaurant the Radisson Blu Plaza Hotel in the upper levels (refer to **Figure 14**).

Further north is the northern CBD, which is characterised by commercial office and hotel towers. The APDG Block is located to the north and is currently undergoing significant renewal and construction in accordance with the City’s established controls for the block. This Block contains Lendlease’s Circular Quay tower, Poly Group’s commercial tower on the south-west corner, planning for Mirvac’s new tower at 55 Pitt Street, and a new public square within the centre of the block. Beyond this is Circular Quay, and Sydney Harbour.



**Figure 14** Development to the north of the site

Source: Ethos Urban

### 2.3.2 To the east

To the east of the site, across Pitt Street, is a commercial building of approximately 25 storeys (refer to **Figure 15**). This building has ground floor retail, which is currently occupied by Citibank. Further east is the heritage listed former “Perpetual Trustee” commercial building. The Martin Place Metro Station and over station development is also located to the east of the site, with two commercial buildings are currently under construction. Beyond this is the eastern CBD, the Domain and the Royal Botanic Gardens.



**Figure 15** Development to the east of the site – Citibank Building (left) and ACE Insurance Building (right)

Source: Real Commercial, Ethos Urban



### 2.3.3 To the west

To the west of the site is further commercial buildings of varying age, height and style. Directly adjacent to the site to the west is 9 Hunter Street, formerly known as the John Hunter Building and John Hunter House, which is a 21-storey commercial building with ground floor retail and commercial office space above (see **Figure 16**). It was completed in 1983, with renovations undertaken in 2014. The office tower is above and integrated with the Hunter Connection, which is a retail arcade subdivided into 50 strata shops, also built in 1983. The 9 Hunter Street site and adjoining site to the west have been identified as the location for the Hunter Street Station associated with the Sydney Metro. It is expected that these sites will be acquired for the construction of the Hunter Street Station, and therefore they can be anticipated to be redeveloped in the future. Further west is Wynyard Station and additional commercial buildings. The One Carrington development is located to the west above Wynyard Station, which is in its final stages of development. Beyond this is Barangaroo and Darling Harbour.



**Figure 16** 9 Hunter Street to the west of the site

Source: Ethos Urban

### 2.3.4 To the south

Similarly, development to the south of the site is characterised by commercial buildings of varying heights, age and styles. Directly to the south of the site is an approximately 20 storey building, which has some ground floor retail and office space above (refer to **Figure 17**). The Ivy Precinct is to the southwest of the site. Further to the south is Martin Place, which is locally heritage listed. Located to the southwest of the site is the Pitt Street Metro Station and over station development. Beyond this is the south CBD, which is further characterised by commercial office buildings.



**Figure 17** 109 Pitt Street and the basement entrance

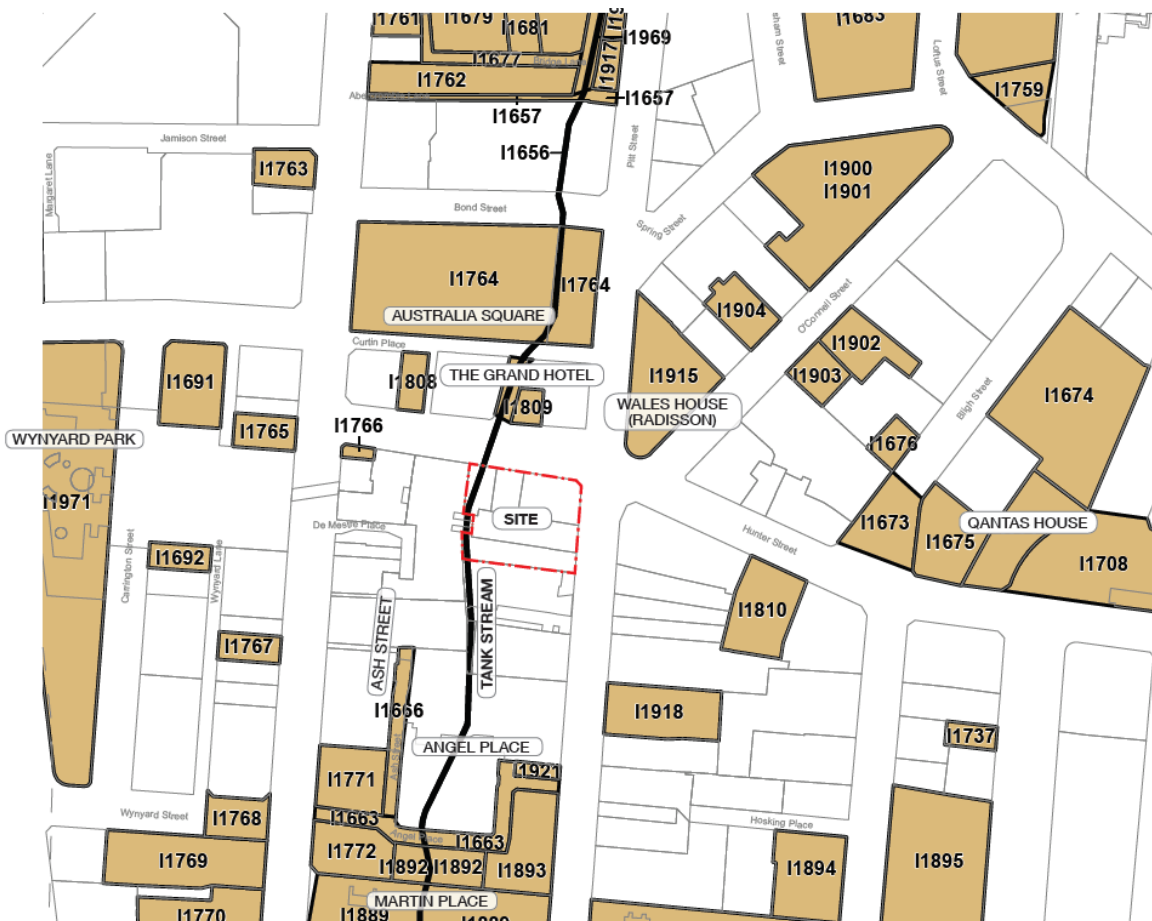
Source: Ethos Urban

## 2.4 Heritage Context

As outlined above, the site is in the vicinity of several heritage items identified within the Sydney LEP (refer to **Figure 18**). The site is not listed as a heritage item or located within a heritage conservation area, however, the State listed Tank Stream runs beneath the site along the western boundary. The tank stream is a former freshwater tributary of Sydney Cove, and is now a heritage listed tunnel structure running north-south under Central Sydney. A report prepared by Acor Consultants for an earlier DA on part of the site (D/2006/2107), suggests that the location of the tunnel is roughly five metres below the existing ground level, and that the location corresponds with that shown on the Sydney LEP Maps.

Other notable heritage items in the vicinity of the site include:

- Former Wales House (State significant item)
- Qantas House (State significant item)
- Angel Place (Local heritage item)
- Martin Place (Local heritage item)
- Australia Square (Local heritage item)
- The Grand Hotel (State significant item)



**Figure 18** Heritage items in the vicinity of the site

Source: Bates Smart

### 3.0 Existing Planning Framework

#### 3.1 Sydney Local Environmental Plan 2012

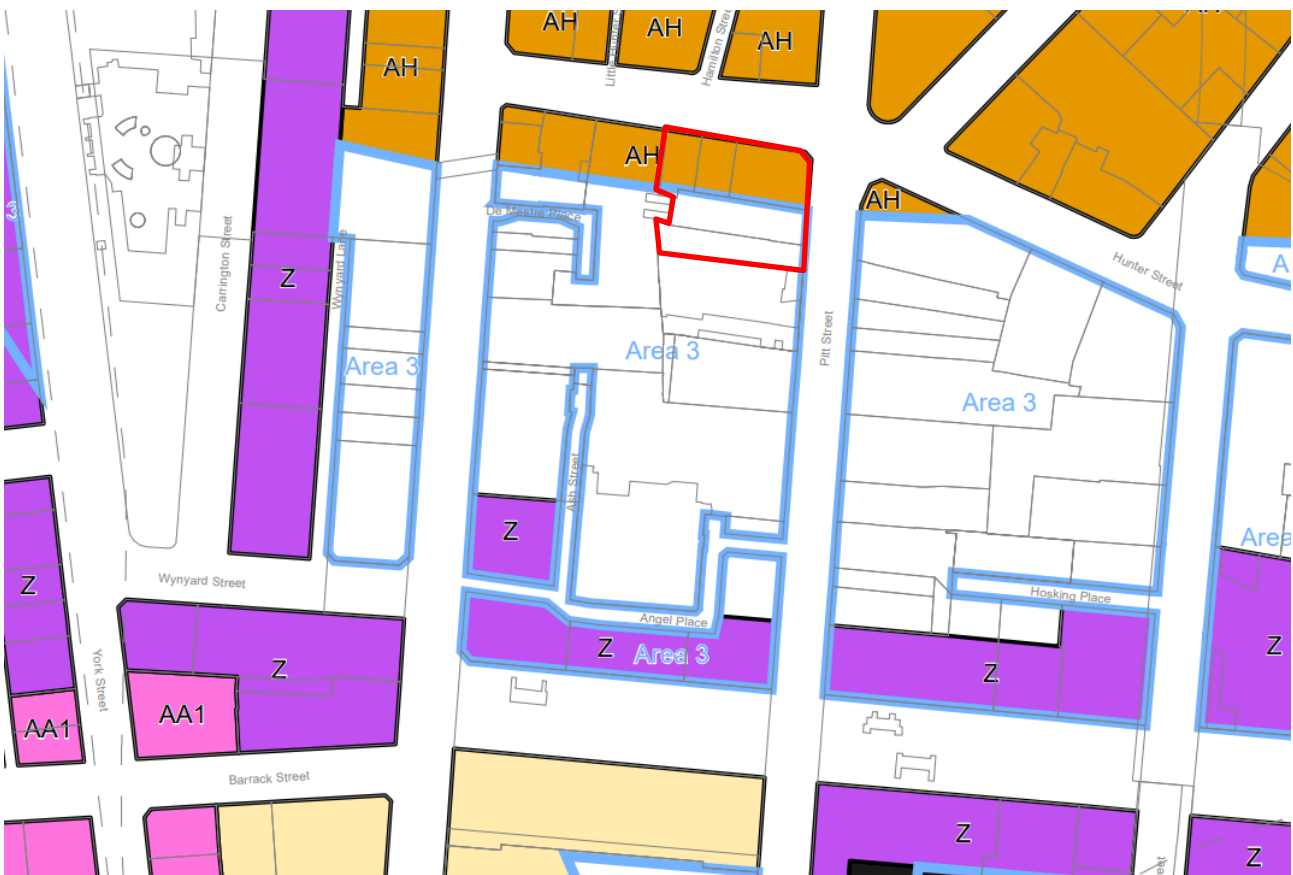
The Sydney LEP is the principal planning instrument applying to the site.

##### 3.1.1 Zoning

As per clause 2.1 of the Sydney LEP, the site is zoned B8 Metropolitan Centre. Development for the purpose of commercial premises and business premises are permissible with development consent.

##### 3.1.2 Height of Buildings

Under clause 4.3 of the Sydney LEP, the height limit of the site varies. The land fronting Hunter Street, including Currency House on the corner of Pitt and Hunter Street, has a height limit of 235 metres. The remaining site area fronting Pitt Street is part of Area 3 of the Height of Buildings Map, as shown in **Figure 19**. As the site is marked as Area 3 on the Height of Buildings Map, this portion of the site has a maximum building height limit determined by the Martin Place sun access plane which is set out in clause 6.17 of the Sydney LEP.



**Figure 19** Height of Buildings map, Sydney LEP 2012 (site in red outline)

Source: Sydney LEP

##### 3.1.3 Floor Space Ratio (FSR)

Under clause 4.4 of the Sydney LEP, the permissible base FSR on the site is 8:1. As the site is located within Area 1 on the Floor Space Ratio Map, it is eligible for additional accommodation floor space pursuant to Clause 6.4 of the Sydney LEP. Specifically, an additional 4.5:1 is available for uses including office premises, business premises, or residential accommodation (among other uses), or additional floorspace of 6:1 for hotel accommodation, community facilities or centre based childcare facilities.

Further to this, in accordance with Clause 6.21D of the Sydney LEP, should a detailed proposal demonstrate design excellence following a competitive design process, the development is eligible for up to 10% additional floor space.

Notwithstanding the above, under the clause 6.21 of the Sydney LEP, additional floor space is available as the site sits within a tower cluster area. This includes additional floor space of up to 50% on the existing base and accommodation FSR, where a number of criteria are satisfied, as per the clause 6.21E of the Sydney LEP. As such, when all permitted FSR opportunities are considered, the Sydney LEP enables a maximum FSR of 18.75:1 for a building which proposes commercial uses on the subject site.

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

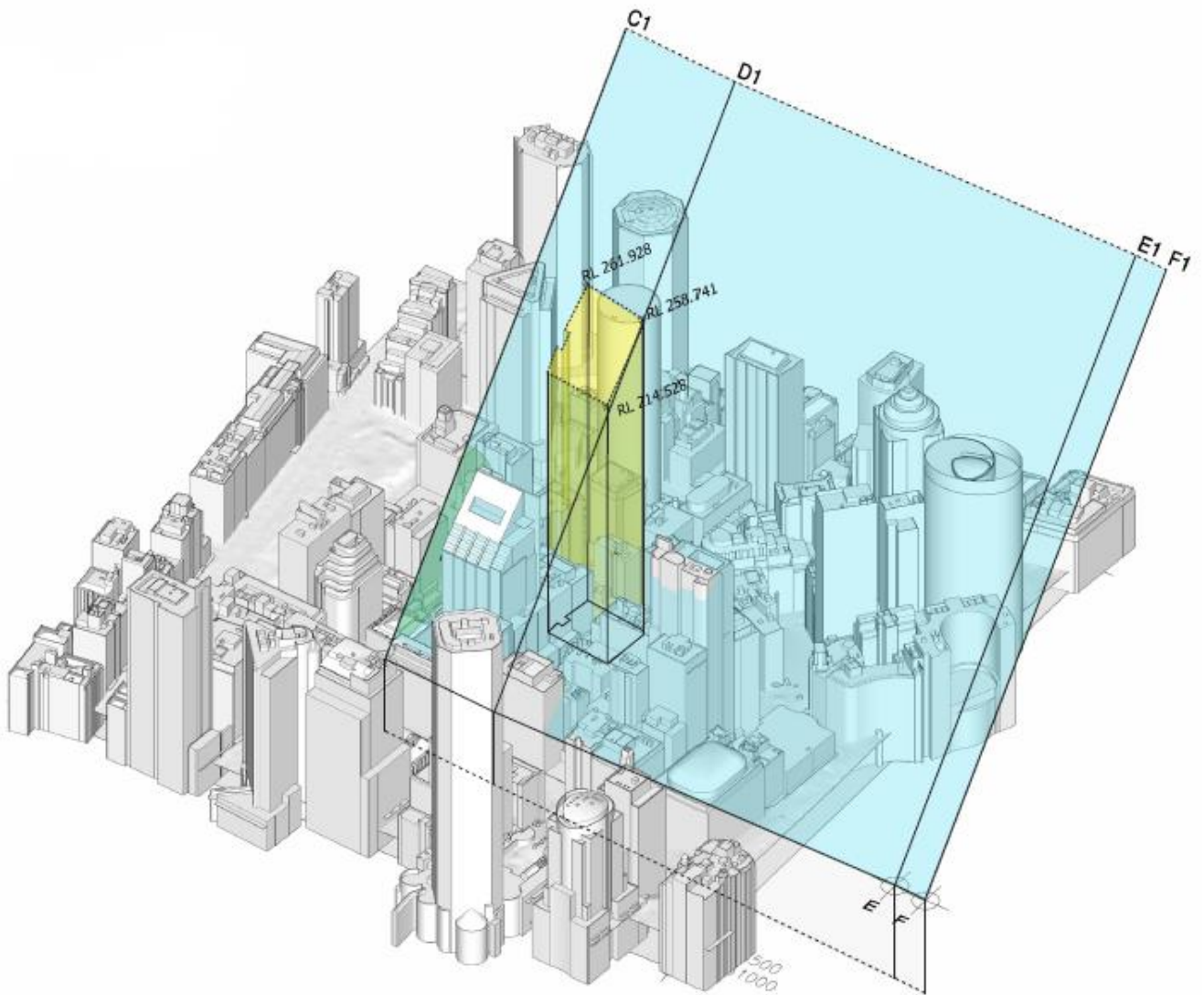
The Sydney DCP provides additional detailed design guidance which builds upon the provisions of the Sydney LEP. The site is located within Central Sydney as identified in the Sydney DCP, meaning it is subject to built form controls relating to street frontage heights, setbacks, building bulk, facades and sun access planes.

To give effect to the CSPS, a number of amendments were made to the Sydney DCP in relation to locality statements, building street frontage heights, street setbacks, building separation and amenity/outlook, tapering and wind. The Sydney DCP establishes a number of controls relevant to the site and proposal (refer to **Table 2**).

**Table 2 Sydney DCP Controls**

Provision	Site Control										
<b>Street frontage heights</b>											
Frontage adjacent to a public place with a width greater than 8m	Proposed total height of building – greater than 120m.   20-25m										
<b>Building setbacks</b>											
Frontage adjacent to public places with a width greater than 8m	Proposed total height of building – greater than 120m.   8m										
Side and rear setback above street frontage height	Proposed total height of building – greater than 240m.   8m										
	Above a height of 45m, windows and balconies of commercial buildings are to be set back at least 3m from the side or rear of the property.										
<b>Building form massing, tapering and maximum dimensions</b>											
Maximum horizontal dimension	Above street frontage height, the maximum horizontal dimension of a building including all external elements measured in any direction cannot exceed 100 metres										
Tapering	Above the street frontage height, the total building envelope area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks: <ul style="list-style-type: none"> <li>• 100% up to 120m above ground;</li> <li>• 90% above 120m up to 140m above ground; and</li> <li>• 80% above 240m above ground.</li> </ul>										
<b>Sun Access Planes</b>											
Martin Place Sun Access Plane	<table border="1"> <thead> <tr> <th>Park or Place</th> <th>Intended period of protection</th> <th>Primary SAP date</th> <th>Primary SAP times</th> <th>SAP extension date and times</th> </tr> </thead> <tbody> <tr> <td>Martin Place</td> <td>12-2pm, outside the winter months</td> <td>14 April</td> <td>12pm – 2pm</td> <td>23 September (2pm) 21 December (2pm)</td> </tr> </tbody> </table>	Park or Place	Intended period of protection	Primary SAP date	Primary SAP times	SAP extension date and times	Martin Place	12-2pm, outside the winter months	14 April	12pm – 2pm	23 September (2pm) 21 December (2pm)
	Park or Place	Intended period of protection	Primary SAP date	Primary SAP times	SAP extension date and times						
Martin Place	12-2pm, outside the winter months	14 April	12pm – 2pm	23 September (2pm) 21 December (2pm)							
The sun access plane for Martin Place is also illustrated at <b>Figure 20</b> .											





**Figure 20** Solar Access Plane for Martin Place

Source: Bates Smart

## 4.0 Proposed Development Opportunity

This section describes the proposed development opportunity, including a description of the proposed planning envelope and the indicative design prepared to support this envelope. Included within this section is a discussion of the background analysis completed by the Proponent’s design team to identify an appropriate envelope on the site, including consideration of the planning framework as set out in **Section 3.0** above.

### 4.1 Site Opportunities and Considerations

In undertaking a review of the site’s development potential, key site opportunities and considerations have been identified to shape the proposed redevelopment. These opportunities and considerations have contributed to shaping a building envelope, and ultimately the new amendments to both the Sydney LEP and Sydney DCP which will guide the future redevelopment outcome.

A list of the key opportunities and considerations is provided below.



#### Site Area

The total site area is 2,108m<sup>2</sup>, exceeding the minimum area for a tower cluster site which is 2,000m<sup>2</sup> to ensure sufficient building setbacks can be achieved.



#### Basement Extent

The potential basement and required excavation extent will be limited by the location of the state-heritage listed Tank Stream located below ground on the western edge of the site.



#### Equivalency (or improved) Sky View and Wind Tests

Sky view and wind equivalency or improvements are required against a ‘Base Case’ modelled in accordance with Schedule 12 of the Sydney DCP which supports the CSPS.



#### Maximum Building Height

The overall building height is determined by the Sun Access Plane for Martin Place as amended by Planning Proposal: Central Sydney 2020 which supports the CSPS.



#### Setbacks and Building Separation

Appropriate setbacks and building separation distances are required in consideration of the surrounding context and the guidance provided in the recent amendments to the Sydney DCP which support the CSPS.



#### Tenant Workplace Drivers

The market-based parameters used to identify building quality as set out within *A Guide to Office Building Quality* must be considered, including the achievement of reasonably sized floor plates to attract and maintain key tenants, including large contiguous and subdivisible spaces.



#### Adjoining Towers

The future buildings relationship with the Hunter Connection tower to the west and future development to the south must be accommodated, including the adjacent core that steps east to align with the uneven site boundary.



#### Heritage Building Listing and Protection

The proposed heritage listing of Pangas House on Hunter Street will enable the long-term protection of this historic building and retention of the character it provides to Hunter Street.

## 4.2 Preliminary Options Explored

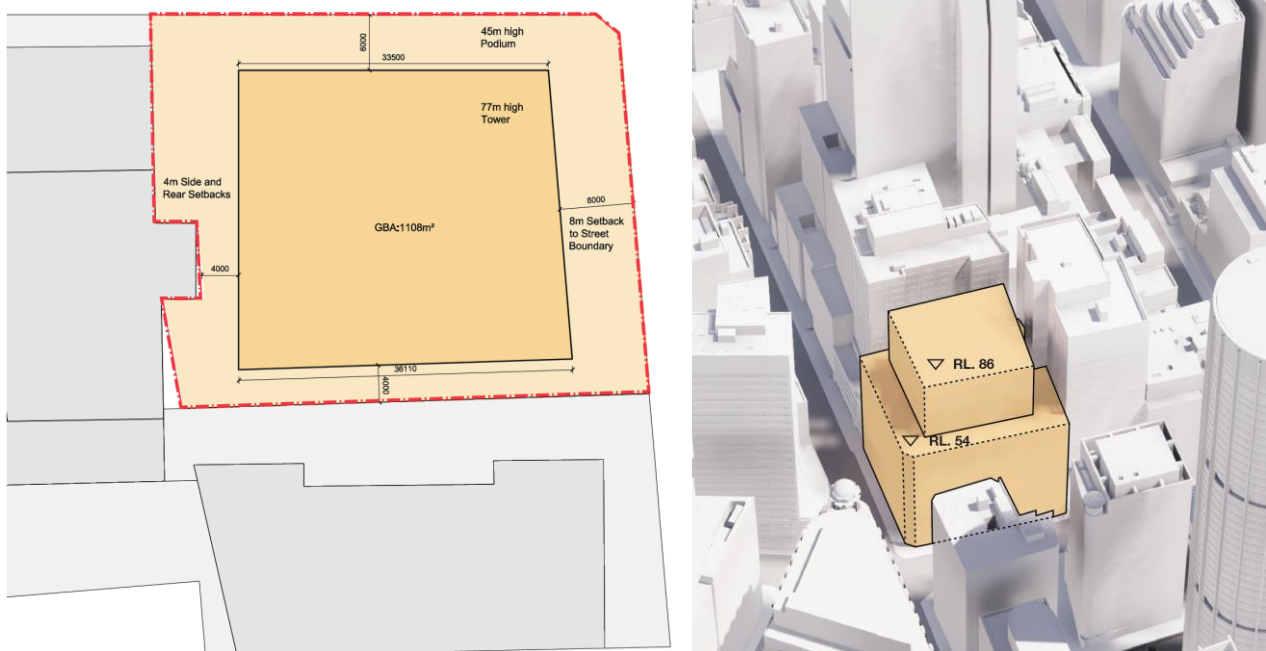
The design team undertook an extensive investigation of the options to redevelop the site based on the above opportunities and considerations, in particular, within the existing and proposed planning framework under the CSPS and supporting amendments. A number of options were tested and explored, as detailed in the Design Report prepared by Bates Smart, provided at **Appendix A**.

These options and the key reason why they have not been pursued is detailed below.

### 4.2.1 Previous LEP and DCP Compliant Envelope

The first redevelopment scenario considered was a compliant Sydney LEP and Sydney DCP option under the previous Sydney LEP and DCP. Given the lengthy negotiations which have taken place, this envelope is relevant as it reflected the in-force controls for an extensive period of the pre-lodgement phase. The key development parameter considered in this option was the maximum permissible FSR of 13.75:1 for a commercial building, and how this FSR would fit within a DCP compliant podium and tower form. The resulting form is a 77m tall building, with a DCP-compliant podium height of 45m (refer to **Figure 21**). This planning envelope is substantially smaller than the maximum permitted height on the site of circa 235 metres under the current planning framework.

Given the substantial quantum of development potential remaining within the site within the maximum height limit, this option was discounted as lacking strategic merit and would be incapable of fulfilling the vision and intent of the CSPS.



**Figure 21** Building envelope resulting from the previous Sydney LEP and DCP compliance

Source: Bates Smart

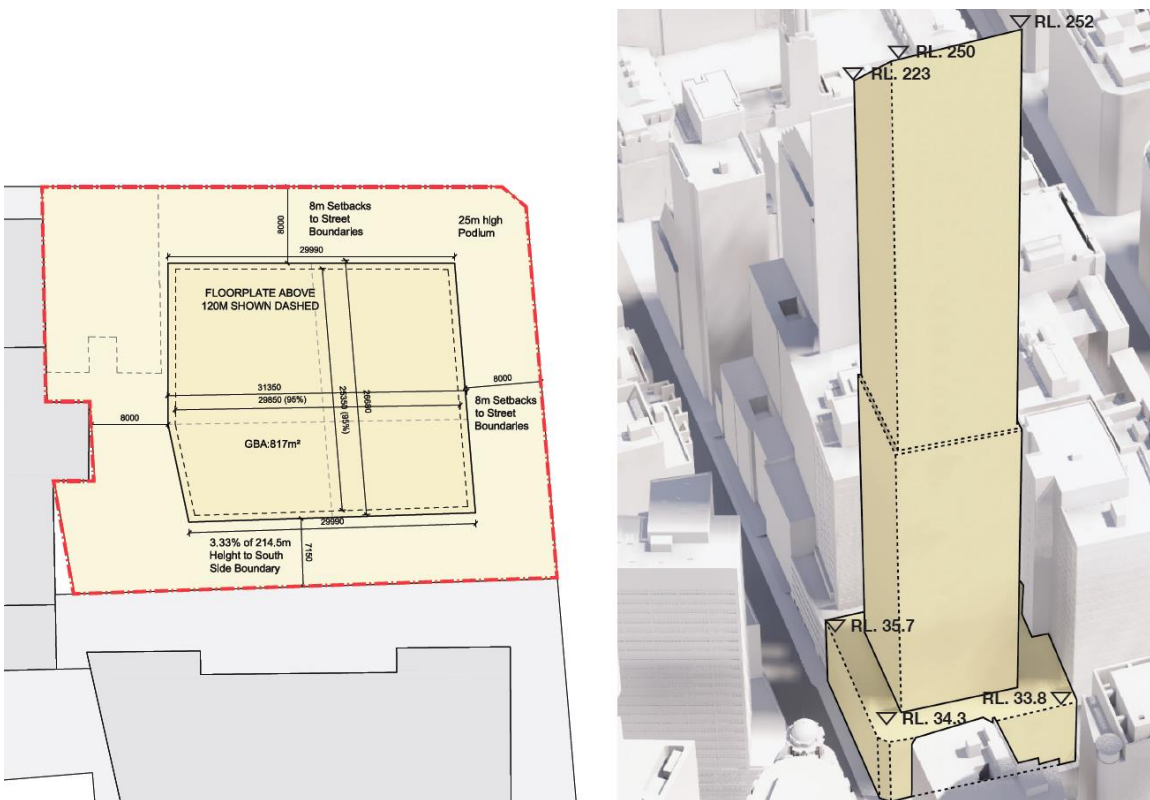
### 4.2.2 New LEP and DCP Compliant Envelope (No Heritage Listing)

As outlined in **Section 3.0**, the site is located within a tower cluster area, and as the site exceeds 2,000m<sup>2</sup> in area, therefore there is an opportunity to realise a development outcome that builds to the height of the Martin Place Sun Access Plane (Martin Place SAP) and achieves a FSR of up to 18.75:1 (50% bonus).

The resulting planning envelope of the new Sydney LEP and Sydney DCP compliant scenario is illustrated at **Figure 22**. While this built form outcome shows compliant DCP setbacks and a planning envelope up to the Martin Place SAP, a more detailed assessment of floor space provision within this envelope has not been undertaken given the maximum limit provided by the tower cluster pathway of 18.75:1 (i.e. it has not been determined whether more or less floor space could be achieved).

In considering this envelope, a number of drawbacks have been identified which do not meet the project vision and requirements (as outlined in **Section 1.1**), and do not fully realise the Site Opportunities and Considerations (discussed in **Section 4.1**). These drawbacks can be described as follows:

- The useable floorplate size resulting from the strict DCP setbacks is too small for a viable commercial outcome as desired in the commercial office market by prospective tenants.
- The strict DCP setbacks do not relate to the adjacent buildings at 9 Hunter Street and 109 Pitt Street, which both provide opportunities for revised contextually responsive setbacks (discussed in **Section 7.1**).
- The area surrounding the protruding core of 9 Hunter Street in particular would not benefit from separation as required under the strict DCP controls, with the DCP outcome creating a blank space between the two buildings.
- This envelope does not seek to retain or consider heritage listing Pangas House at 15-17 Hunter Street, creating a poorer outcome for the existing built form on Hunter Street.

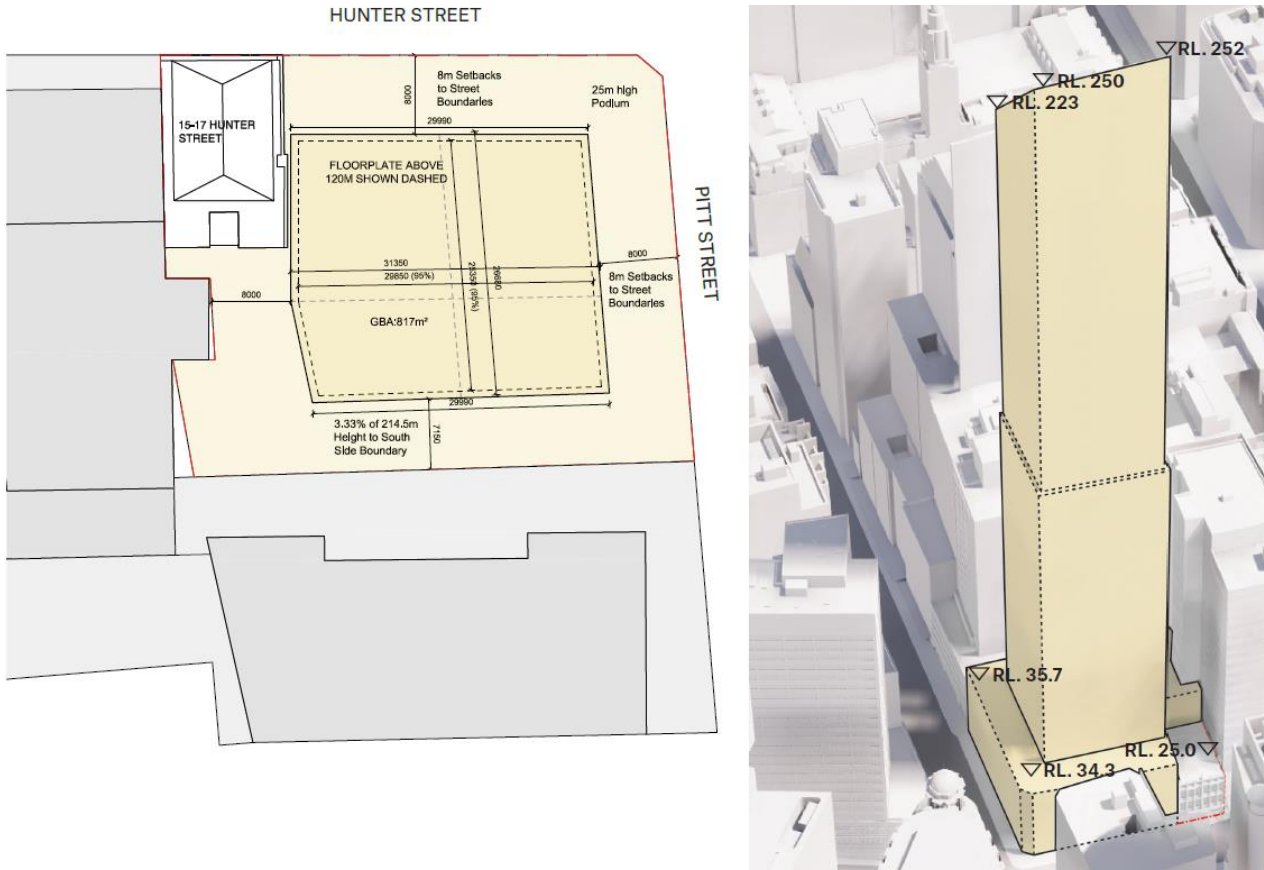


**Figure 22 Building envelope resulting from new Sydney LEP and DCP compliance (no heritage listing)**  
 Source: Bates Smart

**4.2.3 New LEP and DCP Compliant Envelope – Base Case (Heritage Listing)**

Similar to the above, this envelope complies with the amended LEP and DCP controls, however, includes the heritage listing of Pangas House at 15-17 Hunter Street as illustrated at **Figure 23**. This envelope still does not maximise the potential FSR given the Martin Place SAP and restricts the usability of floorplate sizes for prospective tenants. Further, strict DCP provisions for setbacks and built form result in a building that does not relate contextually to surrounding buildings. However, this envelope does provide a positive outcome for the heritage listing of Pangas House, which would be retained under this envelope.

Despite this scenario delivering a greater amount of employment generating floor space compared to the previous, compliant Sydney LEP and Sydney DCP scheme (refer to **Section 4.2.1**), there are a number of key areas where additional envelope could be delivered to further maximise the achievable floor space. As such, both this option, and the option without the heritage listing included have been discounted for a more site-specific approach, taking into account the surrounding urban built form conditions of the site.



**Figure 23 Building envelope resulting from new Sydney LEP and DCP compliance (with heritage listing)**

Source: Ethos Urban

#### 4.2.4 Summary

An analysis of the previous subsequently amended Sydney LEP and Sydney DCP compliant scenarios has determined that these options would not maximise the opportunity for greater floor space capacity on the site and would therefore not deliver on the vision and key directions of the CSPS. These scenarios were discounted as:

- The planning envelopes do not maximise the floor space capacity of the site, resulting in a sub-optimal quantum of floor space being delivered, misaligned with the vision and intent of the CSPS.
- The planning envelopes accommodate standard and strict DCP setbacks, tapering and separation controls which do not consider the surrounding built form context of this particular site.
- The resulting building able to be delivered within either of these envelopes would not meet the needs and aspirations of the commercial office market and tenants, reducing the quality of the outcome and missing the opportunity to achieve one of the key objectives of the CSPS to ensure Sydney remains a globally competitive city.

With the above in mind, an alternate building envelope specific to the site characteristics, context and project vision has been developed and is proposed in **Section 4.3** below.



### 4.3 The Proposed Planning Envelope

As outlined above, the previous and amended Sydney LEP and Sydney DCP controls do not produce planning envelopes which deliver the maximum capacity of employment generating floor space within a building on the site shaped by first principle environmental considerations, namely the Martin Place sun access plane. As such, in order to deliver on the objectives of the CSPS and to provide sufficient floor space to meet the anticipated development needs of the foreseeable future, an alternate planning envelope is proposed which also takes into account the site-specific opportunities and considerations outlined in **Section 4.1**.

The proposed envelope has been developed in close consultation with Council and the DAP, most recently amended in early 2022 to resolve ground plane issues raised by the DAP in December 2021 and feedback from Council staff in May 2022. The proposed envelope will enable the development of a building that maximises employment opportunities and capitalises on direct access to the high-speed metro rail network, heavy rail and light rail network. Furthermore, it results in an improved urban design outcome as well as a positive heritage outcome through the proposed local heritage listing of Pangas House. With the opening of the Sydney Light Rail and the construction of the Hunter Street Station associated with the Sydney Metro (a step-change piece of transport infrastructure and a significant investment by the NSW Government) there is a responsibility and reasonable planning expectation for the development capacity of the site to be realised in conjunction with maximised public benefits.

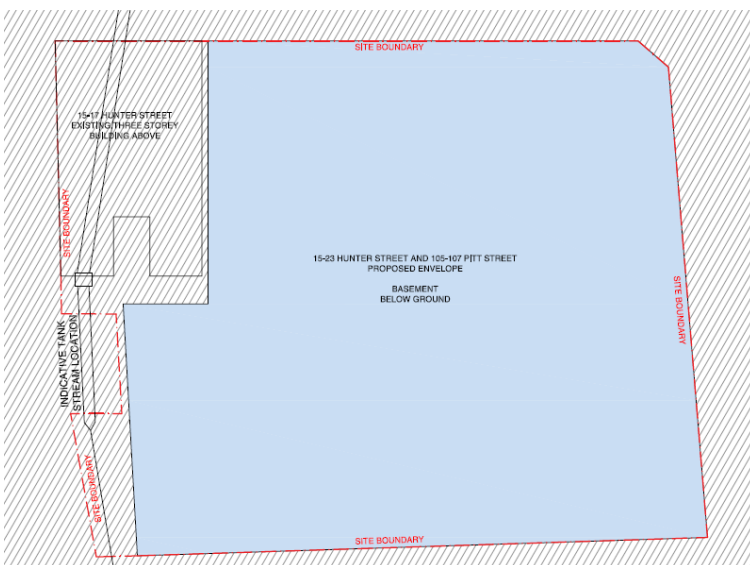
The proposed envelope is outlined below and set out in the Design Report at **Appendix A**. The subsections below provide a summary of the envelope only, with a detailed assessment of the envelope contained at **Section 7.0**.

#### 4.3.1 Proposed Planning Envelope Description

The proposed envelope will facilitate a podium and tower form, consistent with the prevailing character of buildings in Central Sydney and as guided by the provisions of the amended Sydney DCP. The envelope will provide an overall height of approximately 213.5m (RL 222.5), with a stepped podium height of RL 25 to RL 30.7 (approx. 16m to 21m) aligning with the retained Pangas House building on Hunter Street and the adjoining buildings on Pitt Street. The key elements of the envelope are outlined below.

##### Basement

A basement envelope is proposed across the majority of the site excluding the portion of the site that is constrained by Pangas House and the indicative Tank Stream location (refer to **Figure 24**). A buffer of at least two metres is proposed to the indicative Tank Stream location to avoid potential impacts. This basement envelope will extend approximately five levels in depth, from the existing ground level to RL -15.



**Figure 24** Basement Envelope Drawing

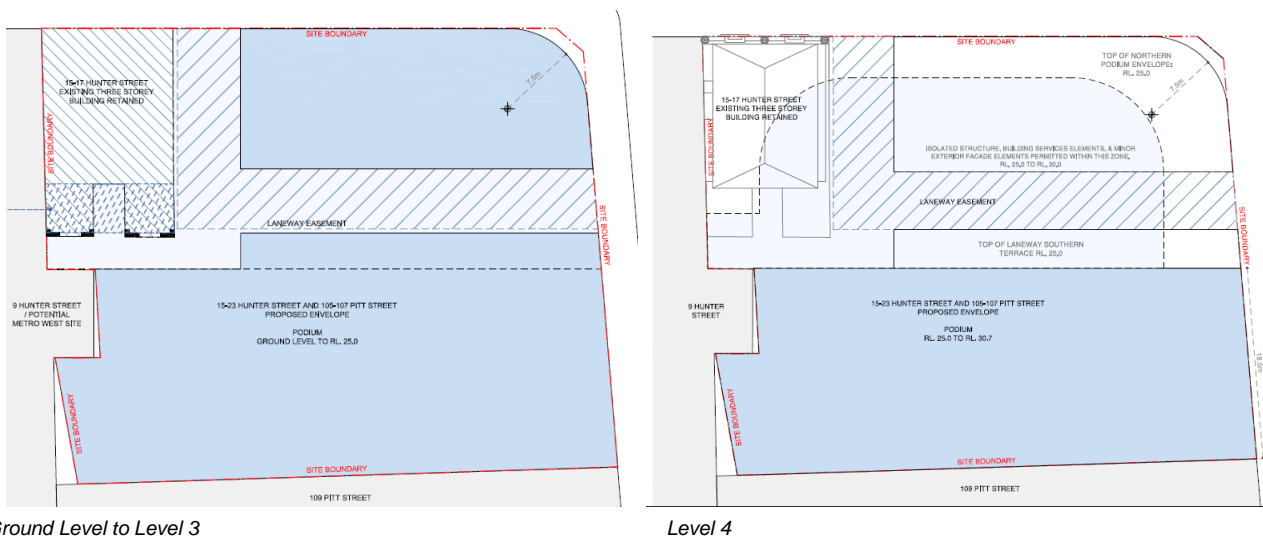
Source: Bates Smart

## Podium

The podium envelope is predominantly designed to meet the site boundaries, with minor setbacks from the property boundary at the corner of Pitt and Hunter Streets, and slightly to the adjoining property to the west (refer to **Figure 25**). The podium envelope adopts a maximum height of RL 25, along Hunter Street, and a stepped height of height of RL 25 and RL 30.7 on Pitt Street (refer to **Figure 25**). Importantly, the existing building form of 15-17 Hunter Street (Pangas House) is proposed to be locally heritage listed, and as such is retained as a component of the podium form.

The podium envelope has been further articulated through the provision of a generous laneway through-site link, connecting Hunter Street and Pitt Street. This laneway through-site link extends to the full height of the podium (to be secured through a proposed easement), with 6m-6.5m entrances to ensure it is spacious and legible. On the ground level, the laneway will be flanked by a range of retail uses, such as food and beverage tenancies and shops to activate the laneway and prioritise pedestrian thoroughfare. In response to the DAP's feedback issued on 14 December 2021, the through-site link is now pedestrianised, with vehicle access separated via the basement entry at the southernmost portion of the Pitt Street frontage. The amended podium configuration, with alterations to the rear of Pangas house also supports strategic openings which future proof the site to allow pedestrian flow to the metro concourse to the west. The layout of the laneway is shown in **Figure 25**.

The laneway through-site link will be secured via an easement for width and approximately four stories in height registered on the land title for unrestricted public access, but the lane will remain in private ownership. The specific details of the laneway through-site link will be subject to detailed design development, which will be supported by an easement plan clearly outlining the parameters of this works-in-kind contribution.

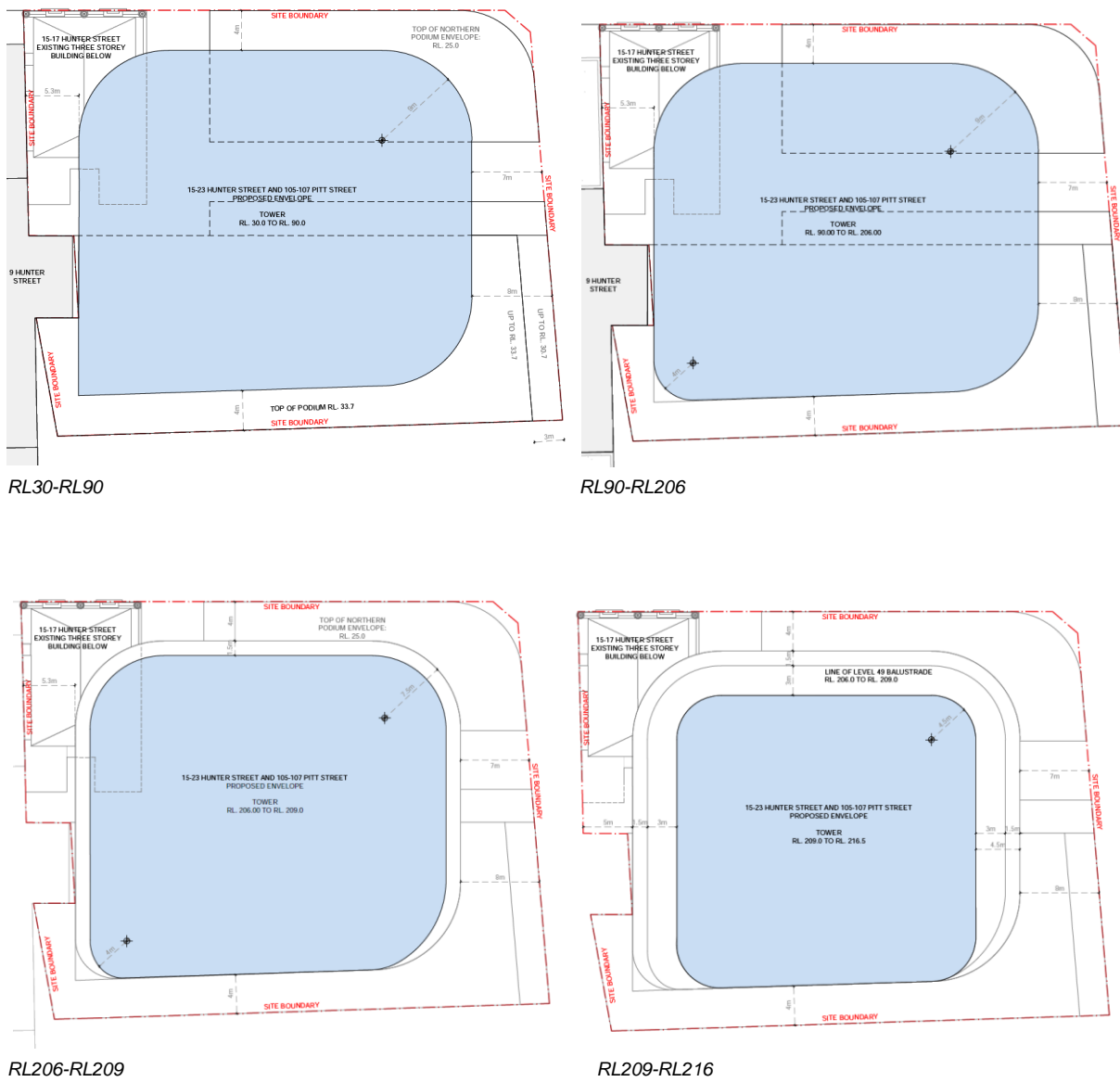


**Figure 25** Select podium drawings

Source: Bates Smart

## Tower

The proposed tower envelope was developed following consultation with the DAP as reflected in Council letters dated 26 October 2020 and 2 March 2021, and following further feedback in May 2022 from Council staff. The tower envelope reflects a refined, curvilinear form extending to a maximum height of RL 222.5 (213.5m). The predominant street setbacks have been informed by contextual references, including a 4m setback to Hunter Street and a 7.5m setback to Pitt Street. To the rear, a 4m setback is established, with a predominant 5m setback to the western boundary above Level 18 as illustrated in **Figure 26**. Above approximately RL206, the envelope is then stepped to define a highly articulated building crown, also illustrated at **Figure 26**.



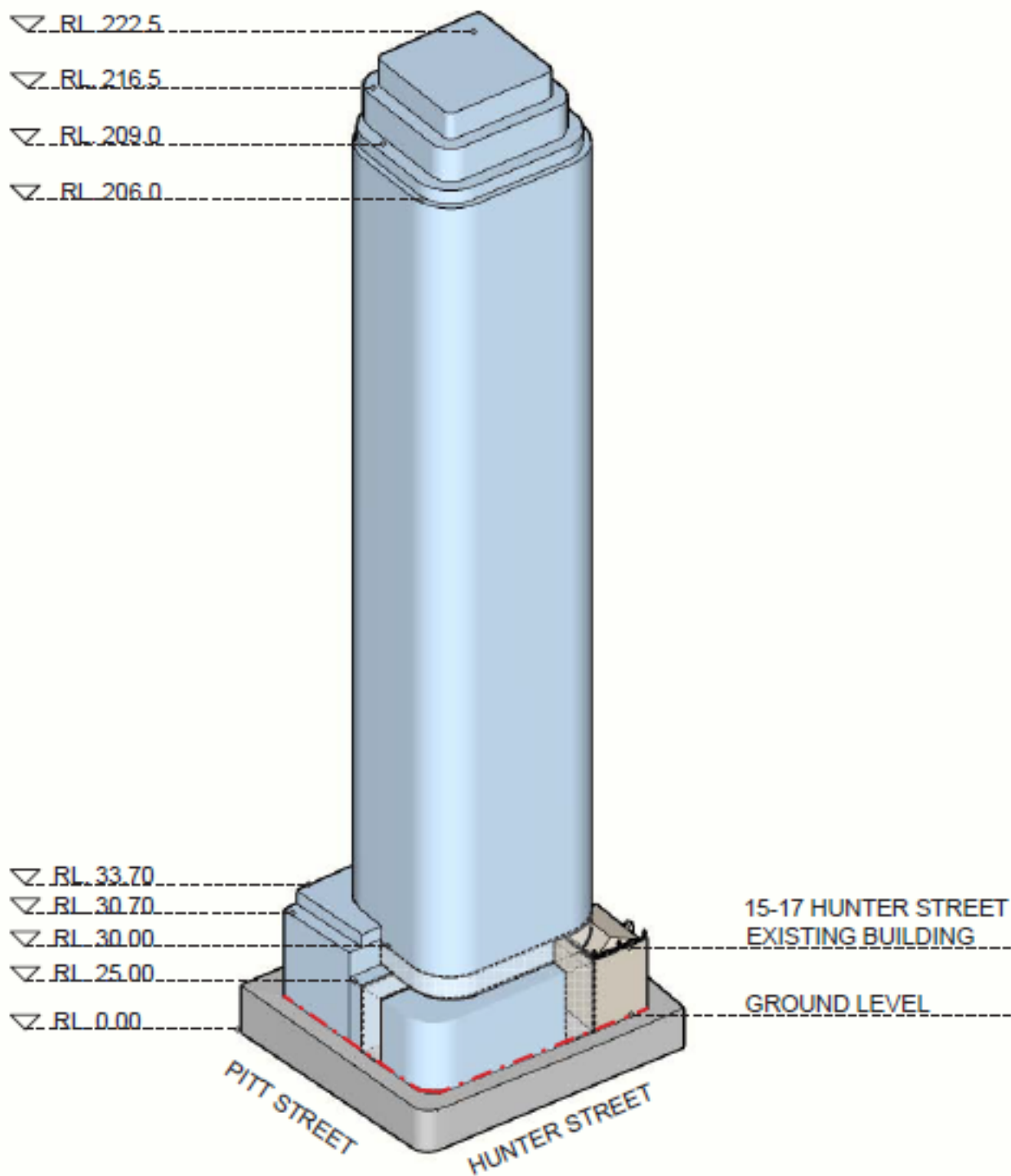
**Figure 26 Select tower drawings**

Source: Bates Smart



### Overall Planning Envelope

The overall planning envelope sought as part of this Planning Proposal and DCP amendment is illustrated at **Figure 27** and described in further detail in the Design Report (refer to **Appendix A**). The above subsections provide a summary of the envelope only, with a detailed assessment of the envelope contained at **Section 7.0**.



**Figure 27** The Proposed Envelope

Source: Bates Smart

### 4.3.2 Indicative concept scheme / Reference Design

Bates Smart has prepared an indicative scheme to act as a reference design for the proposed envelope, demonstrating a ‘proof of concept’ for the site to support the new amendments to the Sydney LEP and Sydney DCP. Further details regarding the development outcome capable of being supported through the amendments is provided in the Design Report at **Appendix A**, including the select architectural plans of the reference design and an area schedule. This is a reference design only, as the detailed design will be subject to a competitive design process and a subsequent detailed development consent process.

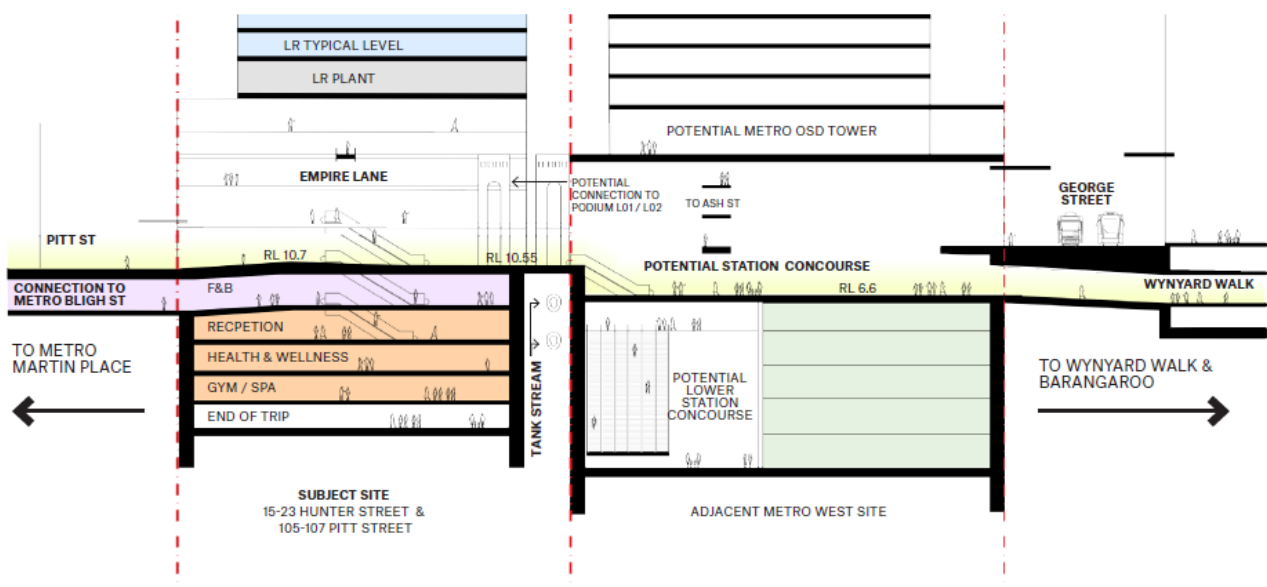
Broadly, the reference design illustrates that the amendments to the Sydney LEP and Sydney DCP are capable of supporting the delivery of a 52-storey mixed use commercial office building accommodating:

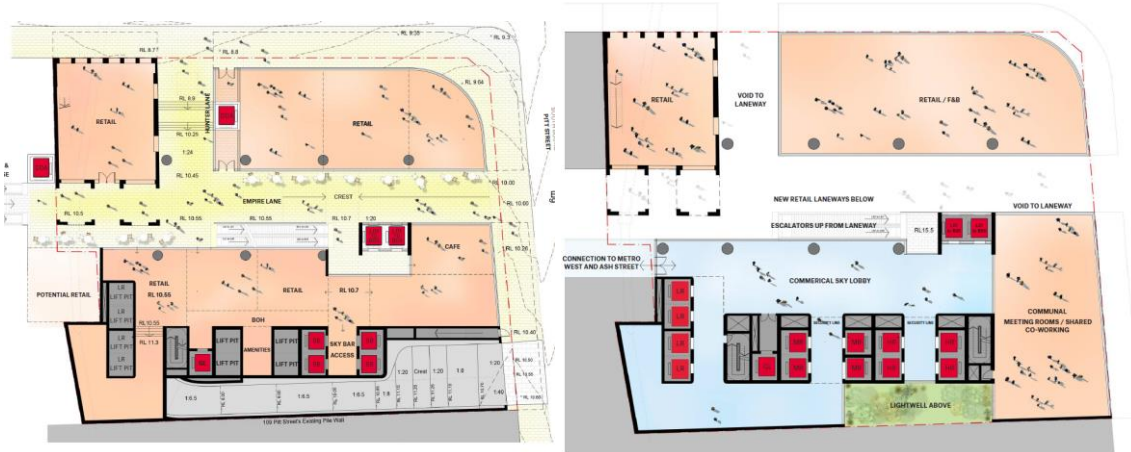
- Six basement levels, comprising 41 car parking spaces (maximum Sydney LEP rate), end-of-trip facilities and below ground retail tenancies designated for entertainment, health and wellbeing uses.
- Ground level retail tenancies and generous new pedestrian-only through-site link and a first floor commercial sky lobby.
- Approximately 51,150m<sup>2</sup> of commercial office and retail floor space.
- Rooftop food and beverage tenancy with a sky terrace (Level 49).

The ground level design of the indicative scheme accommodates a generous laneway through-site link connecting Hunter Street to Pitt Street, lined with boutique retail and food and drink tenancies. This makes efficient use of the site to accommodate a high degree of activation through retail tenancies and a generous lobby fronting the streets, as well as a vehicle access/egress point from the southern most portion of the Pitt Street frontage, leading to internal loading spaces and a car lift to the lowest basement parking level.

In response to the DAP’s feedback issued on the 14 December 2021, the ground plane was reconfigured to prioritise the pedestrian experience and mitigate potential vehicle conflicts, as well as introduce significant activation. The reference design also illustrates appropriate alterations to the rear of Pangas house which support strategic openings to future proof the site and allow pedestrian flows to the metro concourse to the west of the site (refer to **Figure 28**).

On the first level, a flexible sky lobby and commercial office space is provided, enabling access to the upper office levels whilst overlooking the three-storey height through site link below. Retail space is provided within the retained and protected Pangas House building. **Figure 28** illustrates the indicative ground and first floor of the reference design.





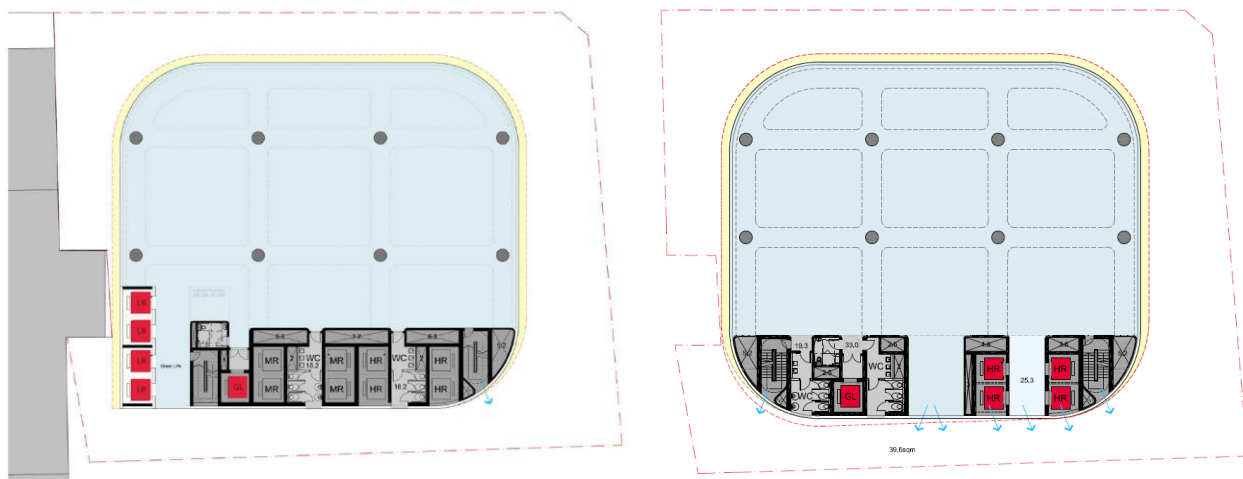
**Figure 28** Indicative ground and first floor plans

Source: Bates Smart

On the equivalent level two and three of the laneway through-site link, the reference design includes a lightweight pedestrian bridge connecting the southern portion of the podium with the north-eastern portion of the podium. This allows for pedestrian connection between commercial areas and to the rooftop terrace, however, this is a detailed design consideration and will be resolved through the competitive design process. On the equivalent level four of the through-site link, public art has been incorporated to activate the laneway.

**Tower**

The tower envelope accommodates a typical floor plate of nearly 1,000m<sup>2</sup> Net Lettable Area (NLA), consistent with the minimum desired floor plate sizes for the Proponent’s target tenants. A regular and logical structure solution is also proposed, with consistent column spacing allowing for a generally contiguous floor plate, another desirable commercial aspiration of prospective tenants. To maximise views, outlook and daylight penetration for the office levels, the lift core, services and amenities have been located on the southern edge of the floor plate, further enabling a highly flexible and high amenity office environment. **Figure 29** illustrates the indicative low-rise and high-rise office floor plates of the reference design.



Low-rise floor plate

High-rise floor plate

**Figure 29** Indicative plans of mid-rise and high-rise office floor plates

Source: Bates Smart

While the detailed design will be subject to an invited architectural design competition, the reference design demonstrates that a highly articulated and quality commercial office tower can be delivered on the site which supports the objectives of Council for new buildings to make a positive contribution to the characteristics and composition of Central Sydney.

#### 4.4 Design Excellence

The indicative scheme has been prepared with the knowledge that an invited architectural design competition will be undertaken as per the Design Excellence Strategy (refer to **Appendix D**). The Proponent supports the requirement for a future competitive design process, with an overall aim to achieve the highest architectural standard for the site.

The design competition will be pursuing up to 10% additional floor space under a site-specific clause proposed in this Planning Proposal. The Planning Proposal and endorsed Sydney DCP amendments support a planning envelope that can accommodate the maximum site specific permissible FSR (inclusive of the 10% additional floor space available under the proposed site-specific clause), being an above ground FSR of 22.26:1 and a below ground FSR 2:1. Taking this approach ensures that all environmental impacts of the maximum permissible envelope and maximum FSR are assessed as part of the Planning Proposal.

Photomontages of the indicative scheme (as of October 2021) and one design outcome on the site is provided at **Figure 30** to **Figure 32**.





**Figure 30** Photomontage of an indicative tower resulting from the planning proposal (street corner)

Source: Bates Smart





**Figure 31** Photomontage of an indicative tower resulting from the planning proposal (Hunter Street)  
*Source: Bates Smart*





**Figure 32** Photomontage of the indicative podium design as viewed from Hunter Street and Pitt Street

Source: Bates Smart

## 5.0 Planning Proposal

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act and 'A Guide to Preparing Planning Proposals', which requires the following matters to be addressed:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument.
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument.
- Part 3 – The justification for those objectives, outcomes and the process for their implementation.
- Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies.
- Part 5 – Details of the community consultation that is to be undertaken on the planning proposal.
- Part 6 – A project timeline outlining the key steps and timeframes of implementing the changes.

The following section outlines the objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes, including relevant mapping. The justification and evaluation of impacts is set out in **Section 6.0** of this report.

### 5.1 Part 1 – Objectives and Intended Outcomes

The intent of the Planning Proposal is to make a site-specific amendment to the Sydney LEP to permit additional floor space on the site and align the height limit for the site with the amended Martin Place Access Plane.

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

- implement the vision, planning priorities and strategic intent of the CSPS through unlocking the development potential of an identified tower cluster site;
- facilitate the delivery of a tower envelope with the capability to accommodate desirable commercial floorplates within a tower cluster area suitable for uplift and additional employment generating floor space above the existing controls;
- deliver 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);
- transform a large, amalgamated site with older building stock to facilitate an opportunity for additional employment floor space, therefore promoting a more efficient use of land;
- protect and partially retain the heritage significant elements of Pangas House at 15-17 Hunter Street by listing the exteriors as a heritage item;
- provide public benefit through the provision of a full podium height, open laneway through-site link from Hunter Street to Pitt Street, activated through the provision of adjacent and below ground entertainment, health and wellbeing tenancies;
- provide an improved urban design and pedestrian experience at ground level, with enhanced street activation, the protection of sunlight and appropriate wind conditions; and
- establish a framework for a future building to achieve design excellence and for the delivery of best-practice sustainable design.

Through the proposed amendments, the Planning Proposal will enable a commercial office tower to be developed on the site with a maximum height of RL 222.5 and a maximum FSR of 24.26:1, which comprises an above ground FSR of 22.26:1 and a below ground FSR of 2:1.

### 5.2 Part 2 – Explanation of Provisions

The key purpose of the Planning Proposal is to facilitate the redevelopment of the site for a commercial office tower that is of an appropriate form, exhibits high quality architecture, provides a reinvigorated pedestrian ground plane and delivers strategically important employment floorspace in close proximity to existing transport networks and new Sydney Metro stations, including the Hunter Street Station.



The objectives and intended outcomes identified in **Section 5.1** of this report are to be achieved by permitting greater height and floor space through a new site-specific clause within the Sydney LEP and amendments to the Sydney DCP, as set out below.

### 5.2.1 Amendments proposed to the Sydney LEP

The amendments proposed to the Sydney LEP will be in the form of a new site-specific clause in Division 5 of the LEP. The proposed new site-specific clause will be required to nominate:

- That the site of the proposal is as follows:
  - 107 Pitt Street, Sydney, being Lot 1, DP 63968;
  - 105 Pitt Street Sydney, being SP 60693;
  - 23-25 Hunter Street, Sydney, being SP 69888;
  - 19-21 Hunter Street, Sydney, being Lot 1, DP 59754;
  - 15 Hunter Street, Sydney, being Lot A and Lot B DP 109825.
- A maximum height of RL 222.5 (approximately 213.5 metres above existing ground level);
- A maximum FSR of 24.26:1, comprising:
  - An above ground FSR of 22.26:1;
  - A below ground FSR of 2:1;
- that an invited architectural design competition will be required to be undertaken in order to achieve the nominated height and FSR; and
- that any future proposal accessing the above height and FSR opportunities must not contain residential accommodation or serviced apartments.
- the local heritage listing of Pangas House at 15-17 Hunter Street.

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

#### **Clause X - 15-25 Hunter Street and 105-107 Pitt Street, 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) *15 Hunter Street, Sydney, being Lot 1 DP 630190*
  - b) *15 Hunter Street, Sydney, being Lot A DP 109825*
  - c) *15 Hunter Street, Sydney, being Lot B DP 109825*
  - d) *23-25 Hunter Street Pitt Street, Sydney, being SP 69888*
  - e) *105 Pitt Street, Sydney, being SP 60693*
  - f) *107 Pitt Street, Sydney, being Lot 1 DP 63968*
- (3) *Despite any other provision of this Plan, a building on land to which this clause applies may have a maximum floor space ratio of 24.26:1, comprising an above ground FSR of 22.26:1 and a below ground FSR of 2:1. The maximum floor space ratio comprises of the following:*
  - 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 11:1, and*

- d) an amount of additional floor space, to be determined by the consent authority, of up to 10% if the building demonstrates design excellence within the meaning of that clause.
- (4) 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 334149.1E, 6251080.4N, 62.4RL, 328.63° horizontal bearing, 60.44° vertical angle and where Ray A1 is constructed as an ascending edge from Node A, and
- ii) B is a point at 334149.1E, 6251080.4N, 62.4RL, 310.49° horizontal bearing, 44.16° vertical angle and where Ray A2 is constructed as an ascending edge from Node A
- **Note:** Intersection of the western alignment of George Street with the northern alignment of Barrack Street
- (5) This clause does not limit the operation of clauses 6.6 and 6.11 to development to which this clause applies; and
- (6) Clause 6.21(7)(a) does not apply to the development on the subject land to which this clause applies; and
- (7) 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.

In addition to the site specific LEP clause above, it is proposed to amend Schedule 5 – Environmental heritage of the Sydney LEP to reflect the proposed local heritage listing of Pangas House at 15-17 Hunter Street, as set out at **Table 3** below:

**Table 3 Proposed insert into Sydney LEP Schedule 5**

Locality	Item Name	Address	Property description	Significance	Item no
Sydney	Pangas House	15-17 Hunter Street	Lot A, Lot B DP109825	Local	TBC (subject to Council confirmation)

### 5.2.2 Amendments to the Sydney DCP

To provide certainty of the built form and design outcomes, a draft site specific DCP has been prepared and is provided at **Appendix C**. The site specific DCP will provide further detail and guide the setbacks, tower podium form and other design details in line with those outlined in this Planning Proposal. This section also satisfies clause 7.20 of the Sydney LEP, which requires a site specific DCP to be prepared for the development of a building over 55m in Central Sydney.



## 6.0 Strategic Justification

### 6.1 The Need for a Planning Proposal

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

This Request for a Planning Proposal is the culmination of a number of local strategic planning exercises to identify the future of the City of Sydney LGA, and more specifically how Central Sydney can deliver employment floor space and jobs to maintain Sydney's global competitiveness. These important strategic planning documents, and how the Request for a Planning Proposal addresses their objectives and actions, are discussed below.

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

The City of Sydney Local Strategic Planning Statement (LSPS) contains planning priorities and actions of which this Planning Proposal aligns with. The LSPS, which represents Council's 20-year vision and strategy for the LGA's future direction, was endorsed by Council on 17 February 2020, and contains directions about infrastructure, liveability, productivity and sustainability.

The LSPS draws from the Greater Sydney Commission's Greater Sydney Regional Plan and Eastern City District Plan and implements the planning priorities identified from these larger strategic documents at a local level. The LSPS is also informed by other Council endorsed documents, including the CSPA, Sustainable Sydney 2030 and the Employment Lands Strategy. The LSPS will underpin future changes to the Sydney LEP and Sydney DCP governing land across the entire LGA.

The LSPS identifies Central Sydney's role in accommodating 101,800 new jobs by 2036, which is more than half of the total jobs proposed to be generated in the Sydney LGA. The implementation of the CSPA is expected to deliver additional floor space for about 47,000 new jobs by providing new additional employment floor space.

Within the LSPS, the City has provided strategic and site specific 'principles for growth', that it will inform an assessment of planning proposals for additional development capacity. This Planning Proposal is consistent with the strategic policy context outlined in the LSPS, which confirms consistency with the strategic principles for growth

The Request for a Planning Proposal is also consistent with the LSPS in relation to the site-specific principles for growth, given:

- The site is located adjacent to the new Hunter Street Sydney Metro Station, and within walking distance of the future Martin Place Metro Station, Wynyard Station and Circular Quay Station. These strategic transport nodes are both interchanges for heavy rail, light rail and bus public transport.
- The proposal will deliver approximately 6,098 jobs comprising 1,784 full time equivalent construction jobs and 4,314 operational jobs.
- The proposal will be able to achieve a highly sustainable building, targeting a 5.5 Star Base Building NABERS Energy Rating.
- The site is in the heart of the Central Sydney, surrounded by commercial offices occupied by domestic and global financial, property, media and professional services. The amount of commercial and office floor space proposed aligns with the surrounding context, the demand of future occupants and provides workers that will utilise surrounding retail and hospitality venues.
- Any external impacts can be appropriately mitigated (refer to environmental assessment in **Section 7.0**).
- The proposal seeks only non-residential floor space, which is the preferred land use given the site's strategic location.
- The proposal can provide public benefits through the regeneration of an underutilised site, achieving design excellence and improving the dated streetscape, providing activation and enhancing the pedestrian experience.

Therefore, given this proposal seeks to deliver a highly sustainable building containing a large quantum of employment generating floor space, it will enable continued economic growth in the CBD in accordance with the City's LSPS.

## Central Sydney Planning Strategy

This Request for a Planning Proposal is also directly in line with the CSPA and the accompanying new Sydney LEP. The priorities and actions outlined in the CSPA reflected in this Request for a Planning Proposal. These actions include:

- Growing a stronger, more competitive Central Sydney. This Request for a Planning Proposal will:
  - Support increased capacity for economic and employment growth intended in Central Sydney, and its job target, given it is intended to provide for a full commercial development. The additional floor space provided under this Planning Proposal aligns with the zone for additional density as outlined in the CSPA (Action P1.1).
  - Ensure the City’s employment capacity grows without unreasonably compromising the amenity of public areas.
  - Support the vision and implementation of Council’s 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.
- Creating better buildings and places to reduce emissions, waste and water use. This Planning Proposal will:
  - Enable a highly sustainable building, targeting a 6-star Green Star Design & As Built v1.3 certified rating and 5.5 Star Base Building NABERS Energy Rating.

In addition to this, the amended Sydney LEP underpinned by the endorsed CSPA identifies the site is within a tower cluster zone. Therefore, in accordance with the strategic intent of the CSPA, this proposal delivers increased employment floorspace within a tower cluster, delivered through an envelope that facilitates design excellence.

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

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

- The Request for a 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 Request for a Planning Proposal) to accommodate employment generating floor space is greater than what is achievable through the staged DA tower cluster pathway.
- The Request for a Planning Proposal will give both Council and the landowner certainty of the development outcome on 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 CSPA.
  - strengthen and protect the commercial core of Global Sydney.
  - provide greater supply of high quality commercial floor plates in a location with high public transport accessibility, in line with transit-oriented development best practice.
- The Planning Proposal will ensure the partial retention and protection of former Pangas House through the proposed local heritage listing of the building.

Flexibility of the site’s current maximum building height and FSR development standards could be sought as part of a Staged DA process. Specifically, a Stage 1 DA or Concept DA could be submitted with an accompanying clause 4.6 “Exception to the Development Standard” request to vary the height and FSR development standards.

Clause 4.6 of the Sydney LEP states that the objectives of the clause are to provide flexibility in applying certain development standards to achieve a better outcome for, and from, the development. While this Request for a Planning Proposal demonstrates that a superior outcome can be delivered above the current development standards, contravention of these development standards to the proposed extent is considered to breach the thresholds set by clause 4.6 of the Sydney LEP. As such, the site-specific planning proposal allows for a more merit-based approach to determining new maximum FSR and building height development standards for the site. Furthermore, the site-specific planning proposal allows greater stakeholder engagement, as this mechanism seeks to amend Council’s own LEP and Council is a key stakeholder in the process.

Therefore, a site-specific Planning Proposal is the best means for achieving the desired outcome outlined in this proposal. It is noted that this planning pathway has been supported through detailed pre-lodgement discussions with Council, as detailed at **Section 1.3** and **Appendix Q**.

## 6.2 Relationship with the Strategic Planning Framework




### 6.2.1 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)?

#### Great 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 the social, economic and environmental growth and change for Greater Sydney. It 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. Similar to *A Plan for Growing Sydney* (the strategic policy that preceded it), 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 aligns with the strategic objectives and directions set under the Plan and will contribute to the appropriate growth and development of Sydney. This is discussed further in **Table 4**, which provides an assessment against the Eastern District Plan.

**Table 4 Consistency with the Greater Sydney Region Plan**





	<p><b>A city supported by infrastructure</b></p> <ul style="list-style-type: none"> <li>• The proposal delivers increased capacity of commercial floorspace in-line with the delivery of significant infrastructure projects being undertaken by local and State government, including the recently completed CBD light rail and Sydney Metro.</li> <li>• The site is located close to the new Martin Place Sydney Metro Station and the Pitt Street Metro Station, as well as the various existing transport networks such Wynyard Station and bus interchange, and the George Street Light Rail, which connects to the eastern suburbs.</li> </ul>
	<p><b>A collaborative city</b></p> <ul style="list-style-type: none"> <li>• The site is not located within an identified collaboration area under the Greater Sydney Region Plan. However, this objective focuses on the opportunities for State and local agencies to collaborate and deliver infrastructure and growth in appropriate areas. This proposal seeks to deliver increased employment floorspace in a high quality and sustainable building in the vicinity of the future Sydney Metro and newly delivered light rail. This Request for a Planning Proposal brings together the aspirations of the City of Sydney Council under the CSPS, in alignment with the delivery of State infrastructure and therefore by its nature the Planning Proposal is collaborative.</li> </ul>
	<p><b>A city for people</b></p> <ul style="list-style-type: none"> <li>• The proposal has been designed with consideration of intergenerational equity and promotes sustainability, universal design and accessibility, and community integration with the surrounding context of the Sydney CBD particularly through ground plane improvements and a high-quality worker environment.</li> <li>• It prioritises opportunities for people to walk, cycle, and use public transport through improved pedestrian connections, reduction in on-site car parking, and new bicycle parking and end of trip facilities within the development.</li> </ul>

	<p><b>Housing the city</b></p> <ul style="list-style-type: none"> <li>• No housing is proposed.</li> <li>• The development seeks to continue the existing and envisaged use for the site as a destination for employment, retail and public domain as per the Sydney LSPS and CSPPS.</li> <li>• It will generate significant employment opportunities in proximity to existing high density residential areas within the Sydney CBD and the inner ring residential suburbs.</li> </ul>
	<p><b>A city of great places</b></p> <ul style="list-style-type: none"> <li>• The proposal will regenerate the site to become a lively destination, seven days a week and over an extended period of the day, and will enhance employment, retail and entertainment opportunities in the area through the provision of activated publicly accessible spaces. The proposal also activates its street interfaces which will further create vibrancy and interest within the area and activate the public domain after hours.</li> </ul>
	<p><b>A well-connected city</b></p> <ul style="list-style-type: none"> <li>• The proposal will seek to deliver additional commercial floor space adjacent to the delivery of local and State Government infrastructure, including the CBD Light Rail and Sydney Metro, 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>
	<p><b>Jobs and skills for the city</b></p> <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 Eastern Economic Corridor, and that one of the implications of a strong financial sector is a high demand for premium (Prime Grade and A-Grade) office space. The proposal is consistent with this objective in seeking to deliver new, premium-grade office space in the heart of Sydney's financial centre.</li> <li>• Associated retail and ground floor activities will also be delivered that support the diversity of functions in the Sydney CBD and encourage activation at the ground plane.</li> </ul>
	<p><b>A city in its landscape</b></p> <ul style="list-style-type: none"> <li>• The proposal does not affect any protected biodiversity or remnant or significant vegetation. Landscaping opportunities will be included throughout the detailed design process, and maximised where possible. The competitive design process is also the place in the planning process where this can be further explored.</li> </ul>
	<p><b>An efficient city</b></p> <ul style="list-style-type: none"> <li>• The proposal has sought to deliver a highly efficient building by delivering beyond its required targets for sustainability, energy efficiency and water and waste management. This tower will achieve and go beyond the relevant targets and is aligned with best practice for ecologically sustainable design.</li> </ul>
	<p><b>A resilient city</b></p> <ul style="list-style-type: none"> <li>• The proposal has sought to minimise exposure to natural hazards by ensuring that the future development is not affected by the flooding that has historically affected the site.</li> <li>• The environmental initiatives implemented through the development will contribute to enhanced environmental outcomes and seek to mitigate impacts related to climate change through sustainability initiatives incorporated within the development.</li> </ul>

## Eastern City District Plan

The *Eastern City District Plan* follows the *Greater Sydney Region Plan* and sets a 20-year vision for the District. The District Plan comprises ‘Planning Priorities’ that are linked to the Region Plan. Under this Plan, the site is strategically located in the centre of the Harbour CBD and the Eastern Economic Corridor. The proposal will achieve the relevant planning priorities discussed in **Table 4**, as well as several key priorities in the context of the Eastern City District set out within **Table 5**:

**Table 5 Consistency with the Eastern City District Plan**

	<p><b>Planning Priority 1: Planning for a city supported by infrastructure</b>  <i>Objective 4 – Infrastructure use is optimised</i></p> <ul style="list-style-type: none"> <li>This objective of this Planning Priority is to align land use and infrastructure planning to maximise the use of the infrastructure. This project aims to deliver 51,150m<sup>2</sup> of employment generating floor space aligned with the additional public transport capacity being delivered by local and State government, including the CBD light rail and Sydney Metro.</li> </ul>
	<p><b>Planning Priority E7: Growing a stronger and more competitive Harbour CBD</b>  <i>Objective 18 – Harbour CBD is stronger and more competitive</i></p> <ul style="list-style-type: none"> <li>The Eastern District Plan notes that the Harbour CBD is Australia’s financial and business capital, which contains the most concentrated proportion of headquarters for multinational and national companies in Australia, as well as Australia’s most significant finance industry cluster. The concentration of this large and specialised cluster attracts global talent and investment but is constrained by the limited capacity of the CBD in terms of high quality office space.</li> <li>In line with this directive, as well as those outlined in the CSPS, this proposal will deliver high quality employment floorspace that will contribute to the economic growth of the Sydney CBD as a strong Global City.</li> </ul>
	<p><b>Planning Priority E11: Growing investment, business opportunities and jobs in strategic centres</b>  <i>Objective 22 – Investment and business activity in centres</i></p> <ul style="list-style-type: none"> <li>The proposal seeks to deliver high quality office space in a prime location within the Harbour City, located closely to public transport and at the heart of Sydney’s service centre. The Plan identifies that the Harbour City is the strategic centre of the Eastern Economic Corridor, in proximity to attractive places to live and with efficient and reliable public transport.</li> </ul>
	<p><b>Planning Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently</b>  <i>Objective 34: Energy and water flows are captured, used and re-used.</i></p> <ul style="list-style-type: none"> <li>The envelope has been designed to be able to accommodate a variety of sustainability features, targeting a 5.5 Star Base Building NABERS Energy Rating.</li> </ul>

## NSW State Infrastructure Strategy 2018

The *NSW State Infrastructure Strategy* combines the infrastructure investment and land use planning outlined in both the *Future Transport Strategy 2056* and the *Greater Sydney Region Plan* and seeks to set the vision for infrastructure over the next 20 years, alongside investment in sustainable growth. This aligns with the State Government’s model of a ‘30-minute city’, which seeks to provide access to jobs and services within 30 minutes.

The *NSW State Infrastructure Strategy* has six strategic directions, of which two are most relevant to this proposal. These relevant strategic directions are outlined below.

- Continuously improve the integration of land use and infrastructure planning:** This direction seeks to ensure that infrastructure is delivered in areas where it will be used, and to ensure that the surrounding land has the capability to accommodate additional uplift to utilise the infrastructure efficiently. This Planning Proposal aligns with this direction as it seeks to deliver substantial employment generating floor space within walking distance of existing heavy rail and the future Sydney Metro network. Furthermore, the site is within walking distance of the CBD Light Rail extending along George Street. The site is highly serviced by public transport which will allow tenants and visitors efficient access to Greater Sydney.



- **Ensure NSW's existing and future infrastructure is resilient to natural hazards and human-related threats:** This direction intends to ensure that infrastructure is designed to withhold significant natural hazards and threats. As outlined in the Ecologically Sustainable Development Report provided at **Appendix I**, the building will be designed to deliver above the required ESD minimums, in terms of the National Construction Code, NABERS and Green Star Design. Flood and stormwater management will be resolved through the detailed design of the future building, with appropriate finished floor levels integrated into the building design.

## 6.2.2 Strategic Merit Test

*A Guide to Preparing Planning Proposals* sets out that in order to answer this question, a planning proposal needs to justify that it meets the Strategic Merit Test. The consistency of this Planning Proposal with the mandated assessment criteria is set out below.

### a) Does the proposal have strategic merit?

The proposal has strategic merit and is consistent with the applicable strategic frameworks set by the State and Council. Specifically, the Request for a Planning Proposal will facilitate a development that:

- Directly delivers substantial employment generating floorspace in line with directions and objectives under the Greater Sydney Region Plan and Eastern City District Plan. Its delivery of significant employment floorspace within the vicinity of the future Sydney Metro will allow for employment opportunities with efficient access to a large transport network, contributing to the delivery of a '30 minute city'.
- Will unlock additional employment floor space in an identified tower cluster, in-line with Council's CSPS.
- Supports active uses and ground floor retail opportunities to accompany the provision of additional commercial office floor space, thereby presenting opportunities for other businesses to service the influx of tenants.
- Will enable the redevelopment of the site for a high quality, sustainable building, increasing competition and choice for best practice flexible, large floorplate offices in the city.

### b) Does the proposal have site-specific merit?

The proposal has site specific merit as:

- The proposed planning controls and resultant planning envelope has been subject to rigorous testing, considering the relevant sun access plane, sky view requirements and pedestrian wind environment tests. The proposed building height removes mass from the maximum height achievable to deliver a more rationalised envelope. Specifically, the proposed envelope is approximately 30 metres shorter than the maximum base case envelope. As such, this improves the pedestrian experience by offering increased sky view. As detailed at **Section 7.5** and **Appendix S** the proposed envelope presents an improved sky view factor value compared to the base case envelope. Further to this, as outlined in **Section 7.6** and **Appendix H**, the proposal generates improved pedestrian wind conditions when tested against the base case envelope.
- The CSPS identifies the site within a tower cluster zone, being a zone marked for development uplift. Therefore, due to the site's size resultant from the complex amalgamation of six land holdings, the proposal represents the orderly and economic use of the land, allowing for high quality urban design outcomes while delivering substantial employment floor space.
- The future building is intended to accommodate commercial uses, which is generally in line with the existing uses on the site. These uses are consistent with the predominant character of the street block and Central Sydney more broadly, which contains a variety of financial, technological, hospitality and service areas, with associated retail tenancies activating the ground plane.
- The proposed envelope has been assessed against a variety of environmental factors (refer to **Section 7.0**). It is noted that these environmental factors have been considered in relation to the site and the proposal, and the assessment demonstrates that there are few environmental considerations likely to arise from the Planning Proposal and potential future development, and those that are present can be effectively mitigated.

### 6.2.3 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 Request for a Planning Proposal seeks to deliver development in line with the Sydney LSPS (City Plan 2036), Sustainable Sydney 2030 and the CSPS. These are discussed further below.

#### City Plan 2036

The City of Sydney’s LSPS, *City Plan 2036* was prepared to provide strategic direction for the City of Sydney’s land use planning in the Sydney LGA. This document provides five areas of strategic direction, of which three are relevant to this Planning Proposal. These are discussed further below:

- **Infrastructure:** This strategic direction seeks to ensure that physical and social infrastructure is provided where it is needed most across the LGA, which will in turn improve accessibility and resilience of our built environments. Specifically, the Planning Proposal aligns with priority *I2 – Align development and growth with supporting infrastructure*. This Planning Proposal seeks to deliver employment floorspace uplift in the vicinity of the Sydney Metro, as well as the existing transport infrastructure network available in Central Sydney.
- **Productivity:** This strategic direction is seeking to increase productivity and protect employment lands and uses in the Sydney LGA. Specifically, *P1 – Growing a stronger, more competitive Central Sydney* is the strategic direction most relevant to the Planning Proposal. In-line with this direction, this proposal will deliver the potential for large, flexible commercial floorplates which will increase the amount of floor space available in Central Sydney, promoting diverse economic uses.
- **Sustainability:** This strategic direction intends to ensure that sustainability and efficiency are considered as part of all strategic directions going forward. *S2 – Creating better buildings and places to reduce emissions and waste and use water efficiently* directly relates to this Planning Proposal, as the envelope is designed to be able to meet and go beyond the minimum ESD requirements, as discussed at **Appendix I** and **Section 7.11**.

#### Sustainable Sydney 2030

Sustainable Sydney 2030 refers to the City of Sydney’s community strategic plan, which was prepared in 2017, and reflects the Sydney LGA community’s vision for sustainability in the physical environment, economy, society and culture of the City of Sydney. Sustainable Sydney 2030 has 10 strategic directions, of which five are relevant to the Planning Proposal.

- **1. 70% reduction in greenhouse gas emissions:** Based on the ESD report at **Appendix I**, the proposal will enable a highly sustainable building, targeting a 6-star Green Star Design & As Built v1.3 certified rating and 5.5 Star Base Building NABERS Energy Rating. This target will be investigated through the detailed design examining best practice air conditioning systems, high quality mechanical infrastructure and potentially photovoltaic solar panels.
- **2. 50% of electricity demand met by renewable sources, zero increase in potable water, increase in total canopy cover:** As discussed above, the proposed building envelope resulting from this Planning Proposal will seek to include photovoltaic solar panels to contribute to the amount of renewable energy being used. In addition to this, water efficient fixtures and fittings, as well as the utilisation of rainwater tanks will be included to reduce the use of potable water.
- **5. The city will contain at least 465,000 jobs:** This Planning Proposal will facilitate the redevelopment of the site to increase the commercial GFA offered to approximately 51,150m<sup>2</sup>, stimulating 5,487 jobs on site including 1,682 FTE construction jobs and 3,805 operational jobs. This contributes to the goal Sustainable Sydney 2030 has set in relation to employment targets.
- **6. Trips to work using public transport will increase to 80%:** The provision of increased employment floorspace in the new Sydney Metro station catchments allows for an increase in accessibility of public transport as the site densifies.
- **7. At least 10% of trips made by bicycle and 50% by pedestrian movement:** The resultant envelope is future proofed to accommodate end-of-trip facilities within the basement. This will encourage active transport methods to and from the future building. The site is in the heart of Central Sydney, offering easy access to the site by foot from the City of Sydney’s cluster of villages.

The planning proposal will contribute to delivering the Sustainable Sydney 2030 aims, consistent with the broad vision of Sustainable Sydney 2030, green, global and connected as follows:

#### Green

- The proposal enables a sustainable building with great design and architecture.
- The proposal encourages the integration of green spaces within the building, including terraces to provide a varied experience within the City.
- The proposal responds to the surrounding heritage item through sympathetic urban design gestures. While not a heritage item, the proposal seeks to retain the Pangas House façade fronting Hunter Street, to respect the historic qualities of the site.

#### Global

- The proposal provides substantial employment generating floor space, in an envelope that accommodates appropriately sized and flexible floor plates to secure domestic and global tenants that will contribute to a resilient and diverse economy.
- The proposal aligns with transit-oriented development best practice principles of locating a high employment generating use in proximity to existing and planned transport infrastructure, including the future high-speed Sydney Metro and adjacent Hunter Street Station.
- The proposal makes efficient use of a complex amalgamated site, maximising the employment potential without unreasonably compromising public amenity.

#### Connected

- The proposal will activate a prominent Central Sydney street corner at the intersection of Hunter Street and Pitt Street. It will facilitate a significant streetscape improvement compared to the current aged buildings on the site.
- The proposal will accommodate a range of uses, to service the workforce as well as visitors to the CBD.

### **Central Sydney Planning Strategy**

The CSPS is designed to guide the development of Central Sydney over the next 20 years. The CSPS has been designed to respond to Council's predictions of a job gap of 40,000-85,000 jobs, or approximately 800,000sqm – 1.7 million square metres of floor space. Therefore, the CSPS provides 10 key directions which will strengthen Sydney's role as a global city. The key moves that relate to the proposal are discussed in more detail below.

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

This Planning Proposal will deliver 51,150m<sup>2</sup> of employment generating GFA, which will contribute to the predicted job and commercial floorspace gap. Further to this, the Planning Proposal does not propose any of the GFA to be used for residential or serviced apartment uses. Therefore, this Planning Proposal supports Key Move 1 by boosting the amount of employment generating floor space stock in Central Sydney.

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

The site is located within a tower cluster. This key move seeks to permit taller buildings with higher FSRs in the right locations and streamline the approvals process for these buildings. This Planning Proposal is seeking to deliver a commercial office tower in a tower cluster, in-line with the above requirements of the CSPS, while ensuring that environmental considerations like solar access and wind comfort to the public domain are preserved.

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

This Planning Proposal will deliver approximately 51,150m<sup>2</sup> of commercial floorspace, in-line with the delivery of the Sydney Metro and the CBD Light Rail on George Street. This will assist in the easing of congestion, as well as capitalising on significant transport infrastructure investments.

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

As discussed at **Section 7.11** and **Appendix I**, the indicative envelope will be developed to accommodate a detailed design that integrates best practice sustainability features. Features to be examined include integration of photovoltaic solar panels, water saving fittings and mechanisms, water tanks and efficient mechanical design. Therefore, the proposal will meet, and where possible exceed, the sustainability minimums for National Construction Code, NABERS and Green Star.

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

Subsequent to the planning proposal process, a competitive design process (architectural design competition) will be run in accordance with the Design Excellence Strategy provided at **Appendix D**. This will ensure that the winning design is of high calibre and meets the objectives set out in this Planning Proposal and the relevant Council requirements for design excellence.

## **6.2.4 Q5 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

An assessment of the Request for a Planning Proposal against relevant State Environmental Planning Policies (SEPPs) at the time of original writing is set out in **Table 6**.

**Table 6 Consistency with State Environmental Planning Policies**

SEPP	Comment
<i>State Environmental Planning Policy No 55—Remediation of Land</i>	<p><i>State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)</i> seeks to ensure that contaminated land is remediated prior to development, to reduce health hazards or potential harm resulting from contamination. As per SEPP 55, it is required that when considering rezoning land, remediation works meet certain standards.</p> <p>The site has been occupied by a variety of commercial buildings for some time. SEPP 55 will be addressed accordingly during the detailed DA process as it is no longer a matter for consideration for Planning Proposals. Nevertheless, given the context and location of the building, it is expected that the likelihood of contamination is low.</p>
<i>State Environmental Planning Policy No 64—Advertising and Signage</i>	Future DA's will be assessed under SEPP 64, where any signage is proposed.
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	This policy may apply to future development on the site.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	<p>Division 17 of the Infrastructure SEPP will apply to a future proposal as it will exceed 10,000m<sup>2</sup> of commercial floor space. Any application proposing development will need to be referred to the RMS as traffic generating development.</p> <p>Given the site's proximity to existing rail corridors and the future Metro rail corridors, it is considered that Division 15 of the Infrastructure SEPP will apply when excavation and basement works are proposed. Concurrence will be required by Sydney Metro Authority prior to the determination of the detailed DA.</p>
<i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>	The site is located within the Sydney Harbour Catchment, however, it is not within the foreshore area and is not zoned under the SREP. The key matters for consideration include the visual impact when viewed from the Harbour and the maintenance of stormwater/water quality to the catchment. Visual impacts from the Harbour are addressed within <b>Section 7.4</b> and the stormwater management system will be developed with the detailed building design.
<i>Draft State Environmental Planning Policy (Environment)</i>	The draft SEPP (Environment) seeks to protect and improve key environmental assets for their intrinsic value and the social and economic benefits they provide and has not yet been gazetted. The SEPP focuses on catchments, bushland, waterways and protected areas. The site is in a highly urbanised locality and therefore the Planning Proposal does not have any significant bearings on any of these key environmental considerations.

*\*Note: A number of SEPPS have been consolidated since writing, yet the assessment above does not materially change.*



### 6.2.5 Q6 – Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The proposal is consistent with applicable Ministerial Directions, identified as s.9.1 directions. An assessment of the Planning Proposal against applicable section 9.1 Directions is set out in **Table 7**.

**Table 7 Consistency with section 9.1 directions**

Direction	Consistency		N/A	Comment
	Yes	No		
<b>1. Employment and Resources</b>				
1.1 Business and Industrial Zones	✓			In accordance with objectives of this direction, this planning proposal will facilitate: <ul style="list-style-type: none"> <li>The retention of the site for employment purposes by intending to redevelop it for commercial purposes.</li> <li>Employment growth on an established site, appropriate to the CBD context.</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 Environmental Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	Not applicable
2.3 Heritage Conservation	✓			While the site does not contain a heritage item or located within a heritage conservation area it is in the vicinity of both State and locally listed items. proposal does not impact upon any heritage items. the tank stream runs below the site. The Heritage Impact Statement at <b>Appendix F</b> details that there will be an acceptable impact to the heritage items surrounding the site, including the Tank Stream running below the site's western boundary.
2.4 Recreational Vehicle Area			✓	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	✓			As above, the site has been occupied by a variety of commercial buildings for some time. Given the context and location of the building, it is expected that the likelihood of contamination is low.
<b>3. Housing, Infrastructure and Urban Development</b>				
3.1 Residential Zones			✓	Whilst residential uses are permissible in the zone, no residential uses are proposed as a commercial use is more appropriate for this tower cluster site.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable

Direction	Consistency	N/A	Comment
3.4 Integrating Land Use and Transport	✓		The Planning Proposal will take advantage of the site's strategic location within the CBD and proximity to the new Sydney Metro, as well as existing transport such as the light rail, bus services and train services.
3.5 Development Near Regulated Airports and Defence Airfields		✓	The proposed height does not interfere with the Obstacle Limitation Surface of the Sydney Airport.
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 Soil	✓		In accordance with the Sydney LEP 2012, the site is classified as Class 5 Acid Sulfate Soils. Any future development works will address any issues relating to the Acid Sulfate Soils.
4.2 Mine Subsidence and Unstable Land		✓	Not applicable
4.3 Flood Prone Land		✓	Any future development application will be designed to consider flood planning and ensure that relevant mitigation measures are implemented to manage flood impacts.
4.4 Planning for Bushfire Protection		✓	Not applicable
<b>5. Regional Planning</b>		✓	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 Provision		✓	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. Notwithstanding this the Planning Proposal is consistent with the current Metropolitan Plan, as discussed in <b>Section 6.2</b> above.
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

Direction	Consistency	N/A	Comment
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
7.13 Implementation of Planning Principles for the Pyrmont Peninsula Place Strategy		✓	Not applicable

### 6.3 Environmental, Social and Economic Impact

#### 6.3.1 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 proposed site is already developed for urban purposes, has no significant existing vegetation present and is located within the highly urbanised setting of Central Sydney. The proposed development will not affect the habitat of any threatened species or ecological communities as there is no habitat present at the site.

#### 6.3.2 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 environmental assessment has been provided at **Section 7.0** of this report, which outlines any potential environmental impacts resulting from this Planning Proposal and they are able to be managed through future development on the site.

#### 6.3.3 Q9 – Has the planning proposal adequately addressed any social and economic effects?

Yes. A Social and Economic Impact Assessment has been provided at **Appendix K** and is discussed at **Section 7.10** of this report. This assessment finds that the social and economic outcomes of this planning proposal will be positive.

### 6.4 State and Commonwealth Interests

#### 6.4.1 Q10 – Is there adequate public infrastructure for the planning proposal?

Yes. The site of the Request for a Planning Proposal is located in a central part of Central Sydney, which is serviced by significant transport infrastructure. The site is in proximity to the new Martin Place Metro Station and Pitt Street Metro Station which will open in 2024 and is adjacent to the future Hunter Street Station. It is also adjacent to the newly proposed Sydney Metro West Central Sydney Station.

In addition to this, the CBD Light Rail on George Street is also a short walk to the west, as well as the existing Sydney Trains network and various bus routes. Central Sydney also has an extensive bicycle lane network, and the streets are easily utilised by foot traffic.

As detailed within the Building Services Report prepared by WSP at **Appendix M**, given the site's Central Sydney location it is well serviced by existing utilities that can be upgraded or augmented to the site, through the detailed development, as necessary.

#### 6.4.2 Q11 – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

It is not expected that referral to any State or Commonwealth agency would be required. Input from Transport for New South Wales will be required as part of the determination for any future DAs on the site, due to the traffic generating development requirement. More specifically, input from Transport for New South Wales (for traffic generating purposes - Infrastructure SEPP clause 104) will be required as part of the determination of any future Development Application for the site.

Likewise, referral to the Sydney Metro Authority may also be required as part of the processing and assessment of a future detailed DA on the site given the site is in the vicinity of the Sydney Metro tunnel.

The views of State and Commonwealth public authorities will be known once consultation has occurred in accordance with the Gateway determination of the Planning Proposal. State and Commonwealth authorities will have the opportunity to provide to comment on the Planning Proposal as part of its formal exhibition.

### 6.5 Part 4 – Mapping

A site-specific clause is sought to be inserted into Division 5 of the Sydney LEP, as detailed at **Section 5.2.1**. Accordingly, no amendments to the existing zoning, maximum building height and FSR Sydney LEP maps are proposed. This Request for a Planning Proposal seeks a local heritage listing of 15-17 Hunter Street known as Pangas House, as such the Sydney LEP Heritage Map is proposed to be amended to reflect the elevated local significance of this site.

### 6.6 Part 5 – Community Consultation

Public consultation will be conducted in accordance with Section 3.34 and Schedule 1 of EP&A Act and *A Guide to Preparing Planning Proposals*. It is requested that the Planning Proposal be publicly exhibited for a minimum period of 28 days to coincide with the exhibition of an accompanying draft Sydney DCP amendment and related documents.

### 6.7 Part 6 – Project Timeline

The estimated timeframe for the completion of the Planning Proposal is set out in **Table 8** below.

**Table 8** Indicative project timeline

Milestone	Timing
Submission of Planning Proposal	October 2021 (Updated February 2022)
Reporting of Planning Proposal to CSPC	June 2022
Referral to Minister for Gateway Determination	June 2022
Date of Gateway determination	August 2022
Commencement and completion dates for public exhibition period	August 2022
Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination)	October 2022
Timeframe for consideration of submissions	November 2022
Reporting of exhibition of Planning Proposal to CSPC	December 2022
Date of submission to the Department to finalise the LEP	December 2022
Anticipated date RPA will make the plan (if delegated)	February 2023
Anticipated date RPA will forward to the department for notification	February 2023



## 7.0 Environmental Assessment

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

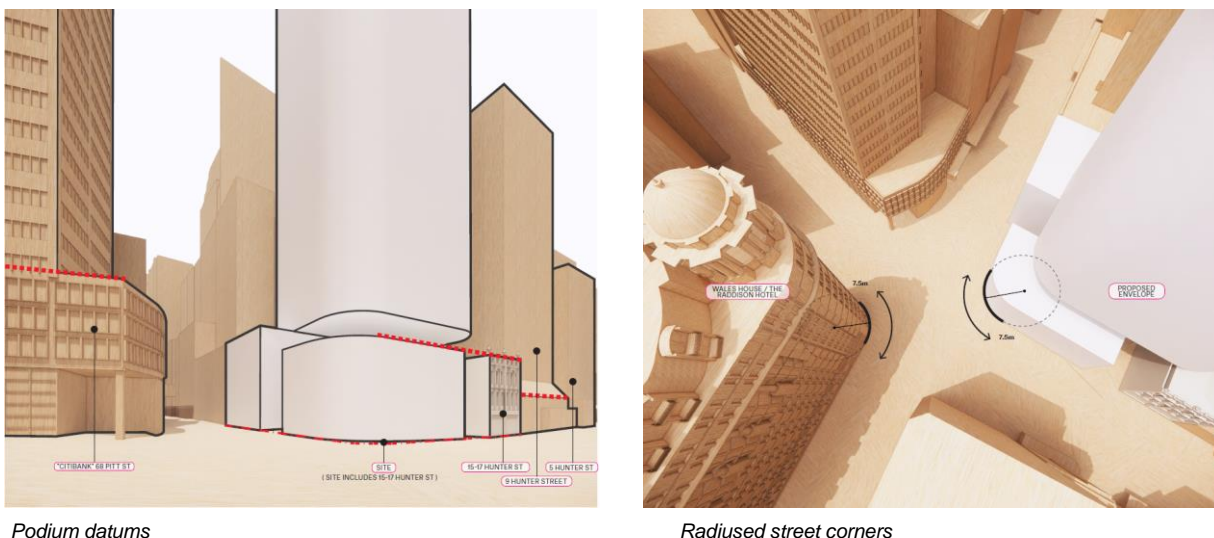
### 7.1 Built Form and Urban Design

The proposed envelope is well suited to the prominent location of the site and appropriately responds to the site size and dimensions, the surrounding built form development context, and the heritage context. The proposed envelope achieves a balance between providing for internal functionality and external aesthetics that will significantly improve the existing streetscape and deliver on the aspirations of the CSPA. The Design Report prepared by Bates Smart at **Appendix A** details the design approach to the redevelopment of the site and describes the key built form parameters which are outlined further below.

#### 7.1.1 Podium

The proposed envelope comprises a traditional podium and tower form, with the podium mass informed by the amended DCP provisions and the site's surrounding built form context which offers a variety of street wall heights. As a starting point, Section 5.1.1.1 of the amended Sydney DCP stipulates that buildings exceeding a total building height of 120m are to have a street frontage height ranging from 20-25m or where a heritage item is present, the existing height of this building. As illustrated at **Figure 33**, the proposed podium height to Hunter Street achieves a contextually appropriate response of 16m or three storeys to align with datum set by Pangas House which is to be partially retained and proposed to be listed as a local heritage item. Through detailed pre-lodgement discussions with Council there was a recognised need to retain and protect heritage significant elements of the Pangas House building, as such it was an appropriate cue to set the podium height at the Hunter Street frontage to this built form (discussed further in **Section 7.7**).

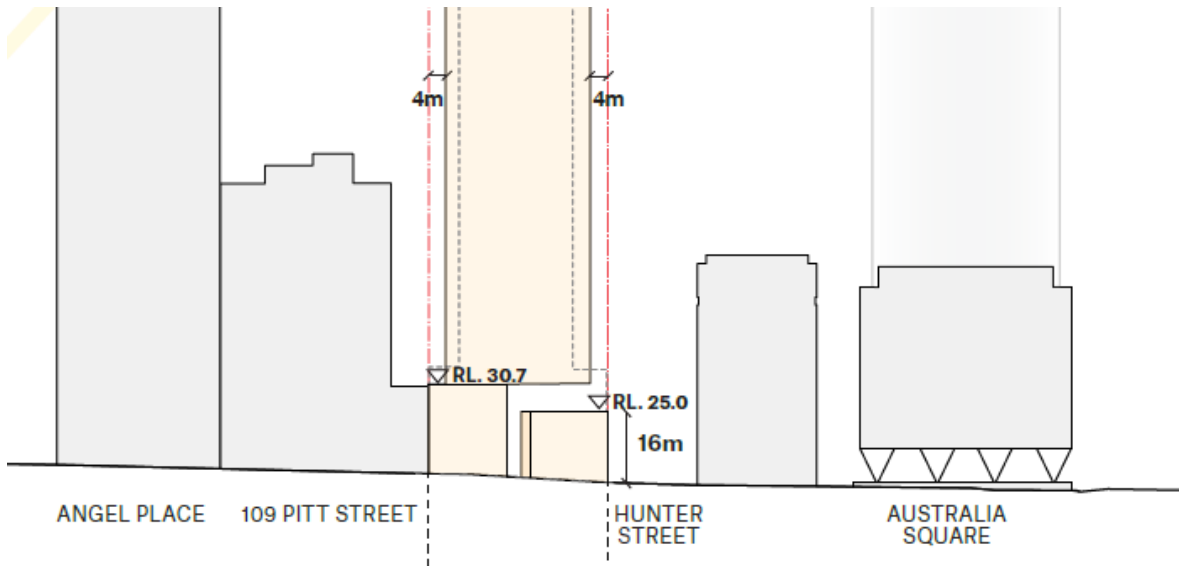
As the site sits at a prominent Central Sydney street corner, there has also been an identified need to anchor this corner with a strong contextual urban design response. As such, the proposed podium radius of 7.5m at the street corner reflects the radiused form of the heritage listed Radisson Blu Plaza Hotel on the opposite street corner to the north east of the site (refer to **Figure 33**). Not only does this design response in the podium form emphasise a prominent characteristic of the street corner in this location, the radiused corner allows a slight ground floor setback which will benefit pedestrian circulation at the street corner in an increasingly pedestrian rich area due to the proximity of significant public transport infrastructure, such as the Hunter Street Sydney Metro Station. As the podium wraps around Pitt Street, a response is provided to neighbouring form to the south, stepping up to 21m to meet the street front datum set by the existing development at 109 Pitt Street. The stepped Pitt Street frontage height responds to the adjoining built form context and provides modulation and visual interest to the street.



**Figure 33 Proposed podium massing**

Source: Bates Smart

The proposed podium form provides a respectful and contextual response presenting an appropriate podium height for the site. In particular, the podium creates a consistent and legible built form response to the proposed heritage listing of Pangas House, consistent with the objectives of Section 5.1.1.1 of the Sydney DCP which requires new buildings to reinforce *'the character of Central Sydney and ensuring built form is compatible with heritage items and the desired streetscape character'*. This is reflected in the skilful design which includes a 5m void above the Hunter Street podium height which extends around the street corner. In effect, this preserves daylight to a pedestrianised ground plane and creates curtilage to Pangas House, as illustrated at **Figure 34**.



#### PITT STREET ELEVATION

**Figure 34** Void above podium buildings to Hunter Street

Source: Bates Smart

The podium envelope has been further articulated through the provision of a generous laneway through-site link, connecting Hunter Street and Pitt Street. This laneway through-site link effectively extends up to the base of the tower (to be secured through a proposed easement), with 6m to 6.5m entrances to ensure it is spacious and legible.

In order to future proof the site to enable pedestrian flows to the Metro West site, the rear of Pangas House is proposed to be reconfigured in the future redevelopment, opening the laneway up while retaining and amplifying the important heritage elements of Pangas House. The reconfiguration has been designed in consultation with Urbis Heritage, and as a result the ground plane is more balanced, enhancing the pedestrian experience through the site whilst respectfully maintaining the historic elements of Pangas House. The hoists and arches will be retained, and reference to the original function of the rear as a warehouse style loading area will be provided. The impact of the design on Pangas House is discussed further in **Section 7.7**.

The laneway through-site link will be secured via an easement for width and approximately four stories in height registered on the land title for unrestricted public access, but the lane will remain in private ownership. The specific details of the laneway through-site link will be subject to detailed design development, which will be supported by an easement plan clearly outlining the parameters of this works-in-kind contribution. The laneway through-site link is proposed to be secured through the attached Public Benefit Offer.

The proposed podium height effectively maintains a sense of openness in the street and respects a human scale, enabling the achievement of a comfortable street environment for pedestrians with high levels of daylight, a sense of enclosure and wind mitigation (as discussed further in **Section 7.6**). The indicative renders at **Figure 35** illustrate that an elegant and attractive podium design can emerge within the proposed envelope to befit the prominent Central Sydney street corner, significantly improving the current site situation.

It is noted that the renders below have not been updated to reflect the revised design of the ground plane following the DAP's comments issued 14 December 2021 and comments from Council staff in May 2022. Notwithstanding this, they will be submitted under a separate cover prior to the impending CPSC meeting.



Podium form fronting Hunter Street



Podium form fronting Pitt Street



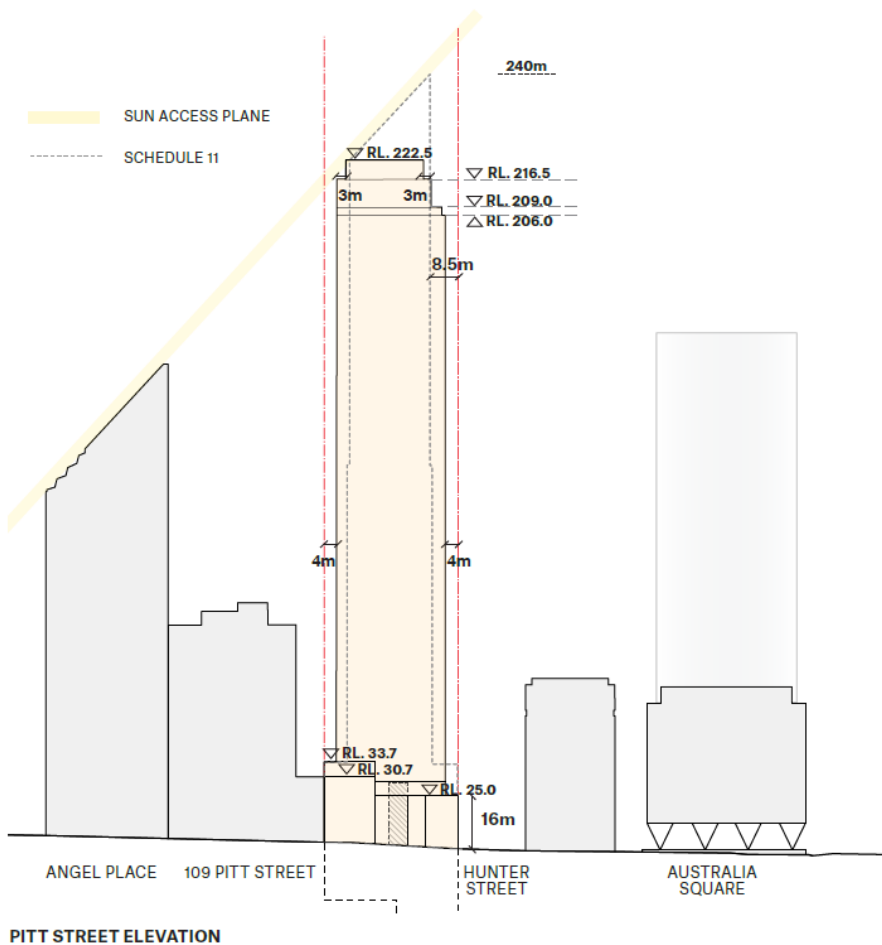
**Figure 35** Indicative podium design and relationship to existing adjoining development

Source: Bates Smart

### 7.1.2 Tower Height and City Skyline

The Planning Proposal seeks to facilitate a tower form that can achieve design excellence and make an outstanding architectural contribution to the Central Sydney skyline within an identified tower cluster location primed for growth and change. The tower massing strategy has been informed by the endorsed CSPS and the site’s location within a tower cluster zone where significant uplift is anticipated, as well as the evolving context of the site with a variety of new tall towers as described in **Section 2.3**. With the construction of the Hunter Street Sydney Metro Station in proximity to the site, there is a fundamental responsibility and expectation that land in this area of Central Sydney will be used more efficiently and deliver higher density, particularly on sites less restricted by sun access controls. The subject site provides one such opportunity and shaping a building to the prescribed sun access plane with consideration of first principle environmental controls will ensure an appropriate density can be delivered.

The key planning parameter guiding the tower envelope height is the Martin Place Sun Access Plane detailed within the Planning Proposal: Central Sydney 2020. The Sun Access Plane coordinates provide a maximum envelope which would allow for a tower element that protects solar access to Martin Place in the allocated period of required protection, between 12:00pm and 2:00pm outside winter months, ensuring the continued amenity and usability of this important public space. Within this maximum envelope, Bates Smart has identified a proposed maximum tower floor plate envelope, which has taken into account other important considerations such as the relationship to surrounding buildings, views to significant heritage items and a commercially viable floor plate. In this regard, the proposed envelope has been rationalised to sit further below the Martin Place sun access plane, effectively removing approximately 30m of building volume from the maximum permissible building height (refer to **Figure 36**). In addition to the removal of this building bulk, the proposal is slimmest at its peak with recessed upper storeys articulating a building ‘crown’ at the top of the envelope. This ensures less bulk at the building’s upper height limit, consistent with the objective of Section 5.1.1.4 of the amended DCP.

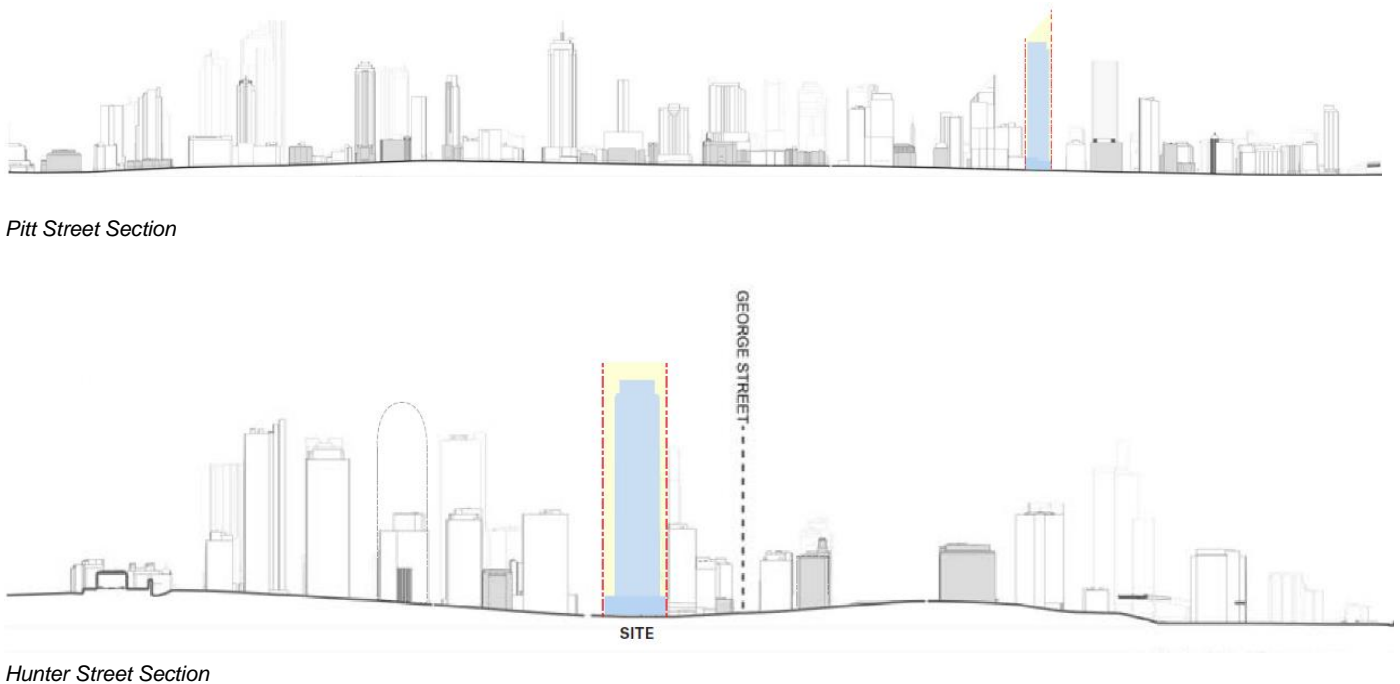


**Figure 36** Martin Place Sun Access Plane with building volume removed shaded below the plane  
 Source: Bates Smart



As illustrated at **Figure 37** below, Bates Smart has updated the Street Section views presented within Appendix G of the CSPS to illustrate the proposal’s built form contribution to Central Sydney. The contextual sections highlight that the site is within an underutilised location, with taller towers absent from this particular tower cluster zone. The Pitt Street section illustrates that the proposal will create a new anchor within the north eastern tower cluster, however, the tower height also respects the transition up to Sydney Tower to the south on Pitt Street. The Hunter Street section demonstrates that the proposal will establish a new tower relationship with existing and emerging landmark towers to the east including the Martin Place Metro OSD North, 8 Chifley Square and Deutsche Bank Place.

The aerial view of the indicative design prepared by Bates Smart at **Figure 38** further demonstrates that the proposed height and form of the tower would sit comfortably within the site context. By virtue of the site’s rationale size, the proposal maintains a taller, slimmer and more refined tower on the skyline which will have good access to outlook, sunlight and air. The proposed envelope will introduce a new landmark to the Central Sydney skyline and complements the existing context of Central Sydney along Pitt Street and Hunter Street. It fulfils an existing opportunity within the skyline and responds to the evolving context of the surrounding and future development for the area. It will also 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.



**Figure 37 Proposed Envelope within the street sections**

Source: Bates Smart



**Figure 38** A photomontage of the indicative concept design in the Central Sydney context (aerial)

Source: Bates Smart

### 7.1.3 Tower Setbacks

The proposed tower setbacks have been developed through a detailed analysis of the amended Sydney DCP setback, separation and tapering controls, the site's specific characteristics, and the surrounding context. The proposed setbacks have also been driven by the project vision to deliver a premium contemporary workplace with viable floor plates to maximise the opportunity to deliver strategic employment floor space in a highly accessible location and achieve the aim of the CSPPS to be a globally competitive city.

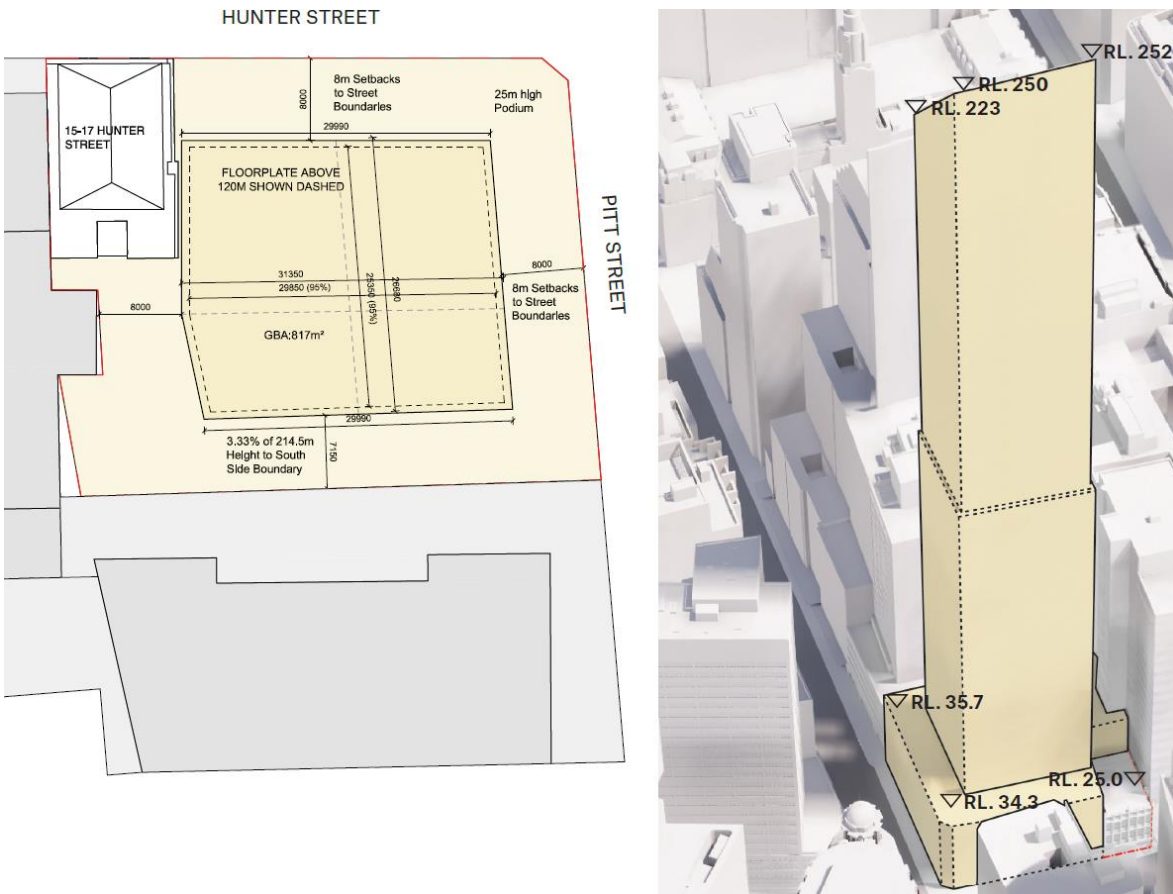
As illustrated in Bates Smart's site context analysis at **Appendix A**, the tower setbacks of surrounding existing and approved buildings offer a variety of responses, taking into account heritage buildings, various street setback responses of contemporary buildings, and varied building forms in both scale and height. As such, while the proposal must have regard to the numeric amended Sydney DCP setback provisions, there are a variety of existing contextual cues that require a merit-based approach to defining the tower envelope.

As a starting point, the 'base case' envelope (refer to **Figure 39**) was developed through close consultation with Council. As detailed within Council staff's letter dated 2 March 2021, the base case envelope has been confirmed and agreed, with the letter noting that:

*"In developing a base envelope for the purposes of Schedule 11 of the draft Central Sydney Development Control Plan, I confirm that you should continue with the approach taken in your preliminary lodgement material of August 2020, with tower corners not required to be chamfered where the façade is less than 30m in length".*



This agreed base case envelope provides for 8m setbacks above the podium height from the northern, eastern and western boundaries. A compliant tower setback of 7.15m is also provided to the south, reflecting 3.33% of the height of the southern elevation under the Martin Place Sun Access Plane.



**Figure 39 Base case envelope**

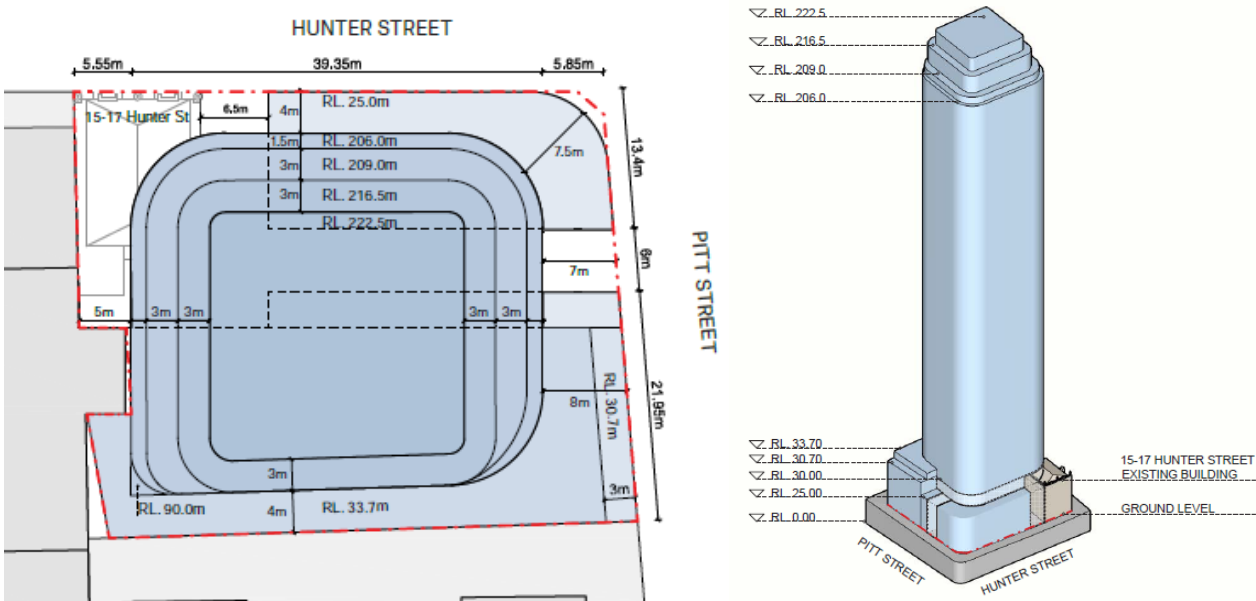
Source: Bates Smart

Understanding these DCP-complaint setbacks, and in light of the site conditions and context, a number of variations are sought in the proposed envelope to provide a more site-specific outcome which achieves the project vision and objectives of the CSPS (refer to **Figure 40**). While these variations are discussed in further detail below, it is initially acknowledged that the base case must be considered to determine the suitability of a proposed setback variation. As discussed in further detail at **Section 7.5** and **Section 7.6**, the proposed envelope has been analysed through rigorous equivalency testing and the urban design analysis. In this regard, while numerical variations are proposed, compliance with the equivalency testing has been demonstrated.

Pursuant to Section 5.1.1.3 of the amended Sydney DCP, “*Variation to Side and Rear Setbacks and Building Form Separations may be permitted where:*

- a) *equivalent or improved wind comfort, wind safety and daylight levels are achieved in adjacent Public Places, relative to the base case building massing as required under Schedule 12 (i.e. variation to massing is governed by achieving equal or better performance), and*
- b) *a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis, which demonstrates how the proposed massing is compatible with the context*

While the equivalency test results support the proposed tower setback variations, the Proponent acknowledges that the assessment must also demonstrate urban design merit in relation to the circumstances of the site, and as such, further analysis on the site-specific response of this proposal is provided below.



**Figure 40 Proposed tower setbacks**

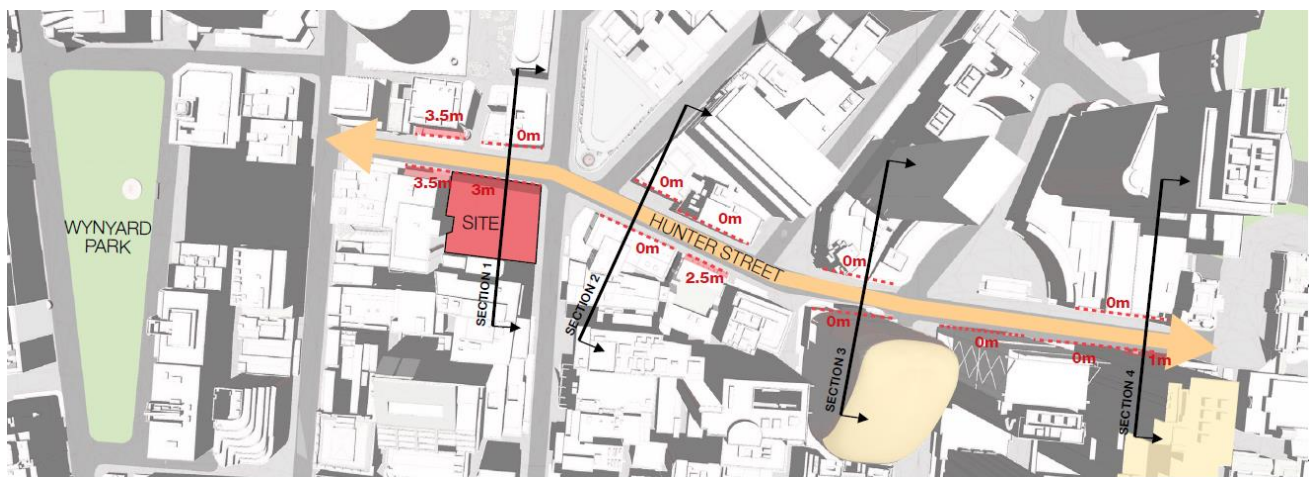
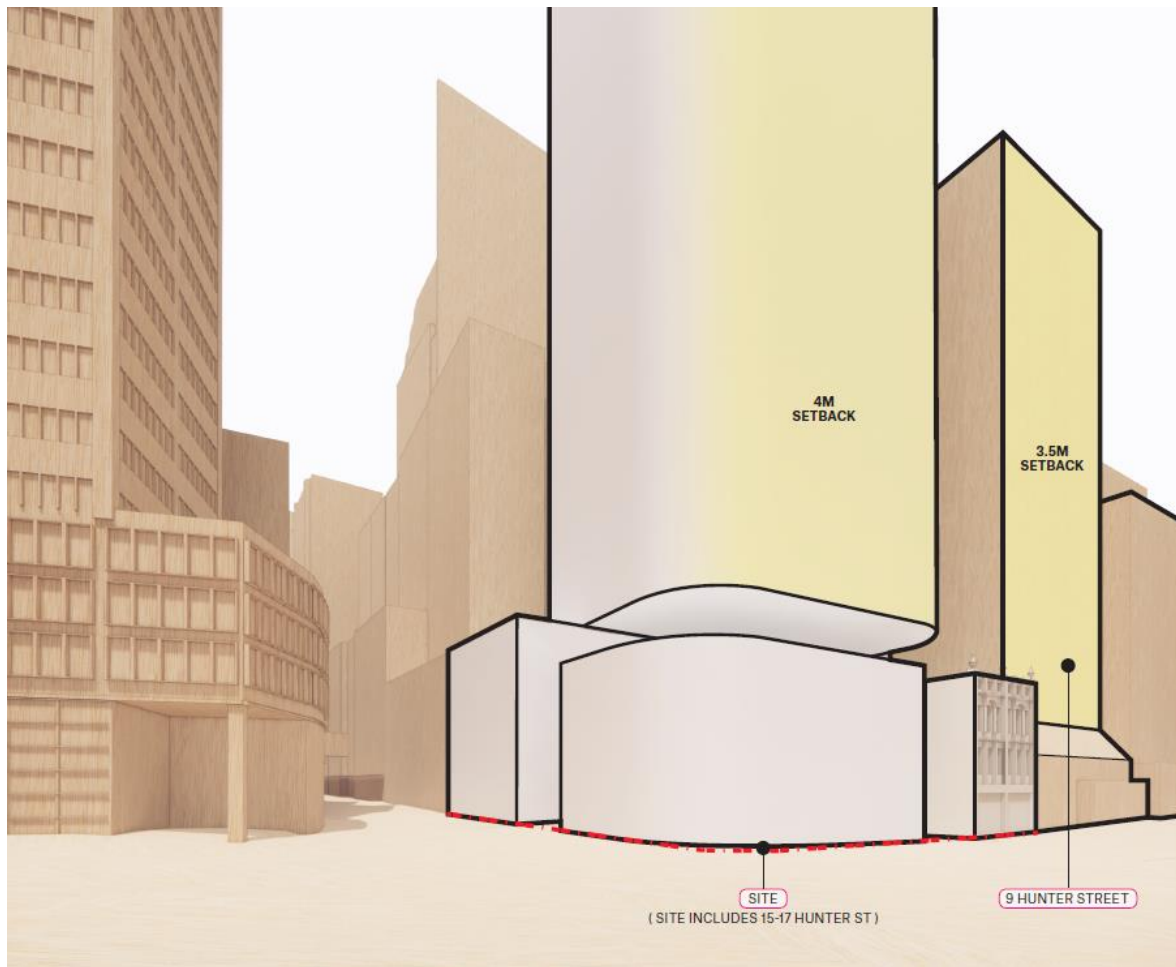
Source: Bates Smart

**Tower setback to the north (Hunter Street)**

Section 5.1.1.1 of the amended Sydney DCP requires a tower setback of 8m to Hunter Street. The proposal incorporates a varied tower envelope setback from 4m to approximately 7.5m at the radiused corner of the Hunter and Pitt Street intersection. The proposed tower setback along Hunter Street is appropriate for the following reasons:

- As illustrated at **Figure 41**, Hunter Street is characterised by towers with setbacks ranging from 0m-3.5m. In particular, the eastern end of Hunter Street contains a cluster of towers providing a built-to-boundary condition. As such, a 4m setback is considered consistent with, and even in excess of, the context of the existing prevailing built form.
- The provision of an 8m tower setback would be inconsistent with the prevailing character of Hunter Street. The site is located at a prominent Central Sydney street corner and will be a defining form in the emerging tower cluster, as such it should not be recessed behind the existing building alignment of Hunter Street. As such, there is strong urban design merit in anchoring the street corner with a landmark form that sits closer (i.e. reduced setback) to the primary street frontage and corner.
- The tower setback must be considered in the context of the proposed podium height of three storeys which creates improved human scale from the streetscape and ensure the building defines the street edge with a sense of enclosure.
- The views along Hunter Street illustrated at **Appendix A** demonstrate that the proposed setback will not result in an overbearing tower form read in the Hunter Street streetscape. The radiused tower corners soften the built form edge as opposed to a uniform tower setback with squared off corners.
- The setback allows the provision of viable commercial floor plates (approximately 1,000m<sup>2</sup> NLA). Another further increase to the northern tower setback will compromise the floor plate requirements of an A grade commercial office tenant (refer to **Section 7.1.4**).
- The proposed setback preserves the flexibility for a detailed design (through the invited architectural design competition) to provide a stepped or raked tower setback to Hunter Street, as detailed within the articulation analysis prepared by Bates Smart at **Appendix A** and discussed further at **Section 7.1.5**.
- The proposed setback has been tested against the base case and determined to be of equivalent benefit to pedestrian amenity when compared to a tower with an 8m setback (refer to **Section 7.5** and **Section 7.6**).





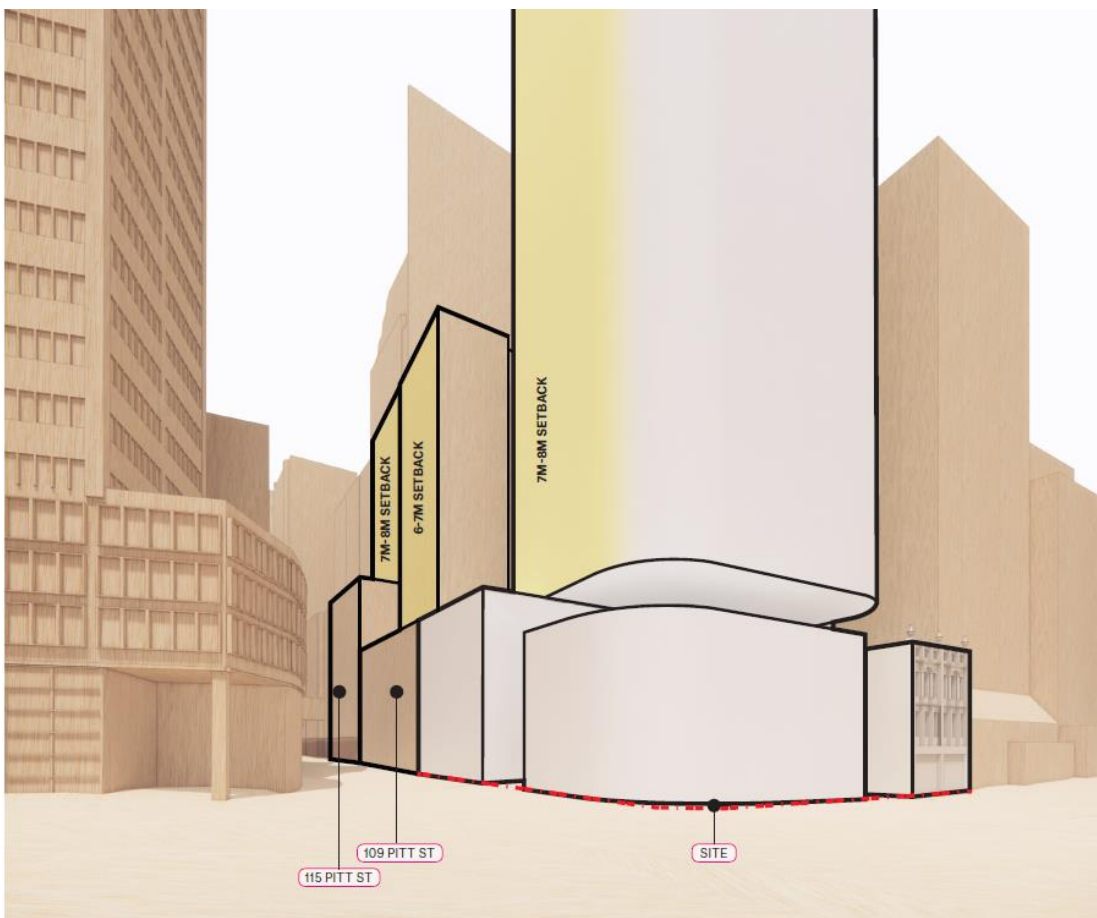
**Figure 41** Hunter Street tower setback analysis

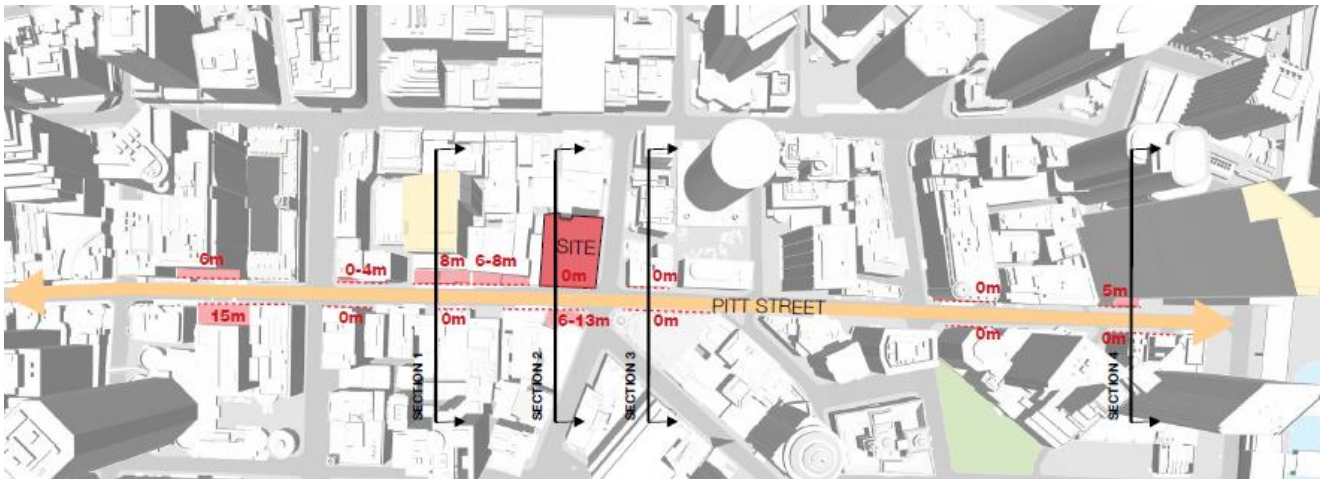
Source: Bates Smart

### Tower setback to the east (Pitt Street)

Section 5.1.1.1 of the amended Sydney DCP requires a tower setback of 8m to Pitt Street. Due to the orientation of the site's eastern boundary, the proposal achieves a compliant 8m tower setback at the southern portion of the site's Pitt Street frontage, however this is reduced to 7.5m at the northern portion, which is a marginal variation to the amended DCP setback. Whilst only minor, the 0.5m setback variation is appropriate for the following reasons:

- As illustrated at **Figure 42**, there is no consistent pattern of setbacks along Pitt Street, and the existing tower setbacks are highly varied. Notwithstanding this, the proposed tower aligns with the 8m tower setback established by the prominent Angel Place building at the southern portion of the Pitt Street frontage before slightly tapering to 7.5m at the street corner.
- The radiused corner of the tower envelope at the prominent Pitt and Hunter Streets intersection provides a strong response to this prominent corner, and the slight variation in the setback is unable to be read as the building turns the corner.
- The proposed Pitt Street tower setback is considered a superior urban design outcome when compared to a uniform tower setback with squared off corners. The radiused corners of the tower envelope soften the built form edge and will offset the minimal setback variation from a visual impact perspective.
- The views along Pitt Street illustrated at **Appendix A** demonstrate that the proposed minimum setback of 7.5m will not result in an overbearing tower form when read from the Pitt Street streetscape. In particular, the minimal setback variation does not obstruct the public vista extending south to partially framing the Sydney Harbour Bridge (refer to **Section 7.4**).
- The proposed setback has been tested against the base case and determined to be of equivalent benefit to pedestrian amenity when compared to a tower with a uniform 8m setback across the full extent of this frontage (refer to **Section 7.5** and **Section 7.6**).





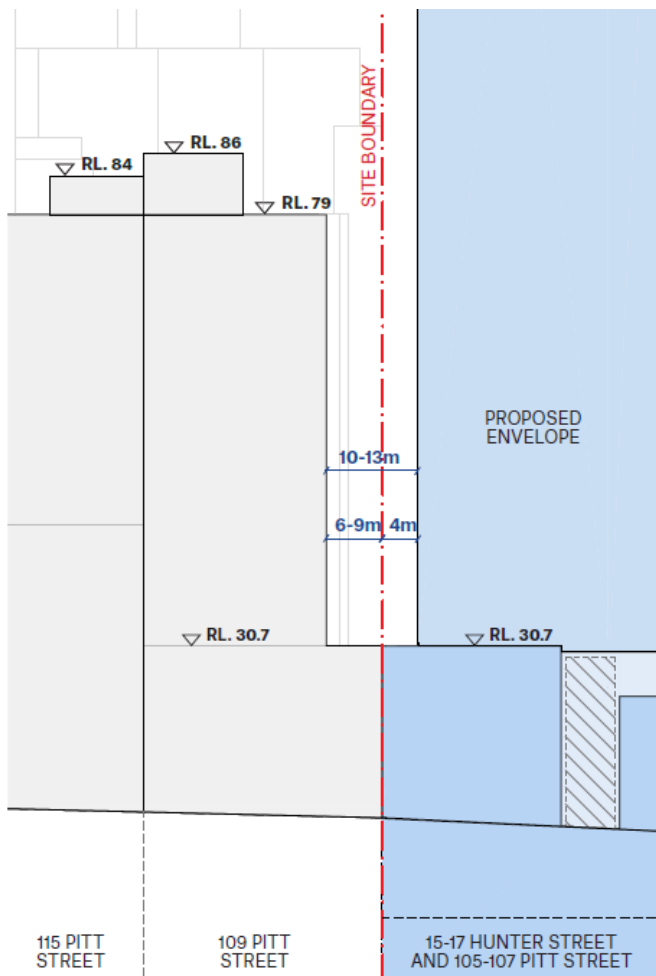
**Figure 42 Pitt Street tower setback analysis**

Source: Bates Smart

### Tower setback to the south

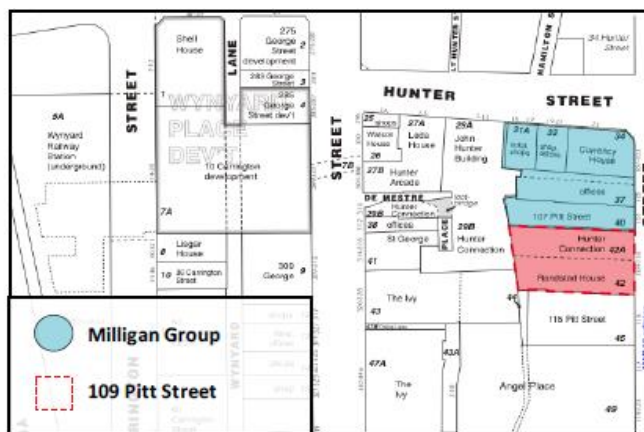
Section 5.1.1.1 of the amended Sydney DCP suggests a tower setback of 8m to the southern boundary. The site's southern boundary condition has been examined with respect to the adjoining development at 109 Pitt Street and further south to the Angel Place commercial office tower. This examination has informed the proposed 4m tower setback to the boundary, which creates an actual tower building separation ranging from 10m to 13m as illustrated at **Figure 43**. The proposed setback of 4m is appropriate for the following reasons:

- The proposed setback achieves a minimum 10m separation to the office building at 109 Pitt Street. This represents a reasonable separation between commercial office uses and is considered appropriate in the context of a growing global city.
- With a separation distance of 10m, the proposal will not result in a wall of buildings along Pitt Street, with obvious spacing between the towers and a sense of openness in the street.
- Any future redevelopment of the 109 Pitt Street site is considered unlikely due to the complex nature of the land holding, comprising 174 individual strata lots. Due to the complexity of purchasing this site for redevelopment, it is reasonable to assume the 10m building separation will be retained into the future. Furthermore, 109 Pitt Street is a small site under 1,000m<sup>2</sup>, with a shallow width and frontage to Pitt Street that would create difficulties in building a tall tower over 55m in height with reasonable side setbacks to achieve a useable floor plate. As such, it is highly unlikely that 109 Pitt Street will be able to be intensely redeveloped.
- As illustrated on the reference design at **Appendix A**, the intended and most logical core position of the new tower is to the southern portion of the envelope. As such, it is envisaged that the southern façade will be largely inactive therefore warranting a lesser setback and building separation to the south.
- The proposed envelope is constrained by the requirement to contain commercially viable floor plates. To achieve reasonable floor plates demanded by the commercial office market, the more appropriate urban design outcome of a 4m tower setback to the south has been prioritised over a shift of the tower envelope closer to the street boundaries.
- The proposed setback has been tested against the base case and has been determined to be of equivalent benefit to pedestrian amenity when compared to a tower with a uniform 8m setback across the full extent of this frontage (refer to **Section 7.5** and **Section 7.6**).



**Figure 43** Building separation to 109 Pitt Street incorporating the proposed 4m tower setback

Source: Bates Smart



**Figure 44** 109 Pitt Street frontage and location and extent of the strata lot (in pink)

Source: Bates Smart



### Tower setback to the west

Section 5.1.1.1 of the amended Sydney DCP suggests a tower setback of 8m to the west. The site's western boundary presents a non-linear condition, with a 'kink' to accommodate the lift core of the adjoining commercial office building at 9 Hunter Street. Despite this, the adjoining sites to the west are earmarked for redevelopment as part of the Sydney Metro project, and therefore a regular setback of 5.3m is proposed along the length of this boundary.

The proposed setback is appropriate for the following reasons:

- The eastern façade of the office building at 9 Hunter Street presents a mixed treatment. As illustrated at **Figure 45**, the majority of the 9 Hunter Street building is an inactive concrete façade. It has been widely accepted in Central Sydney that where an adjoining site presents a party wall or an inactive façade, there is merit in meeting the property boundary to negate 'dead spaces' between buildings.
- The 5.3m western setback corresponds with the partially glazed portion the 9 Hunter Street eastern façade (refer to **Figure 45**). While this presents a variation to the 8m setback provision, the built form relationship with the adjoining building to the west is softened through the radiused north western corner.
- The proposed envelope is constrained by the requirement to achieve commercially viable floor plates. To achieve these floor plates, the appropriate urban design outcome to close the 'dead space' between the inactive portion of the 9 Hunter Street façade has been adopted rather than shift the tower envelope closer to Pitt Street.
- The proposed setback has been tested against the base case and has been determined to be of equivalent benefit to pedestrian amenity when compared to a tower with a uniform 8m setback across the full extent of this frontage (refer to **Section 7.5** and **Section 7.6**).



9 Hunter Street eastern façade treatment

### Figure 45 9 Hunter Street eastern façade treatment

Source: Bates Smart

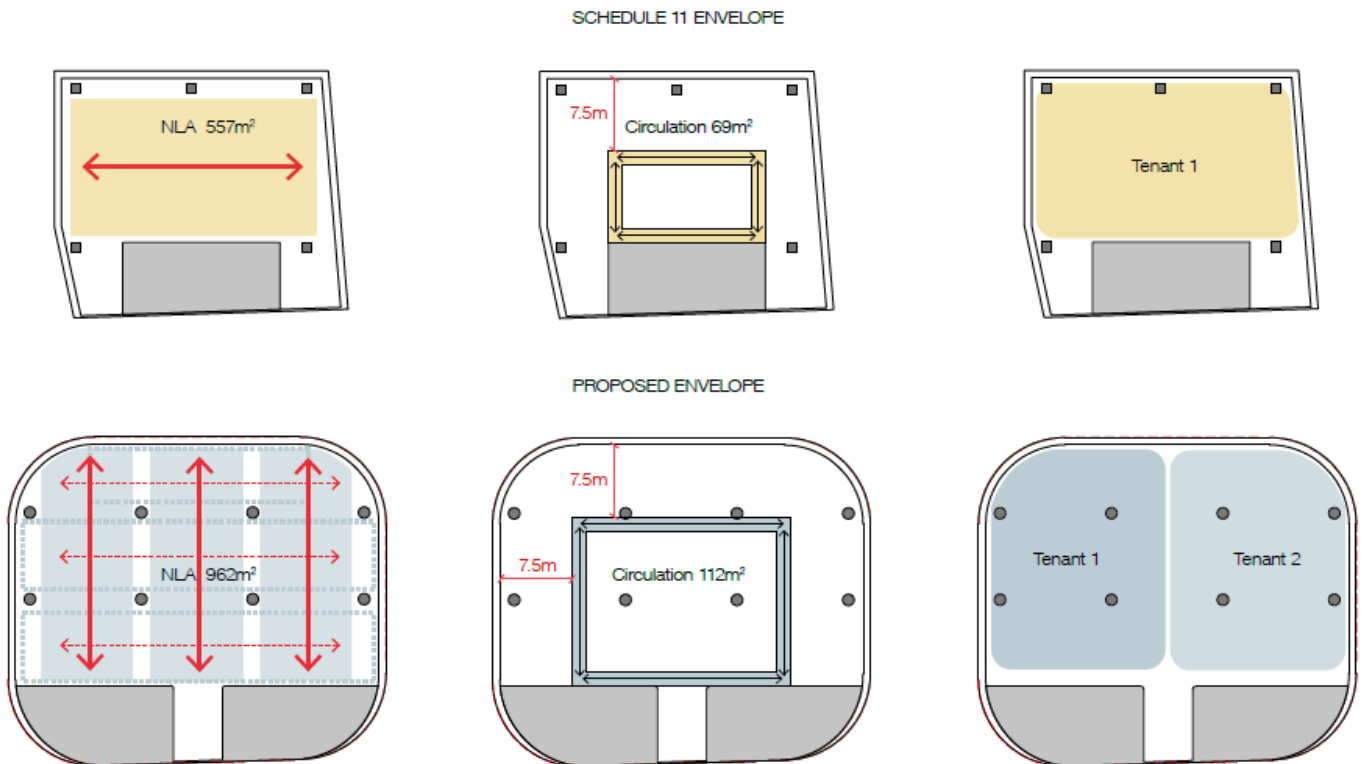
### 7.1.4 Market appropriate floor plates

A key priority of the CSPS is to focus on employment growth and strengthening an internationally competitive CBD. Commercial premises and floor plates that meet market needs and expectations are an essential part of building a competitive Global City. While the planning envelope must have clear urban design merit and regard for the amended Sydney DCP built form controls, this must be balanced with meeting modern workplace requirements of premium commercial office tenants.

By virtue of the site size, its surrounding constraints and the amended Sydney DCP envelope controls, the floor plate sizes have required detailed consideration through envelope modelling. As illustrated on the reference design at **Appendix A**, a typical office floor plate within the proposed envelope can achieve approximately 1,000m<sup>2</sup> NLA. In developing the indicative floor plates within the reference design, the Proponent has recognised that workplace design and strategy is constantly evolving, as such floor plates must be future proofed to attract and maintain key tenants. Key future proofing strategies that have driven the proposed floor plates include:

- Large Contiguous Spaces/ Circulation Efficiency.
- Ability to Subdivide.
- Ability to Connect Vertically.
- Access to Outdoor Spaces.

As illustrated at **Figure 46** below, the analysis of the floor plate contained within the draft Sydney DCP compliant envelope does not facilitate viable commercial office floor plates and would significantly restrict the ability to secure pre-committed tenants to ensure the proposal’s delivery. The size and geometry of the DCP-compliant envelope do not meet modern workplace requirements, particularly for a commercial office building in this location of Central Sydney.



**Figure 46** Indicative floor plate comparison

Source: Bates Smart

To ensure the successful implementation of the CSPS employment and floor space targets, developments that deliver on tenants’ operational requirements must be met, as acknowledged by the presence of Schedule 11 which enables variations subject to equivalency testing.

As detailed at **Appendix A**, Bates Smart's workplace floor plate study supports that premium office tenants are seeking superior amenity, productivity and effectiveness achieved by operating on larger, contiguous and efficient office floor plates. The ability for businesses to bring multiple teams together in visually and physically connected areas enables better communication, collaboration and productivity and accordingly is a major consideration in building selection. In this way, the product delivered by this planning envelope can remain relevant to occupiers for longer, extending its lifespan and reducing the environmental impact of a continual cycle of redevelopment.

Tenant requirements in the post COVID-19 environment remain uncertain, but several trends are unlikely to change, including the importance of technology enabled workspaces and the ability to provide a safe and healthy work environment, which remain more important than ever in the post COVID world where spacing is important. The result of COVID-19 will mean that the way businesses and office tenants use their space will continue to evolve, and therefore flexible and adaptable spaces are required which respond to these evolving needs.

The proposed envelope takes into account the above considerations and provides a reasonably sized and flexible opportunity for floor plates to be delivered which meet current tenant demands and are large enough to aid in the response to COVID-19 and how offices may need to evolve to ensure safe working environments.

### 7.1.5 Below Ground Floor Space

Council staff's letter dated 2 March 2021 notes that further information is required to support the provision of a FSR of 2.9:1 in below ground floor space. Following further correspondence with Council, the below ground FSR was reduced to 2:1. The Proponent sees this as integral to the vision and value proposition of the proposal and this opportunity has been informed by a number of successful examples of below ground floor space enhancing the activation and place making vision of CBD sites, as detailed at **Appendix A** and below.

In the first instance, as mentioned above tenant requirements in the post COVID-19 environment remain uncertain, but several trends are unlikely to change, including the importance of a safe and healthy work environment. In this regard, the reference scheme envisages highly activated below ground tenancies with a focus on entertainment, lifestyle, health and wellbeing. Specifically, this considers uses such as a food market, restaurants and a gym as illustrated at **Figure 47**.

In developing this concept, the Proponent and Bates Smart have reviewed a range of successful existing and emerging subterranean floor space precedents in Central Sydney and globally (refer to **Figure 48**). Furthermore, the City of Sydney Retail Activation Plan has been reviewed as it sets a course to position Sydney as Australia's premier retail destination with a shopping experience in the city centre and thriving main streets in each of the villages that match those found in comparable global cities. This element of the proposal is considered consistent with Council's Activation Plan as it:

- encourages business investment, attracts visitors and has the amenity and liveliness sought by current and future residents;
- enable full participation in the workplace, and workers at all levels to live close to their work; and
- encourages partnerships and collaboration to strengthen the established sectors as well as the entrepreneurial and small business community within the city.

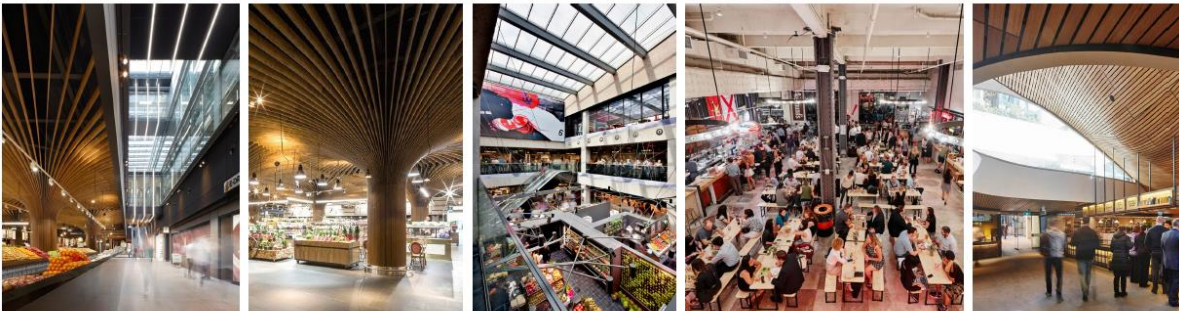




**Figure 47** Subterranean reference design

Source: Bates Smart

**UNDERGROUND FOOD HALL PRECEDENTS**



East Village Food Hall Sydney    East Village Food Hall Sydney    Mercado San Anton Madrid    UrbanSpace Vanderbilt New York    MLC Centre Food Court Sydney

**GYM / SPA / EOT PRECEDENTS**



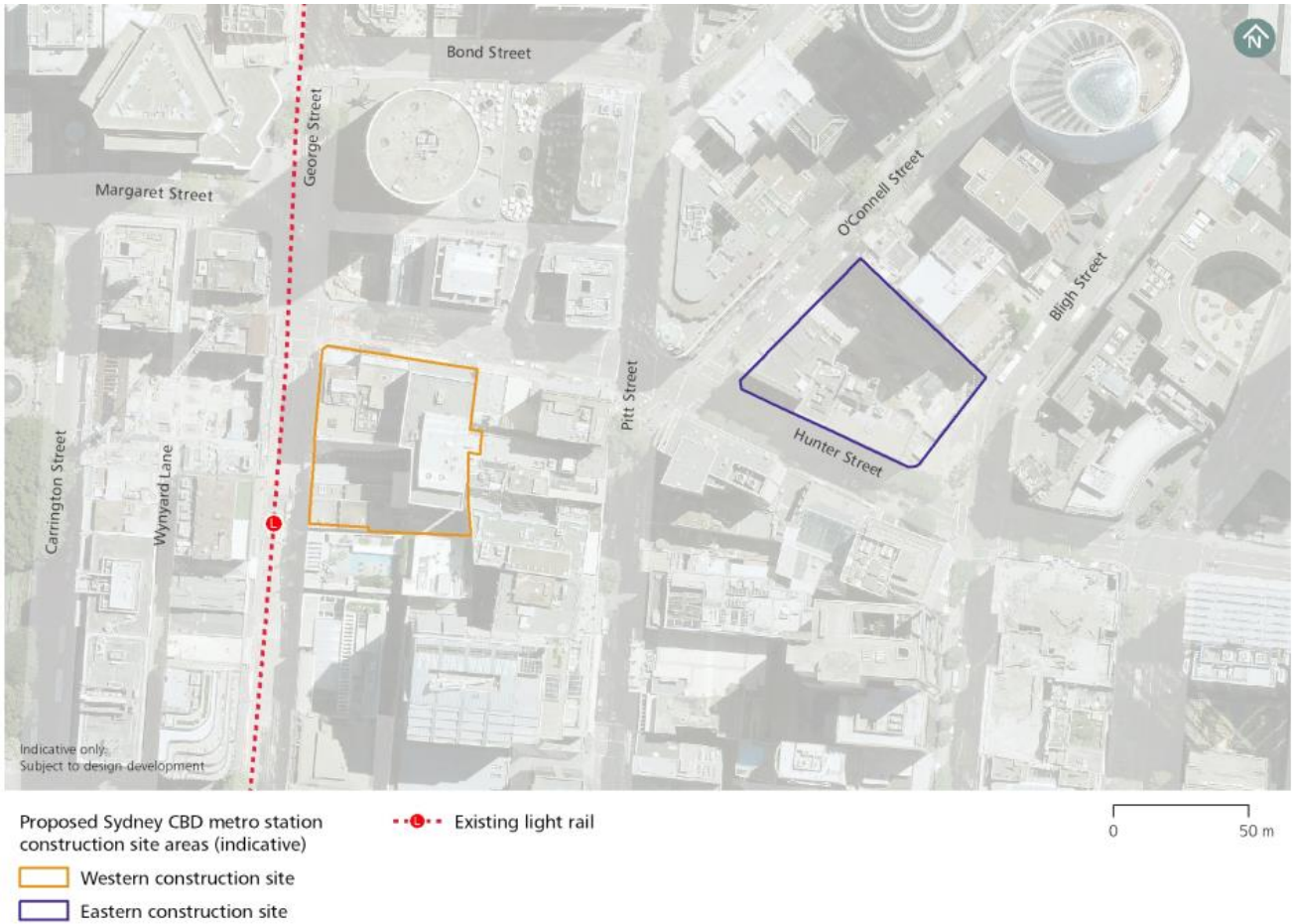
161 Collins Street Melbourne    21 Harris Street Pyrmont    21 Harris Street Pyrmont    Little National Hotel Sydney    Little National Hotel Sydney

**Figure 48** Subterranean activate floor space precedents

Source: Bates Smart



Whilst the detailed design of these tenancies will be subject to a competitive design process, removing this spatial allocation would also be significant lost opportunity to deliver additional amenity and activation to this site that would not only benefit the future tenants, but also residents and visitors to Central Sydney. This is particularly relevant to this site, as its location enables a city shaping opportunity as a potential subterranean connection between the two planned West Metro Station entries, as illustrated at **Figure 49**.



**Figure 49 Sydney West Metro CBD station construction sites**

Source: Sydney Metro

### 7.1.6 Articulation allowance

As illustrated at **Appendix A**, the proposed planning envelope and associated reference design allows for a 15% of the envelope for architectural articulation. This is in excess of the City of Sydney’s Guideline for Site Specific Planning Proposals.

The indicative design provided at **Appendix A** demonstrates that a high quality building design can emerge within the proposed planning envelope and assumed tolerance, allowing sufficient flexibility for competitors to deliver varied architectural outcomes in the architectural design competition.

### 7.1.7 Suitability of increased floor space

Pursuant to the detailed pre-lodgement discussions with City Council officers as outlined at **Section 1.3**, it was determined that the most appropriate and efficient means of delivering on the CSPS’s aspirations for this tower cluster site, was to submit a site-specific Planning Proposal. As alluded to above, there is an ‘in-built’ pathway to achieve an FSR up to 18.75:1 pursuant to the tower cluster staged DA process.

In addition, through detailed site modelling and environmental impact analysis (**Section 7.0** of this report), it has been determined that the site can accommodate a planning envelope that is defined by the Martin Place Sun Access Plane and achieves the equivalency tests against the base case, while accommodating an FSR in excess of 18.75:1. Given the CSPA intends to stimulate over 100,000 jobs and unlock 2.9 millions square metres of employment generating floor space, capping the site's FSR at 18.75:1 would be a missed opportunity to deliver on the CSPA objectives and key moves, as the site can be developed for more without compromising public amenity.

**Table 9** 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 9 Current LEP and Planning Proposal FSR/GFA comparison**

Site Area	LEP 2012 FSR	LEP 2012 GFA	Draft LEP 2012 FSR	Amended LEP 2012 GFA	Planning Proposal FSR	Planning Proposal GFA
2,108m <sup>2</sup>	13.75:1 (8:1 base FSR + 4.5:1 accommodation floor space + 10% competitive design process bonus)	28,985m <sup>2</sup>	18.75:1 (+50% of 13.75:1)	39,525m <sup>2</sup>	51,150m <sup>2</sup>  (+11,625m <sup>2</sup> of employment generating floor space)	22.26:1 above ground FSR 2:1 below ground FSR

This demonstrates that the Planning Proposal can deliver an additional 11,625m<sup>2</sup> of employment generating floor space and is within a dedicated tower cluster site less constrained by sun access controls. Although the proposal generates an FSR higher than what is currently achievable under the existing controls and the draft Sydney LEP provisions, it is justifiable as:

- The proposed floor space is contained within a site that has involved a complex amalgamation of six land holdings including two strata lots, to form a viable tower site. Amalgamated development ready sites are extremely scarce and substantially costly in Central Sydney, as such they can take years to materialise. Accordingly, where there is a site opportunity to deliver significant employment generating floor space without unreasonably compromising public amenity, this should be pursued.
- The CSPA has identified tower cluster sites based on a comprehensive analysis undertaken by the City to confirm locations where additional height and floorspace ratios are appropriate. The original Built Form Capacity Study identified as Appendix B of the 2016 CSPA identified sites capable of accommodating FSR's exceeding 25:1.
- An FSR number alone should not inhibit the development potential of a site which exhibits prime locational and strategic attributes and can make a significant contribution to strengthening Global Sydney as prioritised by the CSPA.
- The proposal delivers on current objectives of the Sydney LEP to, *"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 site's location is predominantly characterised by commercial office, hospitality and short-term accommodation buildings, as such there is no significant adverse impact to residential buildings in the vicinity of the site.
- The proposal will facilitate a development that is consistent with transit-oriented development principles, to reflect the scale and density appropriate for a site within the Central Sydney, located within 150m of Wynyard Station, 70m of the CBD Light Rail and the future CBD Metro stations under development at Pitt Street south and Martin Place and as planned adjacent to the site at the corner of Hunter Street and George Street.

## 7.2 Design excellence strategy

Included at **Appendix D** is a Design Excellence Strategy that details the process and approach the Proponent proposes to adopt in achieving the objectives and requirements of Clause 6.21 of Sydney LEP 2012. This Design Excellence Strategy establishes a framework with minimum requirements to ensure that a fair, transparent and facilitative invited architectural design competition can be completed to ensure the achievement of design excellence and the highest sustainability outcomes.

### 7.3 Overshadowing

Bates Smart has prepared a shadow analysis of the proposal which is provided in **Appendix A**. This analysis illustrates the shadow cast by the proposed envelope at the equinoxes as well as the winter solstice at hourly intervals between 9am and 3pm, therefore demonstrating the worst-case scenario.

Under the CSPS, the proposal must consider a number of sensitive public areas to ensure the solar access to these areas is not unreasonably compromised. Specifically, the shadow analysis has been informed by:

- The Martin Place Sun Access Plane protecting solar access outside winter months between 12 noon- 2pm as the intended period of protection.
- No additional overshadowing between 14 April and 31 August to:
  - 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.

As illustrated on the shadow diagrams at **Appendix A**, the proposed envelope:

- Sits below the Martin Place Sun Access Plane, as such it accords with intended period of protection.
- Does not generate any additional overshadowing to the specified areas of Martin Place or Pitt Street Mall during the specified hours of protection.

In the context of a growing global city it is not unreasonable to expect an increase in overshadowing as an area densifies in accordance with its strategic potential. Notwithstanding this, through careful design supported by detailed solar access analysis, the proposal does not breach any of the CSPS solar access and overshadowing controls protecting key public places. Further to this, it is emphasised that the proposed envelope constitutes the maximum possible impact and detailed design will result in less of an overshadowing impact as the buildings are articulated within the proposed planning envelope. This will be investigated as part of a future detailed DA.

### 7.4 Visual Impact

As illustrated at **Appendix A**, Bates Smart has prepared a series of key views incorporating the proposed envelope to inform a visual impact assessment. Viewpoints have been selected from key areas of the public domain where the proposed tower will alter the current visual setting. This assessment also considers the provisions under Section 5.1.8 of the draft DCP in relation to protecting specific views from public places.

Section 5.1.8 of the amended DCP details a number of view protection planes within Central Sydney. Where views are demonstrated to have more sensitivity, such as Central Station Clock Tower, Martin Place GPO clock tower and Sydney Hospital and Observatory Hill, these view protection planes are subject to more restrictive controls contained within the new Sydney LEP.

Whilst the site is not in any of the abovementioned view protection planes, Section 5.1.8 of the amended DCP does nominate the view from Pitt Street extending north to Sydney Harbour as a significant public view. As such, this view corridor has been a key consideration guiding the development of the proposed envelope.

As illustrated at **Figure 50** to **Figure 52**, Bates Smart has developed three views along Pitt Street looking north including the intersection of Pitt Street and King Street, the intersection of Pitt Street and Martin Place, and Pitt Street adjacent to Angel Place. **Figure 53** and **Figure 54** provides views from Hunter Street including the intersection of George Street and slightly to the east of the O'Connell Street intersection. All views have been selected for transparency so the proposed envelope can be well read in this visual setting.



**Figure 50** View looking south from the intersection of Pitt Street and King Street

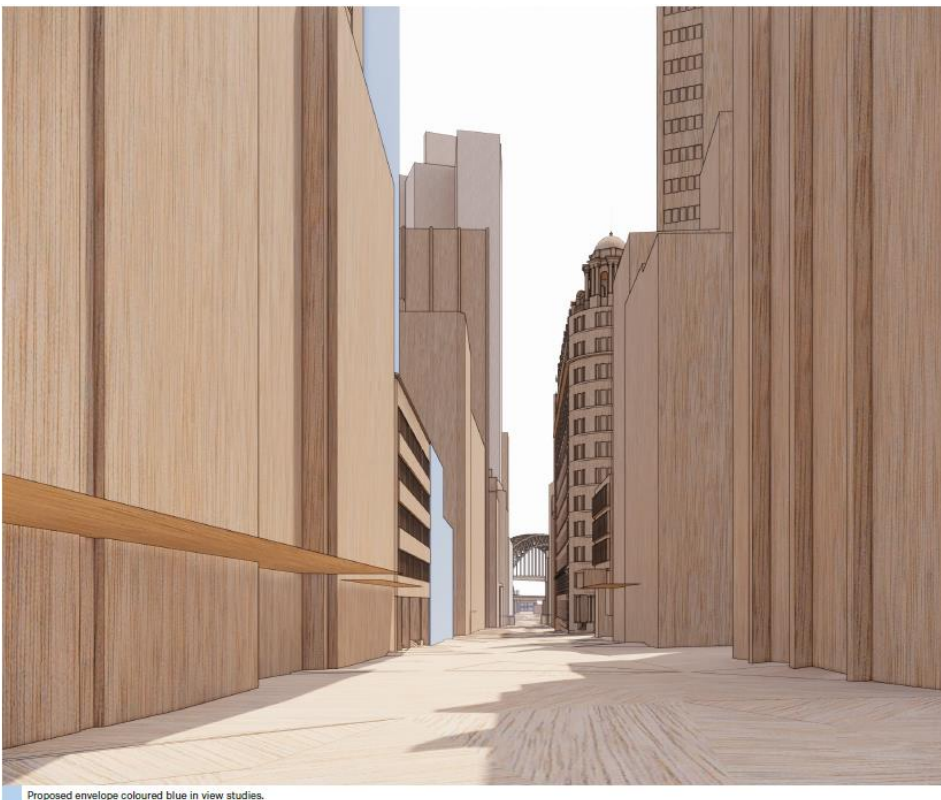
Source: Bates Smart





**Figure 51** View looking south from the intersection of Pitt Street and Martin Place

Source: Bates Smart

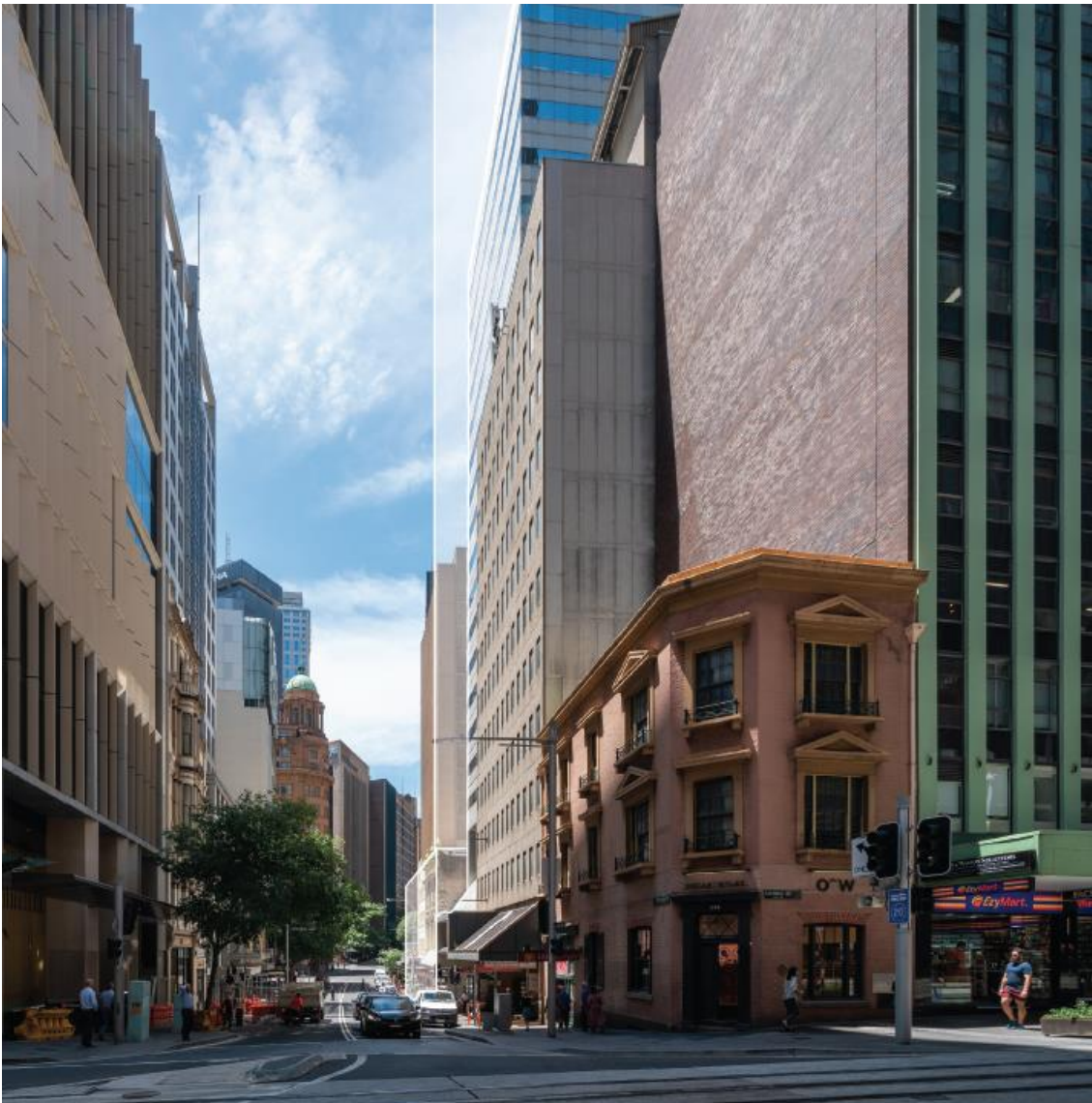


**Figure 52** View looking south from Pitt Street adjacent to Angel Place

Source: Bates Smart

The Pitt Street view diagrams demonstrate that:

- From the intersection of Pitt Street and King Street – The proposed envelope does not obstruct the view corridor down Pitt Street. The crown of the tower is visible above adjacent buildings to the west, however this does not impede on the clear frame of the Sydney Harbour Bridge to the north.
- From the intersection of Pitt Street and Martin Place – The proposed envelope has a minimal impact on the existing view and does not obstruct the view corridor down Pitt Street. The proposed envelope sits in alignment with the Angel Place tower and from the human eye will appear setback to the west of other tower development located further south at the bond Street intersection. From this view, the envelope does not impede on the clear frame of the Sydney Harbour Bridge to the north.
- From Pitt Street adjacent to Angel Place – The proposed envelope does not obstruct the view corridor along Pitt Street. The podium massing relates to the adjacent built context and the tower creates a relatively small impact on the proportion of sky visible. Similarly, to the previous view the envelope is read to sit further west than existing tower development at the Bond Street intersection. From this view, the envelope does not impede on the clear frame of the Sydney Harbour Bridge to the north.



**Figure 53** View looking east from the intersection of Hunter Street and George Street

Source: Bates Smart





**Figure 54** View looking west from the eastern side of the of the Hunter Street and O'Connell Street intersection

Source: Bates Smart

The Hunter Street view diagrams demonstrate that:

- The proposal aligns with the established Hunter Street wall. The provision of an 8m tower setback would be inconsistent with the prevailing character of Hunter Street. The site is located at a prominent Central Sydney street corner and will be a defining form in the emerging tower cluster, as such it should not be recessed behind the existing building alignment of Hunter Street.
- The proposal will not result in an overbearing tower form read in the Hunter Street streetscape. The radiused tower corners soften the built form edge as opposed to a uniform tower setback with squared off corners.
- The proposal is read as a highly distinguished podium and tower form, establishing an appropriate human scale to the streetscape.

More broadly, the view impacts of the proposal are appropriate for the following reasons:

- As illustrated at **Figure 51** to **Figure 53**, the minor 0.5m tower setback variation to Pitt Street at the northern portion of the site has an imperceptible visual impact given the orientation of Pitt Street and the existing high density development to along the western edge of Pitt Street further north of the site.
- When viewing the street corner from key areas of the public domain, particularly looking the site from the north east, the proposal presents a strong anchor for a prominent Central Sydney street corner. This reinforces the strategic importance of this tower cluster site.
- The radiused corner of the podium and the tower corners soften the built form edges and add visual interest to the Hunter and Pitt streetscapes.
- The proposed development will impact on some private views from buildings within the CBD, however it is recognised that view loss from surrounding commercial buildings is unavoidable within a highly urbanised and expanding Global City. It is noted that the proposed development is a landmark building expressing high urban design merit that will add visual interest to the Central Sydney skyline.

This visual analysis represents the proposed planning envelope only. It is noted 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.

## 7.5 Sky View Factor Analysis

A Sky View Factor Report has been prepared by Bates Smart (refer to **Appendix S**) to compare the sky view opportunity of the proposed envelope and the base case envelope. Sky view factor (SVF) is provided as a value from 0 to 1, where SVF of 0 denotes no sky visible and 1 denotes the sky is complete visible to the horizon in all directions.

A total of 17,980 test points were analysed by Bates Smart to assess the SVF of the site. An analysis was undertaken at an area of analysis to 150 metres from the site, which finds there will be marginal change to sky visibility between the base case scheme and the proposed scheme, with a marginal improvement in sky visibility when averaged across all test points.

The base case scheme provides an SVF value of 0.1460374, while the proposed scheme provides an SVF value of 0.14608, resulting in an overall improvement in sky visibility of SVF value of 0.004. Given that on average, there is an improvement to the SVF factor, the proposed envelope is deemed to be better than the base case envelope and therefore satisfies the criteria by providing an improved outcome.

## 7.6 Wind Impacts

A Pedestrian Wind Environment Assessment has been prepared by Mel Consultants and is provided at **Appendix G**, with a cover letter to address amendments to the proposed envelope which are captured within this formal lodgement of this Planning Proposal. Mel Consulting has undertaken wind tunnel modelling and CFD modelling to assess the environmental wind conditions in and around the site, and to develop wind amelioration features to achieve conditions satisfying the target environmental wind criteria and comfort standards.

Given the proposed tower setback and tapering variations to the provisions of the amended Sydney DCP, the environmental wind assessment was completed for both the base case envelope and the proposed envelope, consistent with the assessment framework required by Council under the amended Sydney DCP. Due to timing, CFD modelling has been completed for the final proposed envelope following amendments sought by Council staff in May 2022.

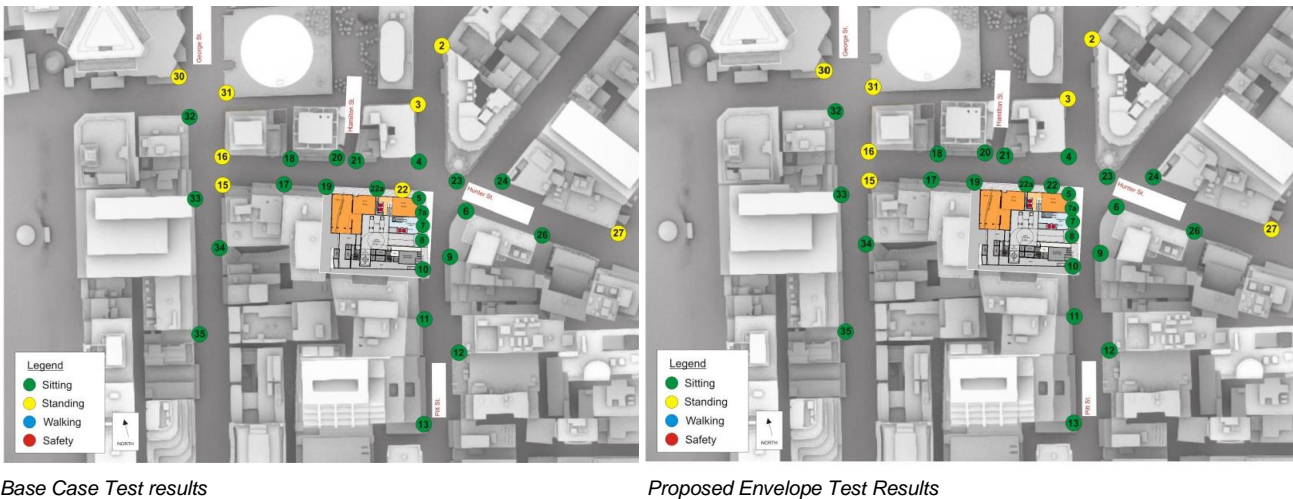
Wind tunnel testing was also conducted for the existing situation. In undertaking this assessment, Mel Consulting has sought to compare the wind effects of both envelopes and determine that the proposed envelope provides equivalent or improved conditions.



## The Ground Plane

Based on the results of the wind tunnel testing, Mel Consulting has identified that for both the base case and proposed envelope, the ground level wind conditions at the test locations are within the safety standards and in most cases meet the walking comfort criterion. Importantly, the wind conditions associated with the proposed envelope were shown to be marginally improved in comparison to the base case, demonstrating that the proposed envelope will provide an improved wind environment.

The results of the wind tunnel testing for both the base case and proposed envelope are illustrated in **Figure 55**.



**Figure 55** Ground level wind conditions comparison

Source: MEL Consultants

## The Podium and Rooftop Terrace

Wind conditions at the podium level terraces of the indicative design have been shown to be within either the sitting or standing comfort standards, consistent with the intended uses of these spaces. The wind conditions on the rooftop terraces failed the safety standards at the majority of test locations, and therefore appropriate wind mitigation strategies have been tested by Mel Consulting. The test results of these various strategies are provided in the Wind Assessment (refer to **Appendix G**). Ultimately, based on these test results, Mel Consultants have recommended a 1.8m high and 50% porous slab screen is provided around the rooftop terrace to improve wind conditions in this location and meet the safety criteria. It is noted that this mitigation measure is specific to the indicative design but demonstrates further detailed testing will be required in key locations where windier conditions may be present, such as any future rooftop terrace.

## Summary

Based on the detailed results provided in the Wind Assessment at **Appendix G**, the proposed envelope has been shown to provide improved wind conditions when compared to the base case. As such, the proposed envelope is capable of accommodating a building design which achieves appropriate wind safety and pedestrian comfort standards, subject to future detailed wind testing and potential mitigation measures based on the specific building design resulting from an invited architectural design competition.

## 7.7 Heritage Assessment

### 15-17 Hunter Street

A Heritage Impact Statement has been prepared by Urbis (refer to **Appendix F**) which includes detailed analysis of the existing building at 15-17 Hunter Street (Pangas House). The existing building at 15-17 Hunter Street is not heritage listed but was previously subject to a local heritage listing under the Central Sydney LEP 1992 and a Permanent Conservation Order No. 704. Historical analysis of the building suggests that it was initially constructed in the 1880s, with the fourth floor added in the mid-1890s. Despite the previous listings, the building has been delisted under the Sydney LEP 2012. Urbis' investigation has found that a variety of upgrades and modification works have been approved or executed, most recently associated with a DA approved in 2020.

The design of the building in the Victorian Italianate style has been attributed to architect Clarence Backhouse, however, this is not confirmed. Pangas House is the only surviving 19<sup>th</sup> century building on the south side of Hunter Street between George Street and Pitt Street, however a significant extent of the interior has been modified, which compromises its heritage value. Urbis has acknowledged that the building does contain some historical fabric of note and the façade is a good example of the Victorian Italianate style as applied to commercial buildings, as shown at **Figure 56**. In this regard, the Proponent and design team have sought to retain the building façade, as illustrated in the proposed envelope drawings and reference design at **Appendix A**.



**Figure 56** The façade of 15-17 Hunter Street

Source: Ethos Urban

To evaluate the heritage significance of the building, Urbis previously prepared a detailed significance assessment which is now reflected under Section 4.2 of the Heritage Impact Assessment (refer to **Appendix F**). Based on this assessment, Urbis determined that the former Pangas House at 15-17 Hunter Street does not meet the relevant criteria for a heritage listing and the collective value of the building is considered to be too compromised due to the substantial modifications that have occurred over time.

Notwithstanding this, through detailed consultation with Council following the draft Planning Proposal lodgement, it was advised that a proposed heritage listing is the preferred means to ensure its retention and protection in the context of future development. Therefore, this Planning Proposal seeks to list Pangas House as a local heritage item in Schedule 5 of the Sydney LEP. However, it is noted that interiors of Pangas House have been substantially altered, and historical research further determines that the interiors were reconstructed during renovations in 1986. Therefore, Urbis suggests that the interior be excluded from the listing, and that the heritage listing should not preclude alterations and additions to the interior. The proposed heritage listing of Pangas House is set out at **Section 5.2**.

The proposed envelope anticipates the partial demolition of the rear wings of 15-17 Hunter Street to facilitate direct pedestrian access to the new Metro site at the western end of the Lane. Urbis Heritage note that the proposal presents an opportunity to reinterpret the principal rear façade and rear wings, which have been variously altered with works including partial infill and changes to fenestration. There have also been some additions at the rear (ground floor) for plant and intrusive services have been fixed to the facades including large ducts that run between the two rear wings. Furthermore, the retention of the extant hoists at the rear, and other original warehouse elements allows for the interpretation of the industrial character of Pangas House. Urbis Heritage consider this treatment is appropriate for the historic retention of 15-17 Hunter Street.

In considering the retention of the building at 15-17 Hunter Street, Urbis Heritage have provided the following recommendations to be considered in the future detailed design of a redevelopment on the site:

- Retention of the building façade and returns as part of the new development. This should include retention of original details and window joinery. The form of the building should be interpreted in a meaningful way to avoid facadism.
- Where retention is proposed, consider reinterpretation of the ground floor shopfronts in accordance with historical documentation or provide a more appropriate contemporary and sympathetic design response.
- Further interior changes, adaptations and demolitions are able to be supported in principle.

These considerations will inform the subsequent competitive design process and detailed design.

### Other Heritage

The Heritage Impact Statement prepared by Urbis Heritage extends to address the impact of the proposal on other heritage items within the vicinity of the site. As discussed in **Section 2.4**, there are a number of heritage listed items in the vicinity of the site, but the site does not contain an above ground heritage item. The State heritage listed Tank Stream is understood to be beneath the western edge of the site. The key heritage items in the vicinity include:

- Hamilton Street, Item No.11806.
- “NSW Sports Club” including interiors, 10–14 Hunter Street Item No. 11808.
- “Grand Hotel” including interior, 30–32 Hunter Street, Item No. 11809.
- “Australia Square” including tower and plaza buildings, forecourt, plaza and interiors, 264–278 George Street (and 87–95 Pitt Street) Australia Square, Item No. 11764.
- Former Wales House including interiors, 64–66 Pitt Street, Item No. 11915.
- Former “Bryant House” including interiors and grounds, 80–82A Pitt Street, Item No.11918

Having regard to these items, Urbis concludes that the proposal supported on heritage grounds for the following reasons:

- The Tank Stream transects the western portion site underground from north-south, and sits approximately five metres below ground. The basement extent comes within two metres of the tank stream at its narrowest point, and therefore any excavation involved will occur within the heritage curtilage of the Tank Stream. However, the works are not proposed to have an impact on the structure of tank stream itself or associated soils. The excavation extends into bedrock sandstone adjacent to the tank stream, with a minimum of two metres of bedrock between the extent of excavation and the Tank Stream itself. As such, the proposed works are not expected to result in an impact on the structural integrity or significance of the Tank Stream.

- The proposal generates an opportunity to deliver a development that better relates to the heritage rich site context. Specifically, the podium height and geometry has taken cues from surrounding buildings of historical significance.
- The immediate built form context is already varied and includes multi-storey and high-rise development, such that the heritage items remain in generally isolated contexts. This is typical of the development more broadly in the CBD which is characterised by juxtaposition of scale, with a mix of generally lower scale heritage items and multistorey contemporary commercial buildings.
- The retention of the Pangas House façade allows the decorative parapet finials to sit above the podium height and maintain their visual prominence. The radiused podium addressing the street corner responds to the curved façade of the Radisson Blu Plaza Hotel opposite the site at the north-eastern corner of the intersection of Pitt and Hunter Streets.

The HIS will be a responsive document and will be utilised to inform the competitive design process and detailed design.

## 7.8 Pedestrian Comfort

A Preliminary Pedestrian Comfort Assessment has been prepared by WSP and is provided at **Appendix J**. This Assessment discusses the pedestrian implications of the proposal, including an assessment of the existing and future post-development pedestrian conditions along the site frontages to Pitt Street and Hunter Street.

WSP has identified that the future building on the site will predominately be accessed through pedestrian movements along the site's street frontages, with movements generated through people walking who live in close proximity to the site, people transiting from public transport, or travelling from nearby car parks. In understanding this future context and demand, an assessment of the existing pedestrian conditions and likely future conditions has been completed.

### Existing Pedestrian Volumes

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, pedestrian data has been sourced from a past survey undertaken in April 2017. To account for the likely growth in pedestrian movements since the completion of this survey, an average annual growth rate of 1.85% has been applied to the 2017 survey results.

The streets surrounding the site experience a morning pedestrian peak between 8:00am and 9:00am, and an afternoon peak between 5:00pm and 6:00pm. During these peaks, 4,920 pedestrian movements occur at the corner of the site in the Pitt/Hunter intersection in the AM peak, with a further 3,682 pedestrian movements in the PM peak.

Both Hunter Street and Pitt Street have wide footpaths varying from 3.5 metres to 5 metres, which WSP has determined as comfortably accommodating the high levels of pedestrian activities, despite some clutter of trees, bins, etc.

Based on this analysis, under the existing conditions, the pedestrian footpaths along both Hunter Street and Pitt Street frontages indicatively operate at a grade "C" or higher. Given that the site is located within an office and retail precinct, being Central Sydney, this is considered by WSP an acceptable grade of operation.

### Future Pedestrian Volumes

In order to assess the potential impact of the planning proposal, the existing street conditions have been compared with the anticipated conditions in 2025 given this is the anticipated timeframe of the proposal. Two options have been considered, being 2025 conditions 'with no development' and the 2025 conditions 'with development'.

Under the 2025 conditions 'with no development', an assessment of the street network indicates that some minor mitigation works may be required along the Hunter Street in one location to widen the footpath and improve pedestrian comfort levels. In this particular location, a single ticket machine is located close to the street edge, temporarily narrowing the useable footpath width. It is recommended by WSP that this ticket machine is removed to widen the footpath and accommodate the future anticipated pedestrian volumes.



Assessment of the 2025 conditions 'with development' indicates that there will be a greater increase of pedestrian movements in the vicinity of the site compared to the 'no development' scenario. This increase has been quantified by WSP as 1,826 employees within the precinct and adjoining footpath network (1,278 on Hunter Street and 549 Pitt Street). Similar to the 2025 conditions 'with no development', the pedestrian network along the frontage of the site has been determined to sufficiently meet the required standards, except for the same location on Hunter Street where an intervention to the existing clutter is required. With this intervention and removal of the ticket machine, WSP has determined that the location will increase to a grade of 'C', being within the acceptable limit.

## Summary

Based on the results and analysis provided in the Preliminary Pedestrian Comfort Assessment at **Appendix J**, and with completion of the recommendation to remove the single ticket machine on Hunter Street, both Pitt Street and Hunter Street are capable of accommodating the anticipated pedestrian movements associated with the proposal and will achieve reasonable pedestrian comfort standards. It is noted that this ticket machine is outside the boundary of our site and is only a recommendation of the Pedestrian Comfort Assessment. The proponent would be pleased to work with Council on this matter.

## 7.9 Traffic

A Preliminary Traffic Impact Assessment has been prepared by WSP (**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.

### Existing Conditions

Currently, both Hunter Street and Pitt Street are local roads managed by the City of Sydney Council, with Hunter Street accommodating a 14-metre-wide two-way carriageway and Pitt Street accommodating a 11-metre-wide, one-way carriageway. Being in the CBD, the site has excellent accessibility to public transport network, including a Sydney train network, two light rail lines, numerous bus routes and the future Martin Place and Hunter Street Sydney Metro Stations.

In addition to this, the Sydney CBD has very good walking facilities, with a wide network of footpaths which can connect pedestrians to local destinations as well as public transport. Similarly, the CBD has an extensive bicycle lane network and the streets are categorised as low speed and therefore, are conducive to a safe cycling environment. In addition to the various active and public transport options, the car share service GoGet has a number of cars available in the CBD which allow people to access cars for a short rental period, such as a few hours.

### Proposed

Based on the development that is likely resultant from the provisions sought in this Planning Proposal, WSP have calculated the maximum car parking provisions as per the Sydney LEP 2012. Based on the Sydney LEP, the maximum number of parking spaces likely to be accommodated on site is as follows:

- 41 car parking spaces;
- 3 accessible car parking spaces;
- 3 motorcycle parking spaces;
- 477 bicycle spaces (312 staff spaces and 165 visitor space); and
- 16 service vehicle parking spaces.

In addition to the above, 331 lockers and 18 showers and change cubicles are required to be provided as end-of-trip facilities. In terms of traffic generation and traffic impacts resulting from the future development on site, it is estimated there will be up to 41 vehicle movements during each of the AM movements, which would be generally inbound movements. Similarly, there would be 41 vehicle movements in the PM peak, of which the majority would be outbound.

As a result of the small traffic movements on site, it is expected that the level of traffic expected to be generated by the development would be low and would have a minimal impact on the operation of Pitt Street and the surrounding network.

The future design of 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, the preliminary work undertaken by WSP indicates that the site and surrounding road network is capable of accommodating any traffic impacts resulting from the development. This is discussed further at **Appendix E**, including reference to a proposed car stacker system with an assessment on the potential for vehicle queuing and how this is to be accommodated onsite.

In response to the DAP's comments issued 14 December 2021 regarding the serviceability of the building and loading dock provision, the number of service vehicle spaces has increased to 16 spaces. Development plans show that vehicle access to the subject site is proposed via the provision of a new two-way access onto Pitt Street in the site's south-east corner, removing all vehicles from the new laneway. This access will connect to an internal ramp, providing a connection to Basement Level 1 which accommodates three (3) loading bays, the car stacker access, and the service vehicle lifts. Given the existing one-way arrangement on Pitt Street, all vehicle movements at the site access will be inbound from the north, and outbound to the south. WSP have confirmed that the new vehicle entrance is capable of servicing the expected traffic volumes and that all relevant swept paths are able to be accommodated. WSP have also confirmed that all vehicles can leave the site in a forward direction.

### 7.10 Social and Economic Effects

A Social and Economic Assessment and Strategy has been prepared by Ethos Urban (refer to **Appendix K**). This Assessment and Strategy sets out the key drivers for the development from a social and economic perspective, highlighting how these drivers are aligned with the City of Sydney's and NSW Government's strategic policy drivers. The key social and economic benefits of the development are identified as follows.

- **Globally Competitive Sydney CBD**

The development supports the strategic directions outlined by the Central Sydney Planning Strategy by strengthening the competitiveness and employment capacity of the Sydney CBD. It will support the role of the Sydney CBD as a key commercial office precinct in Sydney by adding over 42,000m<sup>2</sup> of A Grade contemporary commercial office space

- **Maximising the benefits of the new Sydney Metro**

The redevelopment of this site will significantly increase new employment opportunities in proximity to two confirmed and one potential Sydney CBD Metro stations – at Pitt Street, Martin Place and a further as-yet unannounced Sydney CBD location. Excellent public transport connectivity is key to supporting the productivity of the Sydney CBD, and delivering on the Greater Sydney Commission's vision for a "30-minute city".

- **Improving the activation and amenity of the Sydney CBD**

This planning proposal will result in increased activation of the site due to the improved retail and streetscape. This will enhance the dynamism and vibrancy of this area of the CBD. It is a state and local government priority to ensure that future land uses contribute to the vibrancy and vitality of the Sydney CBD after hours, including by encouraging development of new shops, cafes, restaurants and cultural facilities, and by improving the amenity of the ground plane.

The redevelopment of the site will activate this area of Central Sydney by providing an enhanced streetscape and ground plane and revitalised underground retail options, that attract and retain visitors and workers to enliven the area. The development will enhance public access to this high profile and easily accessible site through the inclusion of an active ground floor and underground offer as well as upper levels of the development.

The Social and Economic Assessment also identifies a number of other factors that justify the proposal, as outlined below.

### 7.10.1 Demand for Redevelopment

The development is positioned in the heart of Central Sydney, at the high-profile corner of Hunter Street and Pitt Street. The existing Wynyard Station is located just west of the site while the northern entrance for the future Martin Place Metro Station is located just east and is planned to open in 2024. This new Metro station and the proposed new Sydney West Metro Station on Hunter Street will significantly enhance connectivity within the Sydney CBD and will act as catalyst for continued growth and development in the city. It is important for this part of the city to respond to this changing environment.

Central Sydney is currently the focus area for commercial office development and taking into account transport infrastructure investment as set out above and future supply, the site is likely to remain a key area of focus for commercial office tenants well into the future. The impacts of the recent COVID-19 pandemic have had implications on the commercial office market, and longer-term impacts of the pandemic are yet to be fully understood. In recent years the Sydney CBD commercial office market has experienced solid conditions and while there is evidence that the market is easing somewhat, particularly due to the pandemic, the outlook remains positive in the longer term, with continued growth projected to occur in the CBD as a major economic centre. As such, there is considered to be continued demand for the commercial office floor space which will be delivered through the future redevelopment of the site.

The site is co-located with retail, business and knowledge clusters, public transport, public open space and an agglomeration of the workforce. Therefore, these factors make the development likely to succeed and be in high demand.

### 7.10.2 Employment Generation

This proposal will support a future development capable of providing office floor space to accommodate approximately 3,805 workers employed in the building. In addition to this, the future construction is expected to generate approximately 1,682 FTE jobs. A detailed breakdown of direct and indirect jobs along with their economic value is provided in the Social and Economic Assessment (refer to **Appendix K**).

### 7.10.3 Economic Output

The proposed development is expected to have significant economic output that contributes to the overall capital generation of Central Sydney. The Social and Economic Assessment estimates that the Gross Regional Product of the building would be approximately \$1 billion per annum, or an additional \$533 million per annum value added from the current building. A more detailed breakdown of the estimated economic output of the future building at full occupancy is provided in the Social and Economic Assessment at **Appendix K**.

### 7.10.4 Social Benefits

The delivery of the future building facilitated through this Planning Proposal will result in significant social benefits for Central Sydney. From a broad social impact perspective, the redevelopment of the site has the potential to deliver a multiplicity of social benefits to the communities who work, live in and visit this area. More specifically, these social benefits would include providing employment opportunities and economic growth close to public transport, improved streetscape and retail offering, improved pedestrian flows, wayfinding and amenity and benefits associated with worker wellbeing due to high amenity of contemporary office building.

## 7.11 Sustainability

In order to assess the potential sustainability outcomes of the future development, an Ecologically Sustainable Development (ESD) Concept Report has been prepared by WSP (refer to **Appendix I**). This ESD report assesses the sustainability outcomes that could be incorporated in the proposal and future development, as guided by the indicative design prepared by Bates Smart (refer to **Appendix A**). In line with numerous local and State government strategies, including the City of Sydney's Sustainable Sydney 2030 and the aspirations of the CSPS, creating a low-carbon emission and sustainable building is a key overarching goal of development, and this is demonstrated in the ESD Report.

In relation to energy consumption, it is anticipated that the building will target the achievement of a 5.5 stars rating under the National Built Environment Rating System (NABERS), which is a highly energy efficient building. WSP has completed an assessment of the potential achievement of this rating based on the indicative design and has suggested a number of strategies which could be adopted to ensure achievement of the rating with a buffer included.

In addition to the achievement of the 5.5 stars NABERS rating, a range of supporting sustainability initiatives are proposed to be implemented, including:

- Hybrid timber and concrete construction to reduce embodied carbon. Detailed embodied carbon calculation will be undertaken at a later design stage to quantify the benefit in embodied carbon reduction.
- Strategies to reduce waste and divert it from landfill.
- Highly efficient water fittings and fixtures to ensure water consumption is reduced as far as possible and supplemented where possible with rainwater harvesting.
- Introduction of photovoltaic cells.
- Procurement of materials that have low environmental impacts.
- Enhanced site ecology through high quality landscape design.
- Ensuring design that mitigates or adapts to climate change impacts.

WSP has prepared a summary of the ESD initiatives which are proposed as both minimum targets and aspirations, as well as the accompanying strategies to achieve these targets and aspirations. This summary is illustrated at **Appendix I**. While the design intricacies of ESD will be detailed during the design competition and detailed DA stages, the preliminary ESD report shows that the proposal resulting is capable of accommodating sustainable solutions commensurate with the building status in Central Sydney.

## 7.12 Geotechnical Assessment

A Preliminary Geotechnical Desktop Assessment has been undertaken by JK Geotechnics, which is provided at **Appendix L**. The purpose of this Geotechnical Desktop Assessment has been to infer the likely geotechnical subsurface conditions from a desktop review of available information, and to use this as a basis for providing preliminary comments and recommendations on excavation conditions, retention systems, footing design and hydrogeological considerations.

The Geotechnical Desktop Assessment has determined that the site is located within gently sloping topography in a shallow gully between low-height ridgelines on the sandstone headland of Central Sydney. The site appears to be underlain by Hawkesbury Sandstone, comprising medium to coarse grained quartz sandstone with minor shale and laminite lenses.

Based on the desktop assessment undertaken, the following geotechnical issues and recommendations were identified:

- Prior to demolition or excavation, a detailed dilapidation survey will be required to assess the neighbouring structures.
- The upper fill and soil profile will need to be supported by shoring walls.
- Excavation of the basement in the indicative design will likely extend through sandstone bedrock which will require 'hard rock' excavation and will require vibration monitoring.
- Excavation is anticipated to extend below the groundwater table, and therefore testing and analysis will be required to estimate the groundwater seepage inflows during construction and the long term to allow coordination with authorities with regard to the disposal of groundwater from a drained basement.
- The column loads are expected to be high for a future building, therefore high bearing pressures are anticipated on the sandstone bedrock which will require detailed investigation and consideration during construction.
- The impact of the proposed basement design on the adjacent properties and below ground conditions, including the heritage listed Tank Steam must be assessed in further detail.



The above recommendations relate to the detailed design of the future redevelopment of the site, and therefore will be addressed as part of the future detailed DA and construction phases. With this in mind, the Geotechnical Desktop Assessment has determined that during the detailed DA process following the Planning Proposal, further more detailed geotechnical assessments will be required to support the development.

### **7.13 Building Services**

A Building Services Report has been prepared by WSP (refer to **Appendix M**) and outlines the existing capacity and requirements for the future development anticipated on the site. The key services and infrastructure which will support the redevelopment project are outlined in detail at **Appendix M** and discussed briefly below.

#### **Electricity Supply**

The site is currently fed from a low voltage distributor from an existing basement substation beneath Hunter Street, with other multiple high voltage and low voltage services in the immediate vicinity of the site.

In order to accommodate the future development, alterations to the electricity supply would be required. Given that the substation that currently supplies the building is non-dedicated, the capacity would be limited and a connection beyond a temporary building supply would not be sustainable. As such, additional electricity connections would be required, which would be determined at the detailed design stage of the development process.

#### **Communications**

Based on Dial Before You Dig data analysed by WSP, the following fibre optic connection has been identified on or in the vicinity of the site: NBN Co; Nextgen Network; Optus (fibre optic and copper) TPG; AARNet; Primus Telecom; Vocus; and Verizon.

Telstra did not confirm their assets in relation to the site, however, it is anticipated by WSP that due to the Central Sydney context of the site, Telstra are likely to have fibre optic communication assets near the site.

Required alterations for fibre optic connections will be resolved during the detailed design process and will depend on the proponent's provider of choice and subsequent liaising process, but capacity has been identified.

#### **Water, Sewer and Stormwater**

Based on Sydney Water's data, an existing 250mm Cast Iron Cement Lined water supply channel is available in Pitt Street. An existing sewer main is located behind 15-23 Hunter Street, which currently services 15-23 Hunter Street and 105 Pitt Street and connects into an existing authority sewer main which runs under 105-107 Pitt Street and downstream under 15-17 Hunter Street towards Hamilton Street.

It is anticipated that a number of changes will be required to accommodate the future development. To respond to an increased water demand of a redevelopment building on the site, a new connection from the existing 250mm water main from Pitt Street will be required, subject to Sydney Water's approval.

The existing sewerage connection will be required to be demolished and terminated at the existing connection point, and a new sewer drain connection for the site will be required. This will be subject to approval from Sydney Water. Stormwater drainage flow may increase in demand, and therefore future modelling to determine water quality and on-site stormwater detention amount will be required during the detailed design stages.

#### **Natural Gas**

The site is serviced by a low pressure Jemena Gas connection from a secondary gas main in Pitt Street. There is also a low pressure main located on Hunter Street. WSP anticipates that there will be an increase in gas requirements, which will be determined during the detailed design process.

## 7.14 Contamination

A Preliminary Site Investigation (PSI) has been undertaken by Ramboll and is provided at **Appendix H**. The PSI has sought to identify areas of potential contamination that may impact the future redevelopment of the site. Contamination may be present due to current or historical uses of the site, however, due to the current developed state of the site, significant testing has not been possible. As such, a desktop review of historical information and a site inspection have been undertaken by Ramboll to inform the PSI.

The PSI determines that there are a number of potential contamination risks associated with the site, as described in **Appendix H** and outlined below:

- **Historical filling:** Details of the construction of the buildings and underlying soil contents are unknown at this stage. Historical photographs of the site date back to 1942, and due to the historical context of the site, development on the site is likely to have occurred prior to this. Therefore, there is potential for the site to have been levelled with contaminated fill material and a desktop review has not been able to dismiss this concern.
- **Building materials:** The buildings located on the site are of varying ages, with numerous demolitions and renovations undertaken over time. Details of building materials potentially containing asbestos or other dangerous materials are not available. Therefore, hazardous materials may be contained on the site within the existing buildings.
- **Potential migration of contamination from off-site properties:** Surrounding the site there are a number of previous land uses known or suspected to be sources of contamination that may have resulted in contamination migration into the site. This includes a motor garage and service station located upgradient from the site, as well as several dry-cleaning facilities that may have handled potentially contaminating solvents.

With the above findings in mind, and due to the current gaps in information, the PSI has been unable to rule out the possibility that identified activities on surrounding sites may have resulted in subsurface contamination of the site. However, based on the findings of the PSI, the potential risk for significant contamination at the subject site is considered low and Ramboll has confirmed that the site is suitable for the proposed redevelopment for continued commercial use subject to the appropriate management of site works including excavated soils during the demolition and construction phase of the project, consistent with the recommendations of Section 8.2 of the PSI (refer to **Appendix H**). Based on the available data obtained for the site, it is considered by Ramboll at this stage that a detailed site investigation is not required.

It is noted that due to the changes to the State Environmental Planning Policy No 55 – Remediation of Land in 2020, it is no longer a relevant matter for consideration for planning proposals to consider contamination, and this assessment can be deferred to the detailed design stage.

## 7.15 Waste

A Waste Management Plan has been prepared by WSP (refer to **Appendix N**) and addresses the likely waste generation as a result of the operation of the future proposal which comprises a commercial office development. An indicative development floor space summary based on the indicative design has been used by WSP to approximate the amount of waste that may be generated by the development, as set out in **Figure 57**.

Use	NLA	Waste Generation Assessment (L/week)					
		Garbage	Commingles	Office Paper	Cardboard	Glass	Food Organics
F+B Lounge	1,259m <sup>2</sup>	8,813	6,295	-	25,180	12,590	8,813
Office	41,411m <sup>2</sup>	31,058	16,150	35,613	-	-	10,353
Retail (non food)	1,220m <sup>2</sup>	2,135	1,220	-	15,859	-	427
Retail (F&B)	472m <sup>2</sup>	3,305	7,082	-	9,442	-	3,305
Food Market	701m <sup>2</sup>	4,907	10,515	-	14,020	-	4,907
Entertainment	935m <sup>2</sup>	6,545	2,010	-	4,114	2,057	1,964
Health & Wellness	1,295m <sup>2</sup>	1,813	1,360	-	-	-	-
Gym	1,295m <sup>2</sup>	1,813	1,360	-	-	-	-
<b>TOTAL</b>		<b>60,389</b>	<b>45,991</b>	<b>35,613</b>	<b>68,615</b>	<b>14,647</b>	<b>29,768</b>

**Figure 57 Approximate waste generation**

Source: WSP

Based on the anticipated waste generation associated with the proposal, it is expected that the following equipment will be required to manage waste:

- Eleven 1,100L garbage bins;
- Nine 1,100L recycling bins;
- Seven 1,100L office paper bins;
- Six cardboard bales;
- Eight 660L glass bins; and
- One food waste digester.

These bins would need to be collected 3-5 times per week by a private contractor to manage capacity. It is noted by WSP that no collection of the food digester will be necessary, as all food waste is able to be reduced to a product of just CO<sub>2</sub> and greywater in the digester. Based on the indicative design, all bins would be able to be stored in a waste room on the ground level, with adequate area provided for access and collection.

## 8.0 Conclusion

This Request for a Planning Proposal is submitted to the Council of the City of Sydney seeking amendments to the Sydney LEP and includes an accompanying site-specific amendment to the Sydney DCP. The Request for a Planning Proposal seeks to introduce new maximum Height of Buildings and FSR development standards for the site, unlocking additional employment generating floor space, consistent with the vision and intent of the CSPS.

The Request for a Planning Proposal is the first stage of the redevelopment program for site which will ultimately enable the delivery of a commercial office tower accommodating:

- A maximum height of 213.5m (RL 222.5) consistent with the updated Sun Access Plane for Martin Place, as set out in the Planning Proposal: Central Sydney 2020.
- A maximum Floor Space Ratio (FSR) of 24.26:1 equating to 51,501m<sup>2</sup> of Gross Floor Area (GFA). This total FSR comprises an above ground FSR of 22.26:1 and a below ground FSR of 2:1.
- The retention and protection of the existing building at 15-17 Hunter Street via a local heritage listing under the Sydney LEP.

The Request for a Planning Proposal relates to a 2,108m<sup>2</sup> site that has involved a complex amalgamation of six land holdings including two strata lots, to form a viable tower site. Amalgamated development ready sites are extremely scarce and substantially costly in Central Sydney, as such they can take years to materialise. Accordingly, where there is a site opportunity to deliver significant employment generating floor space without unreasonably compromising public amenity, this should be encouraged, as is the case with the subject Planning Proposal.

In the current COVID-19 climate, it is integral that projects of this size and scale continue to be considered and planned to secure the future recovery of the State and Australia economy more broadly. COVID-19 is an unprecedented global health crisis and economic event that is rapidly evolving, and the long-term impacts of the pandemic are still unknown. Despite this, our cities cannot stand still, and we must plan for growth and change.

This Planning Proposal will establish the planning framework to facilitate:

**Employment Generation and TOD Best Practice** – The planning proposal seeks to facilitate 51,150m<sup>2</sup> employment generating floor space which equates to approximately operational 5,487 jobs (1,682 FTE construction jobs and 3,805 operational jobs) when the building is fully occupied. This results in a development that is consistent with best practice transit-oriented development, to reflect the scale and density appropriate for a site within Central Sydney in proximity to existing heavy rail and multiple future Metro Stations.

**Design Excellence and Sustainability** – The Planning proposal enables a high standard of architectural and urban design to provide a recognisable and high-quality contribution to the Sydney skyline, reinforcing Sydney's status as a Global City. The proposal incorporates best practice sustainability initiatives to support the improved environmental performance of commercial development in Central Sydney.

**Solar Access and Pedestrian Amenity** – The proposed envelope will not breach the Martin Place Sun Access Plane and it has evolved through rigorous urban design analysis as well as Sky View Factor and pedestrian wind environment equivalency testing.

**Site Activation and Place Making** – The existing buildings are ageing and provide suboptimal street front activation. The proposal will enable a development that activates all public domain frontages with contemporary and active ground floor uses adding vibrancy to a prominent Central Sydney street corner.

**A contemporary workplace** – The proposal recognises that workplace design and strategy is constantly evolving, as such floor plates must be future proofed to attract and maintain key tenants. The proposal enables floor plates that have considered opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, security and mixed-use development.

Given the planning merits described above, and the significant public benefits associated with the site's redevelopment, we have no hesitation in recommending this Planning Proposal for Gateway Determination.