

# **Attachment A**

**Planning Proposal – 56-60 Pitt Street and 3  
Spring Street, Sydney**

# Planning Proposal: 56-60 Pitt Street and 3 Spring Street, Sydney



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## Executive Summary

This planning proposal has been prepared by the City of Sydney (the City) for 56-60 Pitt Street and 3 Spring Street, Sydney (the site), in response to a request from the landowner, Dexus, for the City to prepare a planning proposal for the site.

This planning proposal details the intent and justification for the proposed amendments to the Sydney Local Environmental Plan 2012 (LEP) as it applies to the site. This planning proposal has been prepared by the City in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning, Housing and Infrastructure's *Local Environmental Plan Making* Guideline dated August 2023.

The planning proposal will facilitate development consistent with the Central Sydney Planning Strategy (Strategy) and contribute to the vision and aims of the Strategy through new employment space, public domain and design excellence.

### The Site

The site is 3,288m<sup>2</sup> in area located in the northern part of Central Sydney known as the commercial core. It comprises four separate addresses held under single ownership. It is irregular in shape with frontages to Bridge Street, Gresham Street, Spring Street and Pitt Street. Existing development includes a 26 storey office building at 56 Pitt Street and three medium-sized office and retail buildings at the other addresses.

Surrounding development generally consists of a mixture of commercial office buildings and hotel accommodation with ground floor retail and hospitality venues of a similar scale to the subject site. To the east are two State heritage buildings which front Bridge Street – the former Department of Lands building and the former Department of Education building, jointly referred to as the “Sandstones”, which are currently being redeveloped as a hotel.

### Existing development controls

The site is zoned SP5 Metropolitan Centre in the Sydney LEP 2012, which permits a broad range of uses including office, retail, commercial and residential uses. The site has a mapped height of building control of 55 metres on the northern portion of the site and 235 metres at the southern end, with a mapped floor space ratio of 8:1 and additional floor space available, including where the development exhibits design excellence.

### The planning proposal – Sydney Local Environmental Plan 2012 controls

The City has prepared this planning proposal following a detailed assessment of the proponent's request and accompanying urban design report, technical reports and specialist studies.

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

- increase the maximum height of building control to RL 310 metres (305 metres);
- increase the maximum floor space ratio to 27.4:1, inclusive of all additional floor space types;
- ensure development consent may only be provided subject to the following:
  - provision of a new public plaza fronting Bridge Street, dedicated to Council in stratum;
  - a retail activated through-site link connecting Pitt Street with Spring and Gresham Streets;
  - a shared loading dock facility, known as a Logistics Hub, for the subject building and surrounding businesses;
  - provision of an end of journey facility; and
  - demonstrated design excellence as the winner of an architectural design competition process;
- restrict further variations to the controls under clause 4.6 of the LEP; and
- continue to permit development on the site using the underlying LEP and DCP controls.

### **Draft site specific Development Control Plan**

The City has prepared a draft site-specific amendment to the Sydney Development Control Plan 2012 (draft DCP) to help ensure the objectives and intended outcomes of this planning proposal are delivered.

The draft DCP includes controls relating to the built form of the proposed development, the Bridge Street plaza, through-site link, public art, active frontages, loading and servicing, design excellence and sustainability. The City intends to publicly exhibit the draft DCP with this planning proposal.

### **Intended outcome for development on the site**

The proposed change to the planning controls will facilitate development that provides the following:

- retention and growth of business and employment uses in premium-grade floor space in a strategic and well-connected location to strengthen Central Sydney's economy;
- a new building that is consistent with the character of the surrounding area is sympathetic to heritage buildings and is capable of achieving design excellence;
- public domain improvements for improved pedestrian connections and amenity through the delivery of a new through-site link, engaging public art and new plaza fronting Bridge Street to be dedicated to the City as new public space;
- pedestrian amenity with greater activation and appropriate wind and daylight conditions at ground level compared to a DCP compliant envelope;
- loading dock space to service the building and additional spaces as a shared loading dock for nearby businesses to reduce demand for on-street loading; and
- ambitious ecologically sustainable development benchmarks to ensure an energy efficient built form is delivered and is carbon neutral in operation.

# 1. Background

## 1.1 Site identification

This planning proposal relates to four lots owned by the same landowner, Dexus. These sites are referred to in this report as “the site” or “56 Pitt Street”. The legal description and description of the affected lots are detailed in Table 1 and a map of the site, outlined in red is shown at Figure 1.

Address	Legal description	Area m <sup>2</sup>	Existing development
56 Pitt Street	Lot 1 DP 222751	1,789m <sup>2</sup>	26 storey c1960s office building
58 Pitt Street	Lots 1 to 33 SP57509	272m <sup>2</sup>	10 storey c1960s commercial building
60 Pitt Street	Lots 3-5 DP192236	442m <sup>2</sup>	12 storey c1970s office building
3 Spring Street	Lot 1 DP 558106	771m <sup>2</sup>	17 storey c1970s office building

Table 1. Legal description and basic qualities of the subject site

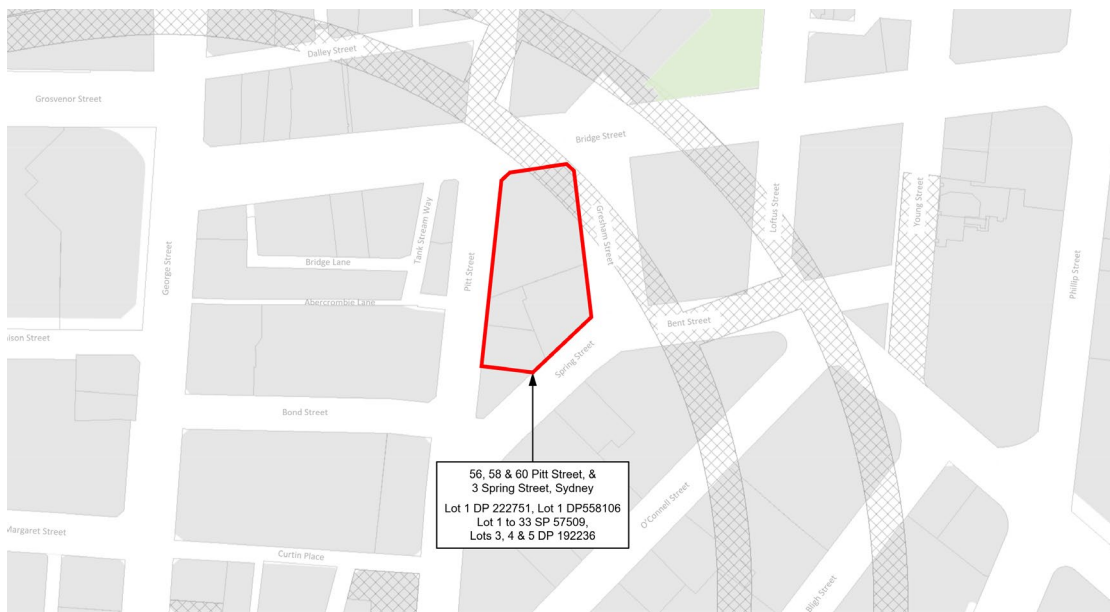


Figure 1. Land affected by this planning proposal

## 1.2 Site location

The subject site is located in Central Sydney at the commercial core of the Central Business District (CBD). The site has frontages to Bridge Street to the north, Gresham Street to the east, Spring Street to the south-east and Pitt Street to the west. It shares a common boundary with an eight storey heritage listed office building to the south.

The subject site is well placed strategically and close to transport. It is located in the northern tower cluster in Central Sydney amongst an agglomeration of financial, investment, legal and consulting businesses, with potential for increased building height and density subject to meeting the requirements of the Central Sydney Planning Strategy (the Strategy).

The site is within walking distance of existing and future transport, as shown in Figure 2 below. This includes: Circular Quay and Wynyard railway station, 300m walk from the site; light rail services from George Street, 200m to the west of the site; ferry connections from Circular Quay, 300m to the north of the site, and; future Sydney Metro stations at Martin Place, approximately 400m to the south of the site. Cycling connections include a designated bike lane along Pitt Street.

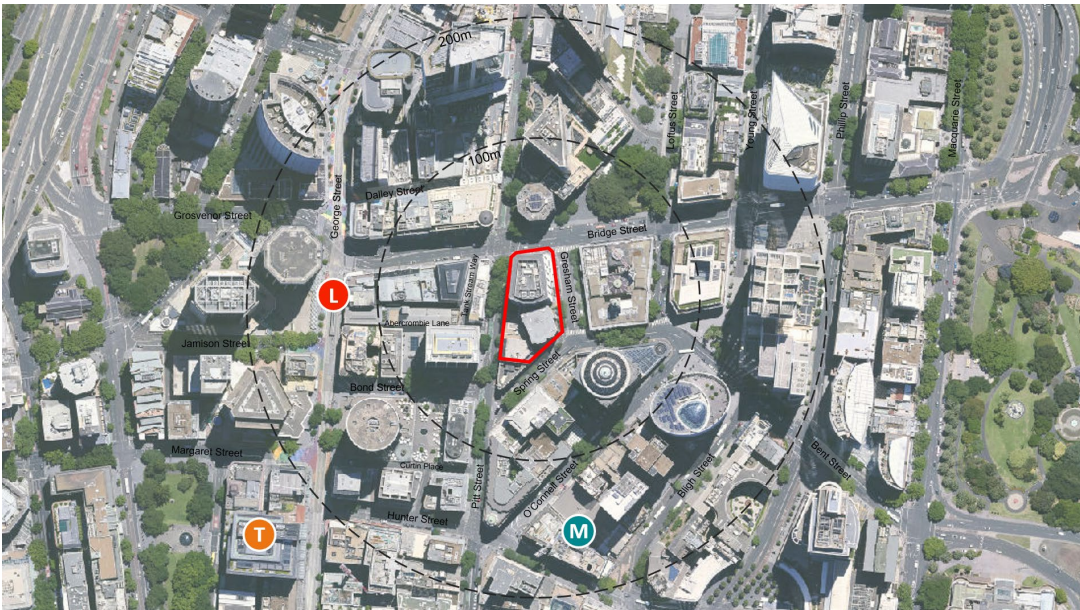


Figure 2. Aerial view of subject site and local proximity

### 1.3 Site characteristics

The subject site comprises four separate addresses under single ownership and has a total area of 3,288m<sup>2</sup>. It is irregular in shape and has frontages of 35 metres to Bridge Street, 65 metres to Gresham Street, 35 metre frontage to Spring Street and 81 metres along Pitt Street. Photos of the subject site as shown below in Figures 3-6. The existing buildings on the site includes:

- 56 Pitt Street, a 26 storey commercial building comprising ground floor retail and office space on the upper levels;
- 58 Pitt Street, a 10 storey office and retail building;
- 60 Pitt Street, a 12 storey office and retail building; and
- 3 Spring Street, a 17 storey commercial building comprising office and co-working space.

Surrounding development generally consists of a mixture of commercial office buildings and hotel accommodation with ground floor retail and hospitality venues. To the east of the site are two State heritage buildings – namely the former Department of Lands building and the Department of Education building, jointly referred to as the “Sandstones”. Both buildings are being redeveloped as a hotel through a state significant development approval. Directly adjoining the building to the south is an eight storey local heritage item, known as the former Liverpool and London and Globe building, as example of modern postwar architecture in Sydney. On the southern side of Spring Street is a 21 storey office building that sits above a retail podium which is adjoined by a row of office buildings between 10 and 15 storeys in height.

To the west of the site on the opposite side of Pitt Street are two heritage items including the Republic Hotel and a 13 storey office building. On the southern side of Abercrombie Lane is a 31 storey office building with frontage to Bond Street. To the north of Bridge Street is a 16 storey office building with frontages to Pitt and Bridge Street as well as Macquarie Place. Exchange Centre, a 12 storey office building that houses the Australian Stock Exchange is located to the north-west of the site. Photos of the surrounding area are shown below in Figures 7-9.

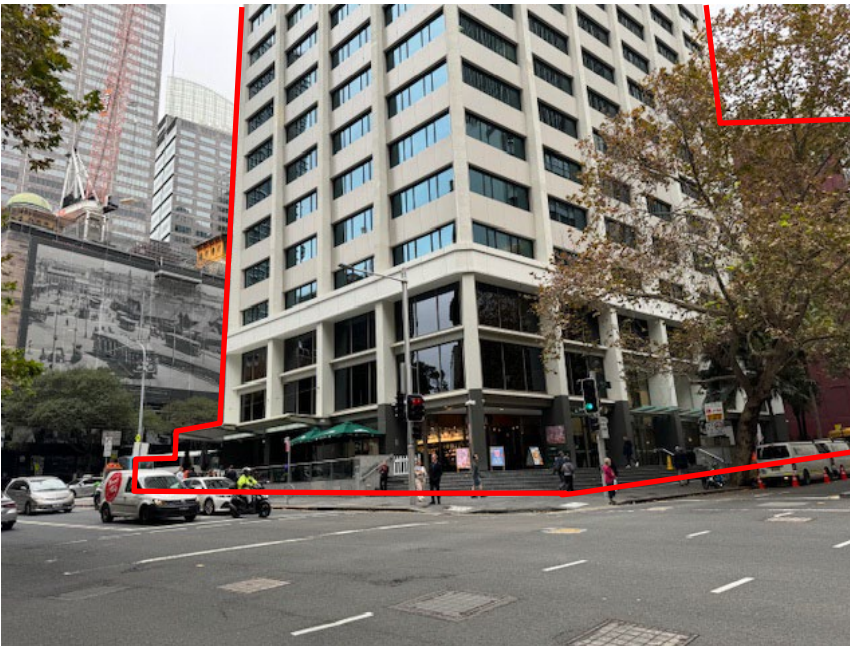


Figure 3. Looking south toward the subject site (in red) across Bridge Street



Figure 4. Looking south along Gresham Street to the subject site (in red)





Figure 5. View towards the subject site (in red) looking south-east across Pitt Street



Figure 6. Looking west towards the subject site (in red) from Bent Street



Figure 7. View along Bridge Street towards George Street

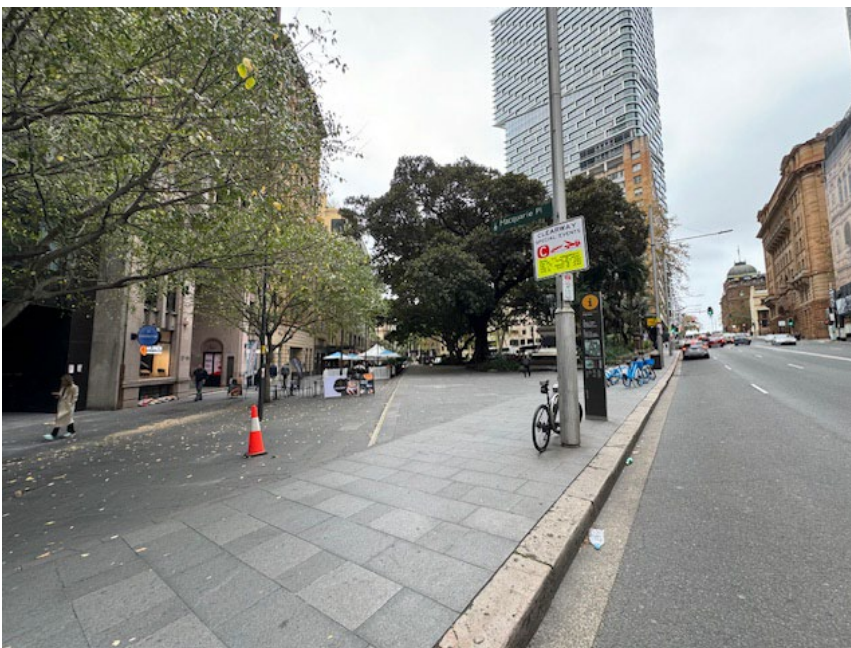


Figure 8. Looking towards Macquarie Place along Bridge Street



Figure 9. View looking east along Bent Street

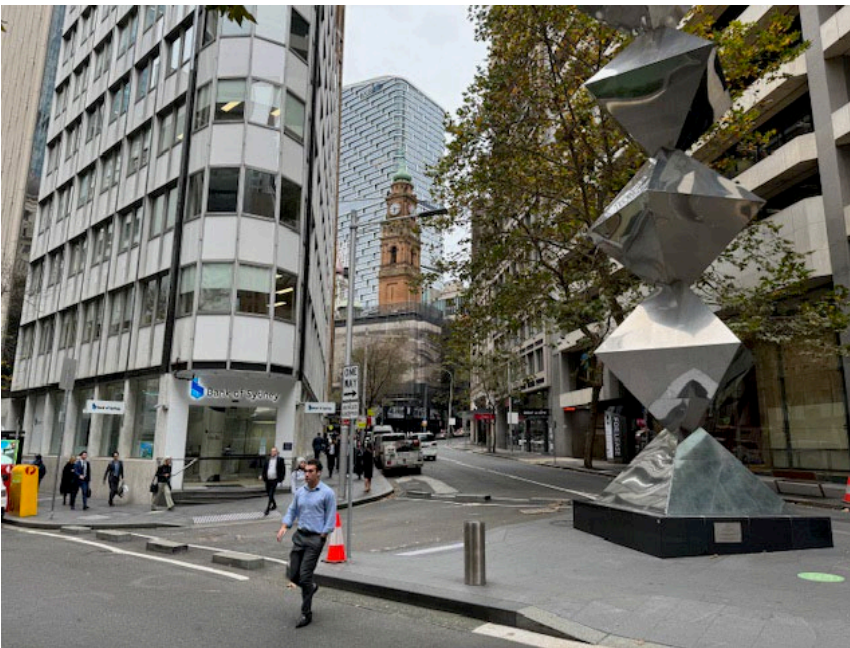


Figure 10. View along Spring Street towards the Lands Building

## 1.4 Landowner request

Dexus, the landowner submitted this planning proposal request through the NSW Planning Portal in May 2024. The request included a number of attachments and technical reports to support the proposal, including an Urban Design Report containing envelope and indicative reference scheme drawings prepared by FJC, a Public Domain Concept Plan, Wind Environment Study, Economic Contribution Analysis and a Sustainability Report detailing the key sustainability commitments to ensure the project achieves the City's Net Zero requirements.

The landowner request seeks to insert site-specific controls for the subject site in Division 5 of the LEP. The request is to increase the maximum building height control to 305 metres, up from the current height of 235 metres and set a maximum floor space ratio of 27.4:1 including design excellence floor space for the purposes of a commercial and retail development.

The proposal will deliver up to 90,000m<sup>2</sup> of office floor space in a new tower up to 70 storeys with ground floor retail and active uses, an upgraded public domain comprising a new through-site link connecting Pitt Street to Spring and Gresham Streets and a new plaza fronting Bridge Street to be dedicated to the City, as well as a shared loading dock to provide servicing facilities to nearby buildings, as well as off-street loading for the building, end of trip facilities and parking.

### Design Advisory Panel subcommittee

The City's Design Advisory Panel (DAP) formed a specialist subcommittee to review the proposal prior to lodgement. The DAP subcommittee met three times and made the following recommendations for the proposal to consider:

#### 8 February 2022

- The Panel considered various podium setback options for the Bridge Street frontage including zero setback and a 3 metre DCP compliant setback, noting each outcome would be subject to further testing of urban design, views, daylight and wind outcomes;
- Bridge Street was highlighted as the most important frontage and resolution of level change and the location of the building's lobby should be explored during the design competition;
- The inclusion of a through-site link aligning with Abercrombie Lane was supported and the success of the connection would be further strengthened by a clear visual cue through the site;
- Aligning the podium height with the former Lands Department building was supported;
- Recommended the podium height at the site's southern end align with the adjoining 62 Pitt Street and that the step in the podium height should align with Abercrombie Lane;
- The importance of views along Spring Street towards the former Lands Department clocktower was noted. The building envelope is to protect these views; and
- A minimal tower setback to Gresham Street may be supported subject to amenity testing.

#### 24 February 2022

- The Panel supported the basis for the built form strategy: a podium that is responsive in scale to its context and character; that includes street activation to all frontages; and a tower form that minimises perceived visual bulk from the surrounding streets;
- Further analysis was requested to explore whether a DCP compliant envelope could deliver the desired outcome, including the setback to Bridge Street proposed in the DCP;
- Variation from the DCP envelope may be considered subject to demonstration of the setbacks which accommodates the desired floor plate size compliance with the wind and daylight tests;
- Increased tapering of the tower is sought to deliver a more elegant form; and
- The whole of block approach to daylight testing was not supported, testing shall be limited to the subject sites only.

#### 30 March 2022

- The Panel advised the form would need further amendments to achieve compliant daylight levels based on testing the subject site only, unless a whole of block approach is secured;

- The importance of the transition zone was highlighted, recommended this area be excluded from the articulation allowance which shall be limited to the upper tower, as it gives opportunity to further nuance form;
- Increased tower setbacks and transition zone is welcomed, noting the positive impact to the envelope, reducing its visual dominance;
- The height, width and alignment of the through-site link shall be set as a minimum to ensure views through the connection are maximised;
- The session provided an appropriate response to the urban design issues and subject to satisfying the wind and daylight requirements could be supported.

### **The City's Planning Proposal**

The City has prepared this planning proposal following detailed review and assessment of the proposed development concept. The planning envelope has been amended in response to DAP's guidance and recommendations, which has resulted in a revision to the scheme to that included in this planning proposal.

The proposed planning envelope is responsive to its context, ensures acceptable wind and daylight conditions in the adjacent public domain will be maintained and is consistent with the requirements of the Central Sydney Planning Strategy.

An amendment to the Sydney Development Control Plan 2012 (DCP), to be exhibited with this planning proposal, contains more detailed site-specific planning provisions. The planning proposal and draft DCP address issues arising from the assessment of the applicant's planning proposal request.



Figure 11. Photomontage of the concept development facilitated by this planning proposal



Figure 12. Photomontage of the planning proposal concept development

## 2. Current planning controls

### 2.1 Zoning

The site is zoned SP5 Metropolitan Centre in Sydney LEP 2012 as shown in Figure 13. A broad range of uses are permitted within this zone, including commercial premises, community facilities, food and drink facilities and visitor accommodation.

The SP5 zone objectives seek to recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy and to provide opportunities for an intensity of land uses commensurate with Sydney's global status. This planning proposal will not change the site's zoning.

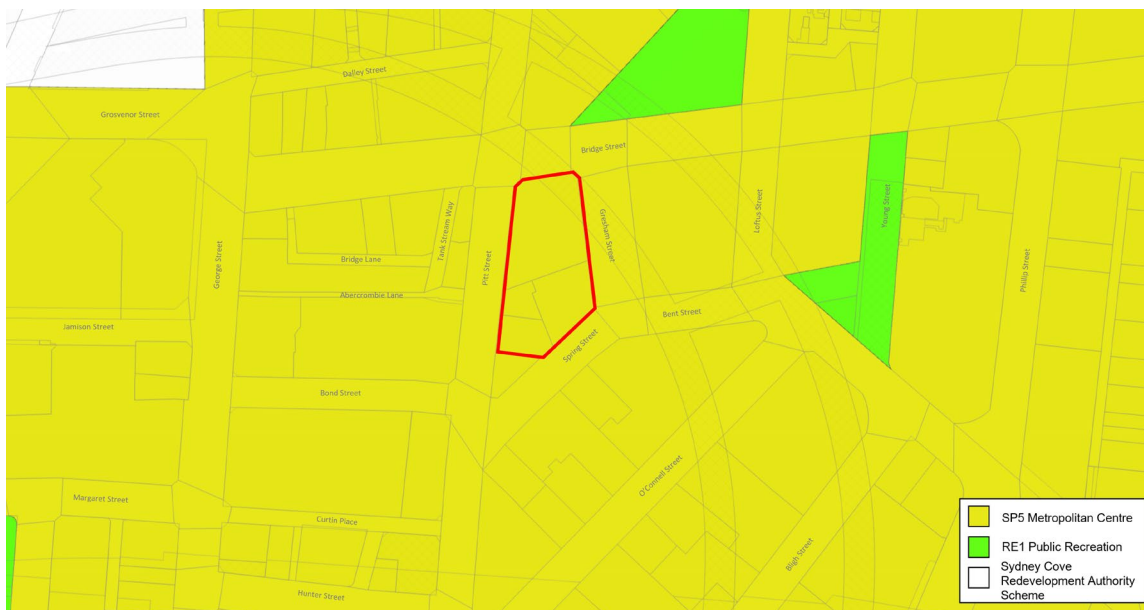


Figure 13. Extract from the Zoning map in Sydney LEP 2012

### 2.2 Development controls

#### Maximum height of building

The site is subject to a maximum height of building control of 55 metres for the northern third of the site and 235 metres at the southern section of the site as shown in Figure 14. The site is not affected by any sun access plane, however development on site must not result in additional overshadowing controls to the Australia Square Plaza pursuant to clause 6.18 of the LEP.

These height controls are generally consistent with the surrounding sites, with the exception of the adjacent heritage items to the east which are limited to the height of the existing building.



Figure 14. Extract from the Height of building map in Sydney LEP 2012

### Floor space ratio

The maximum floor space ratio for the site is 8:1 as shown in Figure 15. Surrounding sites have the same FSR. The site is also eligible for additional floor space under Division 1 of the LEP as follows:

- accommodation floor space of up to 4.5:1 for office premises, subject to design excellence and purchase of heritage floor space;
- end of journey floor space of up to 0.3:1;
- opportunity site floor space of up to 0.8:1;
- additional floor space equal to the area of any shared loading dock facility; and
- up to 10% additional floor space may be granted if a competitive design process has been undertaken and design excellence is demonstrated.

In total, an FSR of 14.85:1 is potentially achievable for an office development on the site.

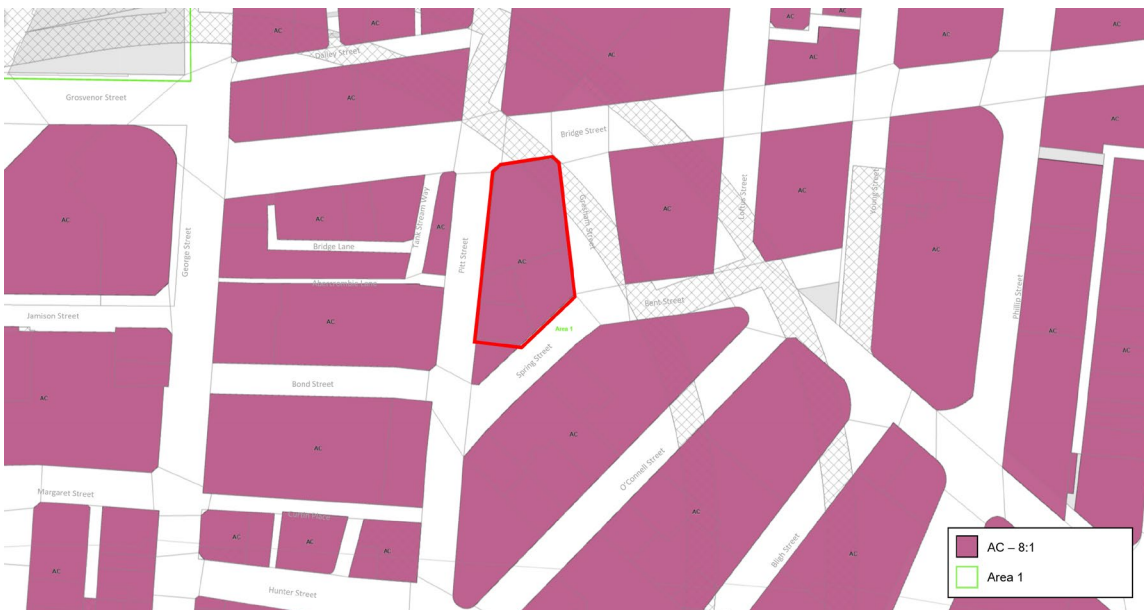


Figure 15. Extract from the Floor space ratio map in Sydney LEP 2012



The site is also located in an identified tower cluster area and may be eligible for up to 50% additional floor space subject to the building demonstrating design excellence as the winner of an architectural design competition in accordance with the City's Competitive Design Policy pursuant to clause 6.21E of the LEP.

## 2.3 Heritage

The site is not heritage listed or located within a heritage conservation area. There are however a number of heritage items within the sites vicinity. Figure 16 shows the location of these heritage items in relation to the subject site, including:

- I1657 – Abercrombie Lane
- I1683 – State heritage item – Former “Department of Lands” building – 23-33 Bridge Street
- I1684 – State heritage item – Department of Education building – 35-39 Bridge Street
- I1900 – Former “Chatsworth House” façade – 1-15 O’Connell Street
- I1901 – Former “Orient Building” facade – 1-15 O’Connell Street
- I1916 – Former “Exchange Hotel” – 69-73 Pitt Street
- I1917 – Former “Royal Exchange Assurance Building” – 75-77 Pitt Street
- I2288 – Former Liverpool & London & Globe building – 62 Pitt Street

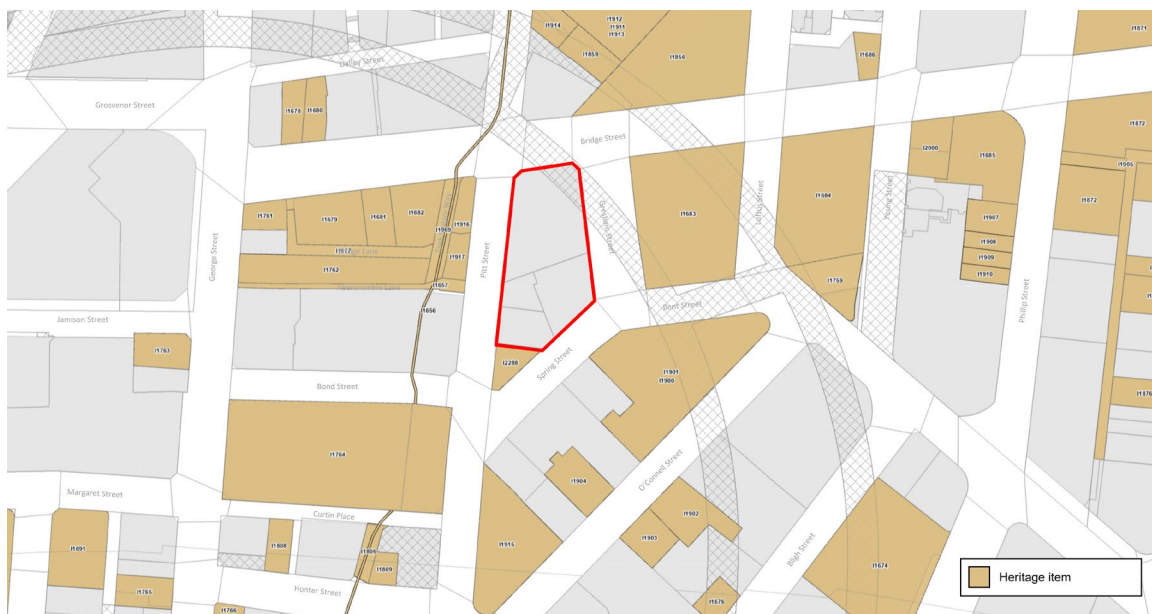


Figure 16. Extract from the Heritage map in Sydney LEP 2012

# 3. Objectives and intended outcomes

The objective of this planning proposal is to amend the Sydney Local Environmental Plan 2012 and insert new site-specific provisions to permit additional building height and floor space ratio for the 56 Pitt Street site to accommodate additional business and employment generating floor space.

Specifically, the objectives and intended outcomes of this planning proposal are as follows:

- facilitate additional premium office space in a strategic and prominent location delivering new jobs compatible with Sydney's global status;
- maximise the efficient use of existing and planned infrastructure by delivering uplift close to existing public and active transport networks and the future Sydney Metro;
- further strengthen and protect the economy of the commercial core of Central Sydney;
- deliver an improved urban design and pedestrian experience with greater activation and appropriate wind and daylight conditions at ground level;
- facilitate a new building that is consistent with the character of the surrounding area and respects adjacent heritage buildings;
- improved pedestrian connections and amenity through the delivery of a new through-site link and plaza fronting Bridge Street to be dedicated to the City as new public space; and
- an improved built form that delivers design excellence, public art and sustainability outcomes.

Draft site-specific amendments to the Sydney DCP 2012 accompany this planning proposal and provides more detailed design guidance for the future redevelopment of the site.

A Voluntary Planning Agreement (VPA) will be exhibited to secure the delivery of the new public plaza fronting Bridge Street and public art in excess of standard requirements, as well as public access to the pedestrian through-site link, to establish principles for the access to and operation of the shared precinct loading dock, and to provide commitments for sustainability targets exceeding the City's requirements.

## 4. Explanation of provisions

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### 4.1 Sydney Local Environmental Plan 2012

To achieve the intended outcomes, this planning proposal seeks to amend the Sydney Local Environmental Plan 2012 by inserting new site-specific provisions for the subject site, 56-60 Pitt Street and 3 Spring Street, Sydney under Division 5 as follows:

- allow a maximum building height of RL 310 metres;
- permit maximum floor space ratio of 27.4:1, inclusive of the following:
  - the mapped floor space ratio (pursuant to clause 4.4);
  - accommodation floor space (clause 6.4);
  - shared loading dock facility floor space (clause 6.5A);
  - end of journey floor space (clause 6.6); and
  - design excellence additional floor space (clause 6.21D(3)(b));
- prevent development consent being granted under this clause unless the consent authority is satisfied that the building:
  - will not be used for the purpose of residential accommodation or serviced apartments;
  - includes the provision of a publicly dedicated plaza fronting Bridge Street and a retail activated through-site link connecting Pitt Street with Spring and Gresham Streets;
  - includes an end of journey facility;
  - includes a shared loading dock facility, in addition to the site's own requirements, for the use of surrounding businesses; and
  - demonstrates design excellence as the winner of an architectural design competition process pursuant to clause 6.21D of the LEP; and
- insert a provision in Clause 4.6 Exceptions to development standards so that future development applications lodged cannot further vary the controls which have been thoroughly tested for the site;
- clarify that no additional building height or floor space available under clause 6.21 (3)(a) and (b) is applicable; and
- clarify that these provision are opt-in for uses other than residential accommodation and serviced apartments, otherwise the mapped height and FSR controls will apply.

A brief explanation of the provisions is included below and detailed justification of the proposed provisions and their impact is included below in Section 5.3.

#### Maximum building height

The maximum building height development control of 55 metres applies at the northern end of the site and 235 metres applies to the southern portion. The site is not subject to any sun access plane controls, however development must not result in additional overshadowing to the Australia Square Plaza between 12.00pm and 2.00pm, 14 April and 31 August pursuant to clause 6.18 of the LEP.

This planning proposal seeks to insert new site specific provisions with a maximum building height of RL 310 metres for the uses proposed as requested by the landowner. The increased maximum building height control facilitates a new tower on the subject site which will not result in additional overshadowing within the protected period. Clause 6.21D(3)(a) will not apply to the proposed site specific controls as future development shall not exceed the maximum set at RL 310 metres.

### Floor space ratio

The mapped floor space ratio for the site under clause 4.4 of the LEP is 8:1. Future development is also eligible to additional floor space under Division 1 of the LEP, namely accommodation floor space, shared loading dock facility floor space, end of journey floor space and opportunity site floor space, as well as design excellence additional floor space of up to 10% if the building demonstrates design excellence.

Despite the various types of floor space available, the floor space ratio for the subject site facilitated by this planning proposal will be expressed in Division 5 of the LEP as a maximum and shall not exceed 27.4:1. Clause 6.21D(3)(b) will not apply to the proposed site specific controls as the expressed FSR is the maximum and is inclusive of all applicable additional floor space types.

It is intended that the various types of additional floor space will be referenced in the proposed LEP clause to ensure their application as per existing processes. For example – an amount of heritage floor space must be applied to the development with reference to accommodation floor space pursuant to Subdivision 3 of the LEP.

### Non-residential uses

To facilitate the delivery of new employment generating floor space, only non-residential uses will be eligible for the additional building height and floor space site-specific provisions delivered as part of this planning proposal. As such, residential or serviced apartment uses are excluded from the proposed provisions and employment floor space is protected from residential uses.

This planning proposal will not change the zoning for the site, which permits a range of uses, including business, retail, residential and visitor accommodation. Any future redevelopment of the site for residential or serviced apartment uses will however be limited to the existing building height and floor space ratio controls.

The planning proposal includes a provision to clarify that the proposed site-specific provisions are opt-in for uses other than residential accommodation and serviced apartments, otherwise the mapped height and FSR, additional floor space under Division 3 Subdivision 2, and any additional floor space from a competitive design process of 6.21D, will apply.

### Public plaza and through-site link

An objective of this planning proposal is deliver an improved pedestrian experience with greater activation, new public space and connections. To achieve this, the planning proposal will make it a requirement that future development provides for a new public plaza fronting Bridge Street and a through-site link connecting Pitt Street with Gresham and Spring Streets.

### Logistics hub / Shared loading dock facility

To facilitate the delivery of the logistics hub, the proposed site-specific provisions will require the consent authority to be satisfied the shared loading dock facility is included in future development. The subclause will also specify that the shared loading dock facility is to be in addition to the site's own servicing requirements and is to function for the use of surrounding businesses.

### Clause 4.6 – Exceptions to development standards

The planning proposal proposes to insert a provision in Clause 4.6 Exceptions to development standards, so that the future development application lodged under these site-specific provisions do not further vary the development controls.

This planning proposal addresses the criteria detailed in the Department of Planning, Housing and Infrastructure's Guide to Exclusions from Clause 4.6 of the Standard Instrument dated November 2023 and is discussed in greater detail in Section 5.3.

### Design excellence

Future development on site will be subject to an architectural design competition consistent with the requirements of clause 6.21 of the LEP to ensure a high design quality outcome is achieved. This planning proposal will prevent development consent being granted unless future development

has been subject to an architectural design competition and demonstrates design excellence in accordance with clause 6.21 of the LEP.

The building height and floor space ratio development controls are expressed as a maximum, therefore clause 6.21(3) (a) and (b) is not applicable as a bonus in this instance.

#### Drafting instructions

Appendix 1 of this planning proposal provides some example clauses of the proposed controls for the subject site to provide clear guidance of the outcomes this this planning proposal aims to achieve.

The final version of the clauses to be inserted into the LEP would be subject to drafting and agreement with the NSW Parliamentary Counsel's Office.

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## 4.2 Sydney Development Control Plan 2012

To ensure future development is consistent with the objectives of the planning proposal, site-specific provisions for the DCP will be drafted to ensure a high-quality built form and public domain. These provisions include:

- maximum building envelope dimensions;
- pedestrian through-site link dimensions and requirements for ground floor activation;
- controls regarding the access and operation of the shared precinct loading dock;
- a design excellence strategy; and
- sustainability and public art requirements.

A draft of the new site specific provisions for the DCP, also to be placed on public exhibition, can be found at Attachment B.

## 5. Justification

This planning proposal is to amend the height of building and floor space development controls to facilitate the redevelopment of the subject site with a new premium-grade office tower. No change to the land use zoning is proposed, nor would the future use of the subject site change significantly from its existing commercial uses.

The following section provides justification for the planning proposal, outlining strategic and potential site-specific merit, outcomes, and process for implementation.

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### 5.1 Need for the planning proposal

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

This planning proposal has been prepared following a request from the landowner to change the planning controls that relate to the site in response to the Central Sydney Planning Strategy.

The landowner has provided a Planning Proposal Justification Report prepared by Ethos Urban and a number of technical reports to support their request, including an Urban Design Report prepared by FJC Studio. These reports detail how the proposal demonstrates strategic and site specific merit and is consistent with the requirements of the Central Sydney Planning Strategy in that it is capable of supporting additional density and additional employment generating floor space without unacceptable public domain and amenity impacts.

The supporting documentation submitted by with landowner to support their request accompany this planning proposal as follows:

- Attachment A – Urban Design Report – FJC
- Attachment B – Site Survey – Bella Vista Surveyors
- Attachment C – Design Excellence Strategy – Ethos Urban
- Attachment D – Public Benefit Offer – Dexus
- Attachment E – Traffic and Transport Assessment – The Transport Planning Partnership
- Attachment F – Visual Impact Assessment – Ethos Urban, Virtual Ideas
- Attachment G – Public Domain Concept Plan – Arcadia
- Attachment H – Heritage Impact Statement – Urbis
- Attachment I – Wind Environment Study – MEL Consultants
- Attachment J – Geotechnical Desktop Study – JK Geotechnics
- Attachment K – Flood Risk Management Report – Stantec
- Attachment L – Sustainability Report – Stantec
- Attachment M – Vision and Values Proposition Statement – Dexus
- Attachment N – Economic Contribution Analysis – EY
- Attachment O – Socio-Economic Context Report – Urbis

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

This planning proposal seeks to insert new site-specific provisions into Division 5 of Sydney LEP 2012 for the subject site. The proposed envelope has been assessed to ensure future development is appropriate to its context and will not result in any unacceptable impacts on adjoining properties or the public domain. The amended controls facilitate additional employment floor space consistent with the Local Strategic Planning Statement and Central Sydney Planning Strategy.

As the proposed changes are greater than those acceptable through an application to vary development standards via clause 4.6 of the LEP, the planning proposal approach is the most appropriate option.

## 5.2 Relationship to the strategic planning framework

### **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)?**

This planning proposal is consistent with the relevant actions and objectives of the applicable regional and district plans, as summarised below.

#### *Greater Sydney Region Plan*

A Metropolis of Three Cities – The Greater Sydney Region Plan is the NSW Government's overarching strategic plan for growth and change in Sydney. The 20-year plan provides a 40 year vision that seeks to transform Greater Sydney into a metropolis of three cities, being the Western Parkland City; the Central River City and the Eastern Harbour City. It identifies key challenges facing Greater Sydney, including a projected population increase of 1.7 million and the associated requirements to deliver 725,000 new homes and create 1 million new jobs by 2036.

The Plan outlines how Greater Sydney will manage and deliver growth and guide infrastructure delivery. This planning proposal gives effect to the Plan, as follows:

- **Infrastructure** – future development will support recent transport infrastructure investment and shall benefit from the additional capacity available as these modes come into service.
- **Liveability** – this planning proposal delivers an upgraded public domain with improvements to the pedestrian network, a new through-site link and plaza fronting Bridge Street.
- **Productivity** – the site's location in Central Sydney and the delivery of new premium office space helps deliver a stronger, more competitive Harbour CBD.
- **Sustainability** – this planning proposal facilitates the delivery of a new building with improved sustainability outcomes than the current buildings, meeting the City's Net Zero provisions.

#### *Eastern City District Plan*

The Eastern City District Plan sets out the vision, priorities and actions for the Eastern District of the Greater Sydney area, which includes the City of Sydney. It establishes a 20-year vision for the Eastern District to be a global sustainability leader, managing growth while maintaining and enhancing liveability, productivity and attractiveness for residents, workers and visitors

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

- **Planning Priority E1 – Planning for a city supported by infrastructure** – the delivery of new premium grade office space makes efficient use of existing and new transport infrastructure, maximising the use of rail, light rail, Metro, ferry and bus services.
- **Planning Priority E6 – Creating and renewing great places and local centres, respecting the District's heritage** – this planning proposal will help deliver on the City North Public Domain Plan, improving accessibility, connectivity and amenity through upgrades to the pedestrian network, a new through-site link and public plaza fronting Bridge Street.
- **Planning Priority E7 – Growing a stronger and more competitive Harbour CBD** – this planning proposal is at the core of the Harbour CBD and facilitates the delivery of new premium office space maximising the competitive advantage that the site's location provides.
- **Planning Priority E10 – Delivering integrated land use and transport planning for a 30-minute city** – future development satisfies the 30-minute city objective, with new office floor space close to public transport, with connections to much of Greater Sydney within 30-minute travel.
- **Planning Priority E11 – Growing investment, business opportunities and jobs in strategic centres** – this planning proposal facilitates new commercial development providing new retail and office space in Central Sydney, adding to the viability of the Harbour CBD economy.
- **Planning Priority E13 – Supporting growth of targeted industry sectors** – this planning proposal will deliver additional commercial floor space which is available for targeted industry sectors.
- **Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently** – future development will achieve the City's Net Zero provisions delivering key ecologically sustainable commitments, including 6 star NABERS Energy rating, 4.5 star NABERS Water rating, 4-star NABERS Waste rating; and Green Star rating of 6 stars.

**Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary, or another endorsed local strategy of strategic plan?**

*Sustainable Sydney 2030-2050: Continuing the vision*

Sustainable Sydney 2030-2050 is the vision for a city that is green, global and connected achieved through sustainable growth, creativity and innovation. It sets targets, objectives and actions to achieve this vision. This planning proposal is aligned with the following strategic directions:

- **Direction 2: A leading environmental performer** – this planning proposal will deliver ecologically sustainable development on the site meeting the City’s requirements.
- **Direction 3: Public places for all** – the surrounding public domain will be improved through the delivery of a new public plaza fronting Bridge Street and through-site link connecting Pitt street with Spring and Gresham Streets. The proposal aligns with the City North Public Domain Plan supporting the activation of Spring Street which will be pedestrianised through the Plan.
- **Direction 4: Design excellence and sustainable development** – future development will be informed by a competitive design process to achieve design excellence and will achieve ecological sustainable development in line with the City’s sustainability requirements.
- **Direction 5: A city for walking, cycling and public transport** – the site is able to make efficient use of existing and future transport infrastructure, with a new through-site link and upgraded pedestrian network to improve pedestrian permeability of the CBD.
- **Direction 6: An equitable and inclusive city** – future development facilitated by the planning proposal will deliver a positive contribution Central Sydney through greater opportunities for business and new retail activation for local workers, residents and visitors.
- **Direction 7: Resilient and diverse communities** – this planning proposal will enhance the City Core precinct with increased business opportunities for investment, employment and improved public domain conditions for workers and visitors.
- **Direction 8: A thriving cultural and creative life** – public art delivered through the future development on the site will provide new creative and cultural experiences and opportunities for engagement with the public.
- **Direction 9: A transformed and innovative economy** – this planning proposal supports job growth in Central Sydney, helping to maintain the city’s position as a destination for business, investment and talent.

*City Plan 2036 – Local Strategic Planning Statement*

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

**Infrastructure**

- **I1. Movement for walkable neighbourhoods and a connected city** – future development contributes towards planned upgrades to the pedestrian network including a new through-site link connecting Pitt Street with Gresham Street and widened footpaths.
- **I2. Align development and growth with supporting infrastructure** – the subject site is well-positioned to take advantage of existing infrastructure, including rail, light rail, metro and ferry connections, as well as nearby bus services and cycleways.
- **I3. Supporting community wellbeing with social infrastructure** – the future development concept facilitated by this planning proposal supports community wellbeing through the delivery of new social infrastructure with a new plaza fronting Bridge Street featuring new public art.



### Liveability

- **L5. Creating great places** – future development on the subject site will deliver improved street life and activation through a new public through-site link, a new public plaza to Bridge Street and greater activation of surrounding street where new fine grain retail would encourage activation. .

### Productivity

- **P1. Growing a stronger, more competitive Central Sydney** – this proposal supports additional growth in Central Sydney by delivering additional floor space and capacity for economic and employment growth. It will deliver large, premium grade floor space to attract globally competitive businesses.

### Sustainability

- **S2. Creating better buildings and places to reduce emissions and water and use water efficiently** – the new building facilitated by this planning proposal will be required to meet ambitious sustainability benchmarks, delivering more ecologically sustainable buildings.

### Central Sydney Planning Strategy

The Central Sydney Planning Strategy is a 20-year growth strategy for Central Sydney. As the economic heart of Australia's most global city, Central Sydney plays a critical role in the continued growth and economic success of wider Sydney and the national economy.

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

1. **Prioritise employment growth and increase capacity** – this planning proposal facilitates new premium office floor space, increasing employment capacity and growth within Central Sydney.
2. **Ensure development responds to context** – a site-specific DCP accompanies this planning proposal, with provisions to ensure future development responds to its context with appropriate street frontage heights and setbacks, in addition to a suitable urban design outcome these controls protect public domain wind and daylight conditions.
4. **Provide for employment growth in new tower clusters** – the site is located in a tower cluster where additional building height and density may be accommodated for the provision of commercial floor space.
5. **Ensure infrastructure keeps pace with growth** – contributions from future development will go towards the delivery of new and upgraded infrastructure in Central Sydney and towards the City's Affordable Housing program.
6. **Move towards a more sustainable city** – future development will be required to achieve the City's 2026 performance standards for net zero energy buildings by delivering a 6-star NABERS Energy rating and 100% renewable energy provision.
7. **Protect, enhance and expand Central Sydney's heritage and public places** – the planning envelope facilitated by this planning proposal has been set to respond to adjacent heritage and will not result in any additional overshadowing to protected public places.
8. **Move people more easily** – the site is well located to capitalise on the recent upgrades to public transport including the new light rail and future Sydney Metro, as well as upgrades to the pedestrian network as a result of this planning proposal including a new through-site link and logistics hub moving loading and servicing off the street making more space for pedestrians.
9. **Reaffirm commitment to design excellence** – future development on site facilitated by this planning proposal will be subject to a full competitive design process, with the site-specific DCP to include a design excellence strategy and ensure a high quality built form.

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

Not applicable.

**Is the planning proposal consistent with applicable State Environmental Planning Policies?**

This planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs), as summarised in Table 2

**Table 2: Consistency with State Environmental Planning Policies**

State Environmental Planning Policy	Comment
SEPP (Biodiversity and Conservation) 2021	<p>Consistent. The site is located within the Sydney Harbour Catchment area but not within the Foreshores and Waterways Area.</p> <p>The planning proposal is accompanied by a Flood Risk Management Report which identified the site as flood affected adjacent to overland flows towards Sydney Harbour along Pitt Street. The report modelled existing and proposed conditions detailing the flood depths in peak events. While the public domain adjacent to the site is affected in major events, floor levels of the proposed building comply with the City's policies and the requirements of this SEPP. This will be addressed further as part of the detailed design Development Application.</p>
SEPP (Exempt and Complying Development Codes) 2008	Consistent
SEPP (Housing) 2021	Consistent
SEPP (Industry and Employment) 2021	Consistent
SEPP (Planning Systems) 2021	Consistent
SEPP (Precincts–Eastern Harbour City) 2021	Consistent
SEPP (Resilience and Hazards) 2021	<p>Consistent. The City proposal is accompanied by a Geotechnical Assessment detailing the site's likely subsurface conditions, groundwater impacts and potential for contamination. Further detailed investigation will be required as part of any future development application process. The site is not located within the Coastal Environment Area nor the Coastal Use Area.</p>
SEPP (Resources and Energy) 2021	Consistent.
SEPP (Sustainable Buildings) 2022	Consistent
SEPP (Transport and Infrastructure) 2021	Consistent. This SEPP aims to facilitate the effective delivery of infrastructure and identifies matters to be

State Environmental Planning Policy	Comment
	<p>considered in the assessment of development adjacent to particular infrastructure.</p> <p>The subject site intersects the Sydney Metro corridor which passes directly beneath. This proximity requires future development application to consider potential impacts of the proposal on the corridor and will require concurrence.</p> <p>Additionally, as any future development on the site will be considered a 'traffic generating development' for the purposes of the SEPP as over 10,000sq.m of commercial floor space is proposed, concurrence from Transport for NSW is also required.</p>

The following SEPPs are not applicable to this planning proposal:

- SEPP (Precincts – Central River City) 2021, SEPP (Precincts – Regional) 2021, SEPP (Precincts – Western Parkland City) 2021, SEPP (Primary Production) 2021

**Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?**

This planning proposal is consistent with all Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in Table 3.

**Table 3: Consistency with Ministerial Directions**

Ministerial Direction	Comment
<b>Focus area 1: Planning Systems</b>	
1.1 Implementation of Regional Plans	Consistent. This proposal gives effect to the Greater Sydney Region Plan as detailed above.
1.3 Approval and Referral Requirements	Consistent. No provision includes concurrence, consultation or referral provisions, or identifies any designated development.
1.4 Site Specific Provisions	Consistent. This proposal does not restrict the permitted uses on the land. This planning proposal provides an uplift for commercial development, consistent with local, district and State strategies. Other uses remain permissible on the site pursuant to its zoning.
1.4A Exclusion of Development Standards from Variation	<p>Consistent. This proposal is consistent with the criteria detailed in the Department of Planning, Housing and Infrastructure's <i>Guide to Exclusions from Clause 4.6 of the Standard Instrument</i>.</p> <p>This planning proposal will ensure clause 4.6 exceptions are not permitted. The proposed controls provide for additional development potential to facilitate the delivery of substantial</p>

Ministerial Direction	Comment
	<p>public benefits, including new public open space and pedestrian infrastructure.</p> <p>The planning envelope includes considerable uplift from the mapped development controls and has been subject to significant testing, it is not considered appropriate to further vary the controls without causing significant adverse amenity impacts.</p> <p>The criteria in the Department’s Guide is discussed in greater detail in Section 5.3.</p>
<b>Focus area 3: Biodiversity and Conservation</b>	
3.1 Conservation Zone	Consistent. No amendment in this proposal hinders the application of this Direction
3.2 Heritage Conservation	Consistent. The site is adjacent to a number of heritage items. This planning proposal does not alter any applicable heritage controls. Future development application will be assessed on impacts to nearby heritage.
3.5 Recreation Vehicle Areas	Consistent. No amendment in this proposal hinders the application of this Direction
3.7 Public Bushland	Consistent. No amendment in this proposal hinders the application of this Direction
3.9 Sydney Harbour Foreshores and Waterways Area	Consistent. The site is not located within the Foreshore and Waterways Area.
3.10 Water Catchment Protection	This planning proposal is consistent. The site is in the Sydney Harbour Catchment but outside the Foreshore and Waterways Area Boundary. The proposal does not conflict with the objectives of the Direction and the proponent has provided technical studies to address this and are included as appendices to this planning proposal.
<b>Focus area 4: Resilience and Hazards</b>	
4.1 Flooding	<p>Consistent. Future development on the subject site is capable of complying with the City’s Interim Floodplain Management Policy meeting the requirements of this Direction.</p> <p>A Flood Risk Management Report accompanies this planning proposal detailing flood depths in the public domain at peak events. The proposal however complies with the City’s policies and SEPP requirements. This will be addressed further as part of the development application.</p>

Ministerial Direction	Comment
4.2 Coastal Management	Consistent. The site is not located within the coastal environment area or coastal use area.
4.4 Remediation of Contaminated Land	Consistent. This subject site is suitable for the proposed land uses. Further investigation regarding potential contamination and remediation will be undertaken as part of any future development application process.
4.5 Acid Sulfate Soils	Consistent. The site is classified as part Class 2 and part Class 5 Acid Sulfate Soils as per the LEP. Further investigation and the need for an Acid Sulfate Soils Management Plan will be addressed through any future development application.
<b>Focus area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	Consistent. The site is well-located close to key public transport connections in Central Sydney.
5.3 Development near Regulated Airports and Defence Airfields	<p>Not consistent. The maximum height of RL 310 metres exceeds exceed the Obstacle Limitation Surfaces (OLS) for Sydney Airport. This Direction states that in preparing the planning proposal, consultation with the operator of the airport shall be undertaken to ensure development is not incompatible with the airport's operation.</p> <p>It is anticipated that public authority consultation will take place as part of the public exhibition process following a gateway determination. In this instance, consultation with the Sydney Airport Corporation, Airservices Australia and the Civil Aviation Safety Authority will be undertaken.</p> <p>Following consultation, the planning proposal will be amended where necessary and reported back to Council and the Central Sydney Planning Committee for final approval prior to the drafting. It is not anticipated that this planning proposal will compromise the effective and safe operation of Sydney Airport, considering the large number of tall buildings in Central Sydney.</p>
<b>Focus area 6: Housing</b>	
6.1 Residential Zones	Consistent. The planning proposal does not prevent a residential use from occurring on the site under the current zoning and development standards. It introduces additional standards to encourage commercial uses.

Ministerial Direction	Comment
6.2 Caravan Parks and Manufactured Home Estates	Consistent. No amendment in this proposal hinders the application of this Direction
<b>Focus area 7: Industry and Employment</b>	
7.1 Employment Zones	Consistent. This planning proposal shall deliver employment growth in a suitable location.

The following Directions are not applicable to this planning proposal:

- 1.2 Development of Aboriginal Land Council Land, 1.5 Parramatta Road Urban Transformation Strategy, 1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan, 1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan, 1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan, 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor, 1.10 Implementation of the Western Sydney Aerotropolis Plan, 1.11 Implementation of Bayside West Precincts 2036 Plan, 1.12 Implementation of Planning Principles for the Cooks Cove Precinct, 1.13 Implementation of St Leonards and Crows Nest 2036 Plan, 1.14 Implementation of Greater Macarthur 2040, 1.15 Implementation of the Pymont Peninsula Place Strategy, 1.16 North West Rail Link Corridor Strategy, 1.17 Implementation of the Bays West Place Strategy, 1.18 Implementation of the Macquarie Park Innovation Precinct, 1.19 Implementation of the Westmead Place Strategy, 1.20 Implementation of the Camellia-Rosehill Place Strategy, 1.21 Implementation of the South West Growth Area Structure Plan, 1.22 Implementation of the Cherrybrook Station Place Strategy, 3.3 Sydney Drinking Water Catchments, 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs, 3.6 Strategic Conservation Planning, 3.8 Willandra Lakes Region, 4.3 Planning for Bushfire Protection, 4.6 Mine Subsidence and Unstable Land, 5.2 Reserving Land for Public Purpose, 5.4 Shooting Ranges, 7.2 Reduction in non-hosted short-term accommodation period, 7.3 Commercial and Retail Development along the Pacific Highway, North Coast, 8.1 Mining, Petroleum Production and Extractive Industries, 9.1 Rural Zones, 9.2 Rural Lands, 9.3 Oyster Aquaculture, 9.4 Farmland of State Regional Significance on the NSW Far North Coast.

## 5.3 Environmental, social and economic impact

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

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

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

The additional building height and floor space ratio facilitated by this planning proposal will provide for the redevelopment of the ageing buildings to accommodate premium-grade office space.

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

The proposed scheme has been developed in collaboration with the proponent with environmental impacts identified and resolved during the detailed assessment. Key environmental considerations arising from the planning proposal, particularly in relation to urban amenity, are discussed below.

## Planning envelope

The Central Sydney Planning Strategy and Schedule 12 of the DCP set the base case envelope for new towers in Central Sydney, providing guidance on street wall heights and tower setbacks. A planning envelope may vary from the base case envelope subject to public domain amenity testing on daylight / sky view and wind assessment testing and urban design considerations.

The planning envelope was assessed compared to a base case envelope, prepared in accordance with the Strategy and Schedule 12 of the DCP, The planning envelope results in a marginal improvement in wind and daylight conditions compared to the base case envelope. The planning envelope facilitated by this proposal, while varied from DCP requirements, has been prepared to respond to key urban design considerations and protection of the public amenity.

### *Building envelope and tower setbacks*

The proposed planning envelope has been prepared to accommodate the tower on the subject site and deliver premium grade office space in a built form that maximises public domain daylight, mitigates against adverse wind impacts and minimises visual bulk and scale.

The podium has been designed to be responsive to its surroundings, with a street frontage height that aligns with adjoining heritage buildings on Bridge and Pitt Streets and the ground floor setback to Bridge Street will be expanded from 3m to 8m. The increased ground floor setback will create a new plaza fronting Bridge Street which will be dedicated to the City, delivering new high-quality public space in Central Sydney with maximised daylight access.

Above the podium, the low rise section of the tower has the greatest setbacks from all boundaries, providing an articulated tower indent zone, which extends from approximately RL 33m to RL 77m and is setback further than the main office floors in the tower above. The purpose of the indent zone is to protect public domain amenity by maximising daylight access, minimising perceived visual bulk and providing an increased setback to redirect wind downwash away from the street.

Above the indent zone, the mid-rise section (approximately RL 77m – RL 160m) has the minimum tower setbacks for the envelope. As the tower progresses into the high-rise strata of the tower, these setbacks increase as the tower tapers. These setbacks further increase in the high-rise strata (RL160m – RL 310m) as the tower tapers towards the top.

The upper tower has been designed to accommodate premium-grade floor plates, approximately 1,000m<sup>2</sup> net lettable area to meet the workplace needs of tenants and the Property Council of Australia's office quality requirements. This will deliver on the landowner's aspiration to attract top-tier organisations and the LEP zone objectives of strengthening and protecting the Sydney's commercial core compatible with its global status. The planning envelope accommodates the landowner's desired floor plate size, with appropriate setbacks and allowance for architectural articulation to respond to environmental amenity issues. The upper level setbacks further taper the tower minimising visual bulk in accordance with the Strategy.

The tower setbacks for the planning envelope are detailed in Table 4 and illustrated in Figure 17.

Frontage	Podium	Indent zone	Mid-rise	High-rise
Bridge Street	8 metres	16.4 metres	12.4 metres	13.4 metres
Gresham Street	–	4.6 metres	0.6 metres	3 metres
Spring Street	–	8 metres	4 metres	6.1 metres
Southern boundary	–	12.3 metres	8.1 metres	9.3 metres
Pitt Street	–	5.5 metres	5.5 metres	5.5 metres

**Table 4. Tower setbacks of the proposed planning envelope**



Figure 17. View of indicative concept design from Bridge Street showing tower indent zone

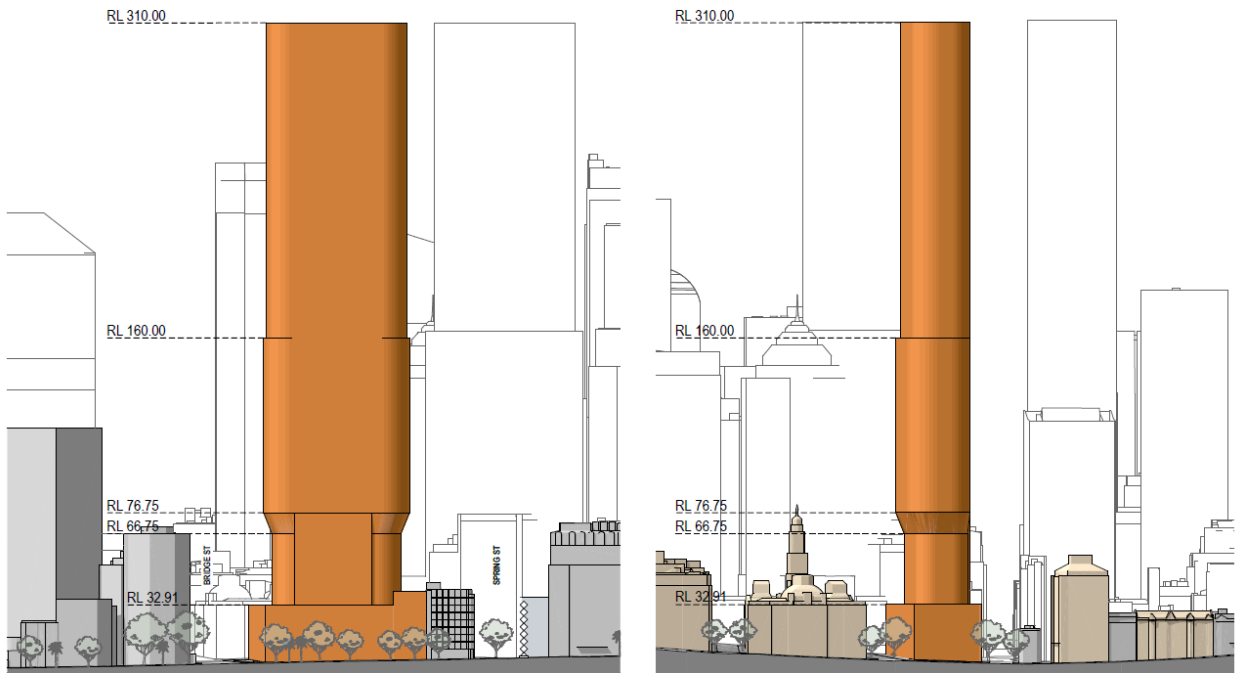


Figure 18. Proposed planning envelope – north and west elevations



### *Floor space ratio*

This planning proposal seeks to insert site-specific floor space ratio controls in Division 5 of the LEP for the subject site. The proposed FSR controls are specific to the proposed planning envelope as outlined in this planning proposal and is based on the landowner's request and indicative scheme as prepared by FJC. The proposed envelope has been tested and verified to ensure it is consistent with the requirements of the Strategy and the Guideline for Site-Specific Planning Proposals in Central Sydney, namely floor-to-floor heights, plant floors, core efficiencies, architectural articulation and roof zones.

The site-specific FSR as facilitated by this planning proposal is to be expressed in the LEP as a maximum and such future development is not eligible for any additional floor space. In particular, this planning proposal increases the maximum FSR for the site from 14.85:1 to 27.4:1, this is inclusive of design excellence floor space, accommodation floor space, shared loading dock floor space, opportunity site floor space and end of journey floor space. The City's heritage floor space scheme shall remain applicable to the amount of accommodation floor space in accordance with current processes.

To be eligible for the proposed development controls future development on the site is to meet the site specific requirements in the LEP, including but not limited to restricting future development on the site to non-residential uses only and provision of a through site link, public plaza, shared loading dock and ground floor active uses.

### *Architectural articulation*

Further to the above, the Strategy and accompanying Guideline provides guidance in the calculation of gross floor area, includes exclusion for plant levels, building core and architectural articulation proportionate to the height of the tower. The lodged planning envelope at RL 310 metres in height is subject to architectural articulation of 15 per cent.

Notwithstanding the above, the indicative reference scheme comprises 10 per cent architectural articulation for the tower section only, above RL 75 metres. This amount of articulation provides sufficient flexibility to respond to amenity issues and enable a high-quality design response. The proposed planning envelope also delivers other opportunities for articulation through the indent zone located between the podium and the tower, where the setbacks have been increased as a design response for wind mitigation, to maximise daylight in the public domain and reduce the visual bulk of the tower at ground level. This area is excluded from the articulation quantum.

## **Public domain**

### *Bridge Street Plaza*

The indicative concept scheme makes provision for a new public plaza fronting Bridge Street achieved by increasing the 3m ground level DCP setback to 8m. This setback spans the whole Bridge Street frontage of the site. The plaza will be dedicated to the City in stratum, above the basement below, and secured through a voluntary planning agreement.

The primary intent of the new plaza is to maximise daylight access to the site and surrounding area, delivering new open space to this area of Central Sydney and providing a connection to Macquarie Place on the northern side of Bridge Street. The plaza setback echoes the alignment of former Royal Exchange building that stood on the site, opening up a vista towards the eastern facade of the former Lands Department resulting in greater visual prominence while improving streetscape conditions. The plaza shall comprise other elements to clearly signify its role as public open space, including the placement of a significant piece of public art, seating, planting of a large mature tree.

While the final design of the new public plaza will be subject to its own design process, the draft DCP that accompanies this planning proposal includes provisions as design guidance. In particular, the new public plaza is to seamlessly integrate with the surrounding streetscape and read as a legible part of the City through use of the City's established palette of materials and details. The draft DCP includes provisions for the podium design and how it will address the plaza,

in particular this frontage is to include large areas of glazing to maximise activation. Further, the northern building entry is to open onto Pitt Street, away from the plaza to ensure it will be clearly read as public space.



Figure 19. Indicative concept design of proposed Bridge Street Plaza

#### *Public art*

The draft DCP that accompanies this planning proposal makes provision for the delivery of high-quality public art on publicly accessible space in and around the subject site, such as the proposed new plaza fronting Bridge Street that is to be dedicated to the City and within the through-site link. The Public Domain Plan that accompanies this planning proposal nominates the location for a number of public art opportunities around the site to add visual interest and communicate the site's history, including the opportunity for a major commissioned piece of public artwork in a prominent location.

The identification of public art opportunities will be considered as part of the design process and the quantum of public art secured shall be in accordance with development application requirements (0.5% of CIV), with an additional amount over and above DA requirements (0.25% of CIV) secured through a voluntary planning agreement between the City and the landowner.



Figure 20. Precedent images of major commissioned public artwork

The draft DCP that accompanies this planning proposal includes provisions for public art and further requirements and considerations to inform the design competition and future application, including the relocation of the 'Lady of Commerce' statue which was originally located on former Royal Exchange Building façade and is presently located at the entrance to the existing 56 Pitt Street building

### *Through-site link*

An objective of this planning proposal is to deliver an improved pedestrian experience in the area, in particular by facilitating a new through-site link connecting Abercrombie Lane at Pitt Street with the intersection of Spring and Gresham Streets with Bent Street. As the subject site comprises the majority of a city block in Central Sydney, this new east-west connection will deliver improved walkability and pedestrian permeability.

The alignment of the through-site link with Abercrombie Lane provides a direct connection from George Street, near the Bridge Street light rail stop towards Bent Street. With a minimum height clearance of 8 metres above the Gresham Street ground level, the through-site link also provides a direct visual connection from Pitt Street and Abercrombie Lane towards Bent Street and of the heritage listed former Lands Building.

Provisions are included in the draft DCP detailing the location, height and width of this through-site link to ensure it is clear, legible and accessible to pedestrians of all levels of mobility. This includes a minimum pedestrian clearance of 6 metres and public lift access. Active retail premises will be encouraged to front the through-site link to ensure safety and activity.

### *Active frontages*

The indicative concept design for this planning proposal includes generous opportunities for active uses fronting publicly accessible areas and the public domain. This ground level activation comprises a mixture of active retail spaces, building entries and glazed lobby space, which provides passive surveillance of the public domain while ensuring that space is clearly read as public space. The draft DCP includes provisions to ensure active frontages are prioritised and maximised to all street frontages and the through-site link.

## **Urban design**

### *Daylight access / sky view testing*

This planning proposal seeks to unlock additional building height and floor space for new employment generating floor space and as such, the requirements of the Strategy are applicable. The proposed planning envelope is therefore subject to public domain amenity testing, measuring the extent of the sky visible in the area surrounding the site, expressed numerically as sky view factor.

The Urban Design Report prepared by FJC includes this skyview testing prepared in accordance with the City's requirements. The testing involved comparing a base case envelope with setbacks in accordance with the DCP controls with the planning envelope sought by this planning proposal. The planning envelope facilitated by this planning proposal may be supported subject to the attainment of equivalent or improved daylight conditions in the surrounding public domain. The proponent's testing has been verified by the City. This verification also takes into considerations significant areas of publicly accessible open space or areas to be dedicated to the City.

The sky view analysis undertaken by FJC and the City demonstrated that the proposed planning envelope will deliver a minor improvement from the base case envelope, maintaining acceptable day light access to the public domain. As such, the planning proposal is consistent with the equivalence testing requirements for tower cluster sites, ensuring the future development will maintain an acceptable amenity outcome for pedestrians and the public domain.

### *Wind*

In accordance with the requirements of the Strategy, this planning proposal was accompanied by a Wind Environment Study prepared by MEL Consultants, which tested pedestrian wind comfort and

safety levels as a result of future development on the subject site. Wind tunnel testing was done on two envelopes, a base case envelope with setbacks consistent with the Strategy, which was compared to the proposed planning envelope to demonstrate whether the proposal will have an improved or equivalent outcome. The assessment tested 25 locations surrounding the subject site.

The wind assessment found existing wind conditions in the public domain surrounding the site were comfortable, suitable for pedestrian standing, with no locations experiencing any exceedance of the wind safety standard. Testing on the base case and proposed planning envelope resulted in generally consistent wind conditions. The testing demonstrated that the planning envelope is consistent with the requirements of the Strategy. The results found some variation in the results, with the wind speed increasing in some locations, however wind conditions are unlikely to become uncomfortable or unsafe as a result of future development on the site.

Additional testing was undertaken on the proposed Bridge Street plaza, which is to be dedicated to the City as new public open space. It is therefore important that wind conditions in this location are comfortable and calm, suitable for dwelling and outdoor seating. The testing of the proposed plaza found conditions will be calm and primarily meeting the pedestrian standing criteria. To mitigate against any potential adverse conditions and to ensure the plaza is suitable for outdoor seating, the wind consultants recommended tree planting and canopy to provide extra shelter. The draft Development Control Plan includes provisions to ensure future development ensures the amenity of the plaza is calm and suitable for outdoor seating.

### *Visual impact*

The planning proposal request was accompanied by a Visual Impact Assessment prepared by Ethos Urban which provided an indicative view analysis of the proposed planning envelope from a number of locations at street level close to the site and to the overall Central Sydney cityscape.

The assessment found the potential visual impact from future development on the cityscape will be medium to high, with the tower perceived as a distinct new feature on the skyline and from some viewpoints as the new tallest element. The slender form of the tower when viewed from the north will be in keeping with the form of other towers.

The Sydney LEP 2012 provides for a number of protected view corridors, none of which will be impacted by this planning proposal. Notwithstanding this however there are some sensitive view corridors surrounding the subject site, such as along Bridge Street and towards the former Land Department clock tower as viewed along Spring Street and along Bent Street. Due to the tower's placement on the subject site, setback from the street, future development will not adversely impact the visual character of the streetscape when viewed along Bridge Street. Further, the lower level tower setbacks to Spring Street will preserve views towards the Lands Building clock tower as viewed from Pitt Street.

The assessment recommended careful consideration of building colours and materials at detailed design stage to ensure future development allows for nearby prominent building elements, such as the clock tower will continue to be appreciated, as such a provision will be included in the draft DCP to address this.

### *Heritage*

The subject site is not identified as a heritage item or located in a heritage conservation area, the northern section of the site falls within the Bridge Street Special Character Area. There are a number of adjacent heritage buildings in the vicinity, in particular the State listed Sandstone buildings to the east fronting Bridge Street and the former Liverpool & London & Globe building that directly adjoins the subject site at 62 Pitt Street.

A Heritage Impact Statement prepared by Urbis accompanied the planning proposal finding that future development on the subject site would not have a detrimental impact on the heritage significance of adjacent items.

The podium street frontage height varies from the Special Character Area control to ensure it appropriately responds to its heritage context. The podium height on the northern frontages aligns

with the parapet of the State listed former Department of Lands building to the east of the site on Bridge Street. The podium height on the southern end of the site fronting Pitt Street and Spring Street aligns with the adjoining heritage building at 62 Pitt Street.

The planning envelope also includes an 8 metre ground floor setback to Bridge Street, greater than the current 3 metre DCP requirement to open up views towards the adjacent Sandstone buildings, maintaining existing and historical views along Bridge Street.

This planning proposal is accompanied by site-specific provisions for the DCP to ensure future development appropriately responds to its context and adjacent heritage with controls that outline appropriate building height and setbacks and materials.

## **Traffic and transport**

### *Servicing*

Future development facilitated by this planning proposal is to include generous off-street servicing and loading facilities to meet the needs of the building and for public use. The location of the driveway and vehicle access on Pitt Street is acceptable and appropriate given the terrain and the surrounding street network.

The indicative concept design for this planning proposal includes 23 loading spaces which is consistent with the requirements of the Sydney DCP 2012. In addition to these spaces which are to meet the servicing needs of the building, the proposal includes a Logistics Hub comprising seven shared loading spaces for public use. The intent of the Logistics Hub is to meet the loading and servicing needs for nearby buildings without their own facilities, helping remove on-street loading spaces and enabling greater pedestrianisation in the surrounding streets.

The design and layout of the Logistics Hub will be determined as part of detailed design and through the development application, however operational requirements shall be established and secured through a voluntary planning agreement between Dexus and the City. General operational requirements will however be consistent with nearby on-street loading spaces including hours of operation, charges and management/booking procedures. Specific provisions for the Logistics Hub will be contained within the draft site-specific DCP.

### *Parking*

The future development concept includes provision for up to 18 parking spaces in the lower basement accessed via car lift from the loading dock on the first basement level. The proposed quantum of parking is less than the 66 car spaces permitted by the LEP.

The planning proposal is accompanied by a Traffic and Transport Assessment prepared by TTPP, that found future development is anticipated to generate less traffic than the current building on site with their 82 car spaces. The future concept is anticipated to result in a decrease in traffic volumes and as such will not result in an adverse impact to the surrounding road network.

The draft DCP will include provisions ensuring vehicle access to the site will be from Pitt Street only via single 6m crossover to reduce impact on pedestrian amenity.

### *End of journey facilities*

The indicative design and proposed LEP provisions provide for cycle and end of journey facilities located in the basement, accessed by vertical transport from the public domain and building lobby. The quantum of spaces for staff and visitor parking is consistent with DCP rates and requirements. While the composition of the facilities will be subject to detailed design, it is recommended that staff bike parking and the end of journey facilities are co-located, well designed and easily accessible to encourage use and reduce disruption on pedestrian movement.

## **Environmental impacts**

### *Flooding*

The site and adjacent public domain may be flood affected in large rain events due to its location on Pitt Street which experiences overland flows towards Sydney Harbour. A Flood Risk Management Report prepared by Stantec accompanied this planning proposal. The report modelled existing and proposed conditions detailing flood depths in peak events and provided guidance on the necessary floor levels to mitigate against inundation.

The report found that while the street network and public domain adjacent to the site may experience localised flooding in major events, there will be no increase to flood hazard as a result of future development on the subject site. Furthermore, the indicative reference scheme demonstrates the proposal is capable of complying with the flood planning levels as set by the City's Interim Floodplain Management Policy and therefore can satisfy flood planning controls.

A more detailed flood advice report would be included as part of any future development application for the site.

### *Sustainability*

The future development on the subject site is to achieve ambitious ecological sustainable development targets. The following commitments have been made by the landowner:

- 6 star NABERS Base Building Energy Base Building (Target);
- 4.5-star NABERS Whole Building Water Rating (Target);
- 4 star NABERS Waste (Target);
- 6-star Green Star Buildings v1 certified rating;
- WELL Core Platinum (Target);
- 100% renewable energy in operation;
- 100% electric; and
- 100% carbon neutral in operation.

These targets are consistent with the City's sustainability targets, as set by the Strategy and in particular complies with clause 7.33 of the Sydney LEP 2012 which requires development to optimise energy efficiency and achieve net zero emissions from energy. While the net zero requirements do not come into force until January 2026, the proposal has demonstrated that it will be capable of complying with these provisions regardless of when it will be lodged.

## **Other impacts**

### *Design excellence*

Future development will be subject to an architectural design competition pursuant to clause 6.21D of the LEP. As a planning proposal, future development will not be subject to the Tower cluster design excellence requirements, however as the proposal realises significant building height and FSR uplift, it is considered appropriate that design excellence provisions commensurate to its scale shall be applicable.

The applicable Design Excellence Strategy provisions are contained within the site-specific draft DCP that accompanies this planning proposal and will reflect the additional requirements applicable to future development on the subject site. In particular, the competition is to comprise a minimum of 6 competitors, with a minimum of 50% of which are to be Australian based and include at least one emerging architect. Competitors must also meet gender representation targets in their design teams and have demonstrated experience with environmental sustainability projects and hold a recent commendation or award in design excellence.

The building height and floor space ratio controls applicable to the site shall be expressed in the proposed site-specific LEP provisions as a maximum, and as such no additional building height or floor space is to be awarded as a result of an architectural design competition. The proposed provisions will also require development consent to only be granted if future development is subject to an architectural design competition and demonstrates design excellence.

#### *Clause 4.6 – Exceptions to development standards*

The planning proposal includes a provision in clause 4.6 Exceptions to development standards, so that the future development application lodged under these site-specific provisions do not further vary the development controls.

This proposal is consistent with the criteria detailed in the Department of Planning, Housing and Infrastructure's *Guide to Exclusions from Clause 4.6 of the Standard Instrument* dated November 2023. This planning proposal enables additional development potential to facilitate the delivery of substantial public benefits, to ensure employment generating land uses are encouraged in Central Sydney, and includes development standards that safeguards public domain amenity.

The proposed controls provide for additional development potential to facilitate the delivery of substantial public benefits including new public open space, a through-site link, logistics hub and improved pedestrian infrastructure in the surrounding precinct. These public benefits align with the City North Public Domain Plan which has been approved by Council and is informed by detailed specialist studies for improving streets and open spaces in this northern part of Central Sydney.

The proposed development standards have been prepared to ensure the desired gross floor area of the tower can be comfortably accommodated within the proposed planning envelope, which has been subject to detailed amenity testing. The proposed development standards facilitated by this planning proposal constitute considerable uplift from the mapped controls, from 48,800m<sup>2</sup> to 90,000m<sup>2</sup>. Considering the scale of the uplift, there is sufficient flexibility for future development to be adequately accommodated onsite without the need for further variations that may result in adverse amenity impacts.

As these controls have varied from the standard setback controls, they have been thoroughly tested for daylight and wind impacts and as such, any variation may result in adverse public domain amenity impacts. Which may be exacerbated by cumulative impacts from geography and built form, for example the street grid, the site's alignment and prevailing winds can create high wind speeds affecting pedestrian comfort and safety. By not permitting variations to the controls, amenity impacts will remain acceptable and consistent with testing and minimises cumulative impacts that may erode the amenity of the public domain.

The proposed controls ensure development does not breach the relevant Sun Access Planes and No Additional Overshadowing controls in the LEP, which are also unable to be varied. The tested controls are based on industry standard assumptions for building efficiencies and floor to floor heights to accommodate the requested gross floor area, which is varied from the mapped control.

The exclusion from clause 4.6 reflects the detailed consultation and collaboration with the proponent, particularly in regard to the delivery of public benefits as part of redevelopment which utilises the proposed uplift.

#### *Draft site-specific Development Control Plan*

A draft Development Control Plan has been prepared and will be exhibited alongside this planning proposal and provides site-specific controls to be inserted into Section 6 of the Sydney DCP 2012. It includes objectives and provisions to ensure a high quality built form is delivered.

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

- tower massing, setbacks and envelope;
- through-site link, public domain and new public plaza;
- heritage;
- public art;
- servicing and loading, including logistics hub
- parking and vehicular access;
- sustainability; and
- design excellence strategy.

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

### *Economic impact*

This planning proposal provides an opportunity for the redevelopment of the subject site, which is located in an identified tower cluster area where additional building height and density can be accommodated subject to acceptable amenity impacts. As such, the proposal aligns with the key moves of the City's local strategic planning statement and the Eastern City District Plan to grow a stronger, more competitive Central Sydney.

Future development facilitated by this planning proposal will comprise up to 90,000m<sup>2</sup> of premium-grade office floor space, providing for over 6,000 jobs during the construction phase and more than 6,000 operational jobs. With other positive economic contributions to the Central Sydney economy over the construction period and value add from incremental employment activity and labour income during operation.

The project will also deliver considerable social benefits to Central Sydney, by relocating nearby on-street loading spaces into the proposed Logistics Hub to create more room for pedestrians, additional dedicated public open space through a new plaza fronting Bridge Street, improved pedestrian amenity through the delivery of a new through-site link, retail activation and other public domain upgrades.

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## **5.4 Infrastructure (Local, State and Commonwealth)**

### **Is there adequate public infrastructure for the planning proposal?**

The site is located in Central Sydney, with numerous rail, light rail, ferry and bus services in close proximity, including a cycleway along Pitt Street and public open space at Macquarie Place and Circular Quay. The site is already serviced by public utilities including water, sewer and stormwater, electricity and telecommunications.

Any development application on the site will be subject to section 7.12 development contributions as outlined in the Central Sydney Development Contributions Plan 2020. There is adequate public infrastructure to support this planning proposal

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## **5.5 State and Commonwealth interests**

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

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

As future development on the site requires excavation and is located directly above the Sydney Metro corridor, the planning proposal and future development application requires concurrent approval from Sydney Metro before approval from the City.

Clause 7.16 of the LEP requires concurrent approval from Sydney Airport for all works proposed to penetrate the OLS height, which is RL 156 metres in this location. At RL 310 metres in height, the future development concept would require approval under the Airports Act 1996 before the detailed development application can be approved by the City.

It is proposed that the relevant public agencies are consulted on the height at the planning proposal stage.



## 6. Mapping

This planning proposal does not include any amendments to maps.

No change will be made to any maps contained in the LEP, instead alternative controls including building height and floor space ratio controls are proposed through new site-specific provisions under Division 5 of the LEP.

The draft DCP that accompanies this planning proposal includes detailed figures and diagrams to reflect the proposed future development concept as detailed in this planning proposal.

## 7. Community consultation

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

It is anticipated that the gateway determination will require public exhibition for a period of not less than 20 working days in accordance with the Environmental Planning and Assessment Act 1979 and *Local Environmental Plan Making Guideline* dated August 2023.

Notification of the public exhibition will be consistent with the gateway determination and the City's Community Participation Plan.

Consultation with the necessary state and federal agencies, authorities, other relevant organisations and stakeholders will be undertaken in accordance with the conditions contained in the gateway determination.

## 8. Project timeline

This planning proposal is categorised as a Principal planning proposal as per the *Local Environmental Plan Making Guideline* dated August 2023, the anticipated timeframe for the completion of the planning proposal is as follows:

Stage	Timeframe
Commencement / gateway determination	September 2024
Government agency consultation	November 2024
Public exhibition	November 2024
Review of issues raised in submissions	December 2024
Post-exhibition reporting	March 2025
LEP drafting	April/May 2025
LEP made	May 2025
LEP notification	May 2025

# Appendix 1

## Example provisions

The final version of the site-specific provisions to be inserted into the LEP are subject to drafting and agreement with NSW Parliamentary Counsel's Office, but may be as follows:

### **Part 6 Local provisions – height and floor space**

#### **Division 5 Site specific provisions**

#### **6.xx 56-60 Pitt Street and 3 Spring Street, Sydney**

- (1) The objectives of this clause are to:
  - (a) incentivise uses other than residential accommodation or serviced apartments, and
  - (b) encourage a satisfactory distribution of built form and floor space that is appropriate to the surrounding area, and
  - (c) provide a new public plaza fronting Bridge Street and publicly accessible pedestrian through-site link, and
  - (d) provide a shared loading dock facility for use by surrounding businesses.
- (2) This clause applies to the following land–
  - (a) Lot 1 DP 222751, 56 Pitt Street,
  - (b) Lots 1 to 33 SP57509, 58 Pitt Street,
  - (c) Lots 3-5 DP192236, 60 Pitt Street,
  - (d) Lot 1 DP 558106, 3 Spring Street.
- (3) The maximum height for a building on the land to which this clause applies is RL 310 metres.
- (4) Despite any other provision of this Plan, a building on land to which this clause applies may have a maximum floor space ratio of 27.4:1, comprising:
  - (a) mapped floor space ratio under clause 4.4, and
  - (b) accommodation floor space under clause 6.4, and
  - (c) shared loading dock facility floor space under clause 6.5A, and
  - (d) end of journey floor space under clause 6.6,
  - (e) additional site specific floor space in addition to the above, and
  - (f) additional floor space, of up to 10% if the building demonstrates design excellence within the meaning of clause 6.21D(3)(b).
- (5) The maximum floor space ratio must not exceed 27.4:1.
- (6) Subclauses (3), (4) and (5) do not apply unless the consent authority is satisfied the development:
  - (a) will not be used for the purposes of residential accommodation or serviced apartments, and
  - (b) results in the provision of a publicly dedicated plaza fronting Bridge Street and a retail activated through-site link connecting Pitt Street with Spring and Gresham Streets, and
  - (c) includes an end of journey facilities, and
  - (d) includes a shared loading dock facility of at least 7 loading bays in addition to the site's own requirements, for use by surrounding businesses, and

- (e) demonstrates design excellence as the winner of an architectural design competition under clause 6.21.
- (7) Clauses 6.21D(3)(a) and (b) and 6.21E do not apply to a building on the land to which this clause applies.
- (8) The provisions contained within this clause are on an opt-in basis for development for uses other than residential or serviced apartments, otherwise the maximum height of building and floor space ratio shown for the land, any other additional floor space and additional building height or floor space from a competitive design process under clause 6.21D will apply.

#### **Part 4 Principal development standards**

##### **4.6 Exceptions to development standards**

- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
  - (xx) Clause 6.xx (56-60 Pitt and 3 Spring Street, Sydney),

