

# Planning Proposal – 187 Thomas Street, Haymarket



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# Executive Summary

The City of Sydney (the City) has prepared this planning proposal for 187 Thomas Street, Haymarket (the site), in response to a request from the owner, Greaton, for the City to prepare a planning proposal for the site.

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

The planning proposal will enable development consistent with the Central Sydney Planning Strategy and contributes to the vision and aims of the Strategy through new employment space, protection of public spaces, design excellence and improved public domain outcomes.

The site is approximately 2,327 square metres in area and is bound by Thomas Street, Quay Street and Valentine Street. The site is adjoined by low to medium scale commercial development and a residential apartment building along its eastern boundary and a six storey commercial office building along its northern boundary. Existing development on the site includes a ten storey commercial office building with ground floor retail and a publicly accessible elevated plaza and auditorium. Surrounding development comprises a mixture of uses ranging from ground floor retail and food and drink premises, commercial and office uses to residential apartments and student accommodation.

Under the existing LEP controls, the site is zoned B8 Metropolitan Centre, has a maximum building height of 50 metres and a maximum floor space ratio of 7.5:1, with additional floor space available, including where the development exhibits design excellence. The site's B8 Metropolitan Centre zoning permits a broad range of uses including office, retail, commercial and residential uses.

The City has prepared this planning proposal following a detailed review of the proponent's planning proposal request and accompanying documentation. Clarification has been sought from the landowner and minor changes have been made to consultant reports to address issues relating public domain and wind conditions.

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

- set a maximum building height of RL 226.8 metres;
- set a maximum floor space ratio of 20:1 including design excellence;
- restrict development to non-residential uses only;
- allow development consent to only be granted if a through-site link and public domain upgrades are provided; and
- provide additional site-specific floor space for commercial development, including floor space up to 1.5:1 below ground level for specific uses, including an auditorium and laboratory for the innovation tech hub, along with back of house facilities for the hotel.

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

This proposal provides for an increase to the maximum building height and floor space ratio which will allow for the future redevelopment of the site delivering the following key benefits:

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- Retention of employment uses – the future tower will retain and expand the provisions of employment floor space, with new commercial office, business innovation, retail and hotel floor space on the site and will increase Central Sydney's capacity for employment growth;
- Foster growth in the innovation sector – future development facilitated by this planning proposal will accommodate an innovation tech hub, which includes a laboratory and auditorium space and other shared facilities, which will foster new and emerging tech businesses, contributing towards a culture of innovation across Central Sydney, Haymarket and nearby Chippendale;
- Improved built form – the planning proposal facilitates a high quality built form with appropriate setbacks and podium height that sit comfortably in the context and relate sympathetically to nearby heritage items and surrounding public domain.
- Public domain improvements – improved, accessible, retail activated pedestrian connection to George Street, public domain upgrades, footpath widening and an expanded public plaza to integrate with future public domain improvements on Quay Street.
- Pedestrian amenity – the planning proposal sets controls from a building envelope that does not detrimentally impact pedestrian amenity in the public domain and delivers acceptable daylight and wind conditions.
- Ecologically sustainable development – the draft DCP associated with the planning proposal includes ambitious ecologically sustainable development benchmarks to ensure an energy efficient built form is delivered.



# 1. Site identification

## 1.1 Site identification

This planning proposal relates to Lot 100 DP 804958, known as 187-189 Thomas Street, Haymarket. This site is referred to in this report as ‘site’ or ‘187 Thomas Street’. The site is shown at Figure 1.

Figure 1. Land affected by this Planning Proposal



## 1.2 Site location

187 Thomas Street is located in Haymarket, which comprises part of Central Sydney, in the City of Sydney local government area. The site has frontage to Thomas Street along its north-west boundary, Quay Street to the west and Valentine Street to the south. The eastern boundary of the site adjoins a number of different sites which have frontages to George Street and the northern boundary adjoins the adjacent site to the north with frontage to Thomas Street.

Central railway station, which includes metropolitan and intercity train, light rail and bus connections is located about 200 metres to the south-east of the site, accessed from the site via George Street and Rawson Place or through Railway Square and the Devonshire Street pedestrian tunnel. The Haymarket light rail stop is located about 100 metres from the site on Rawson Place. Railway Square is about 130 metres to the south of the site along Quay Street and connects Broadway and Lee Street with George Street and Pitt Street.

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

Figure 2. Site location

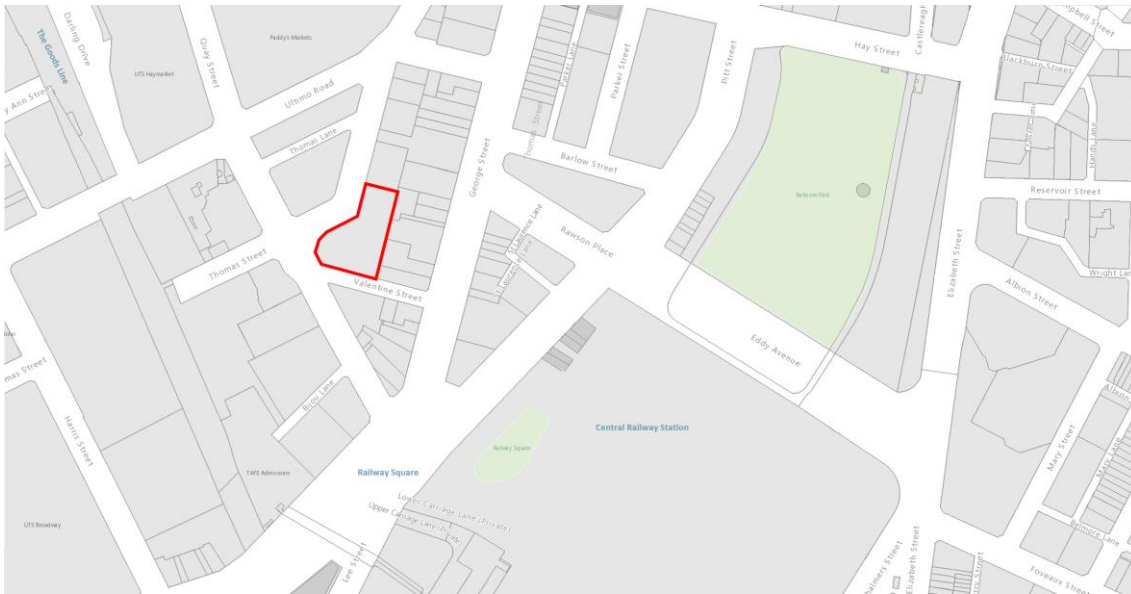
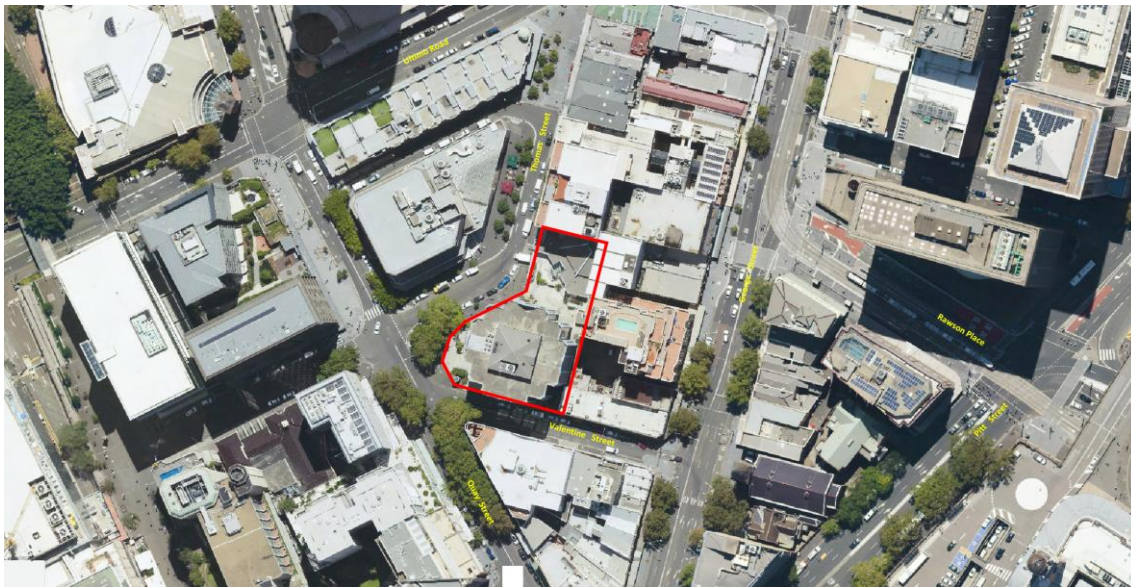


Figure 3. Aerial photo of the site



### 1.3 Site characteristics and context

The site is irregular in shape and has total area of 2,327m<sup>2</sup>. The site's eastern boundary adjoins a number of properties that front George Street, its total length is 66 metres. The site's northern boundary with the adjoining site to the north is 25 metres. The north-western frontage to Thomas Street is 59 metres. The site's western frontage to Quay Street is 18 metres and the southern frontage to Valentine Street is 44 metres.

Existing development consists of a ten storey commercial office building with ground floor retail that opens onto a publicly-accessible plaza that fronts the intersection of Quay Street and Valentine Street.

Surrounding development comprises a mixture of retail, commercial, residential, student and tourist accommodation uses.

- East – On the south-eastern side of the intersection of Valentine Street with George Street is a cluster of mid-sized heritage listed commercial buildings. The subject site adjoins the former ‘Sutton Forest Meat’ building, a local heritage item, which fronts George Street adjacent to the intersection with Valentine Street. A three storey retail building with a rear at-grade carpark connected to George Street by a short driveway that separate it from Capitol Terrace, a mixed use building including ground floor retail and residential apartments. A retail arcade connects Capitol Terrace with the subject site, providing a pedestrian connection from George Street to Thomas Street.
- North – A six storey commercial building featuring ground floor retail, education and office uses directly adjoins the subject site to the north with frontage to Thomas Street. The Prince Centre, a nine storey complex that includes office and commercial uses on the upper floors, retail and food and drink premises on lower levels, is located to the north-west of the site adjacent to the intersection of Thomas Street and Quay Street. The footpath on the western side of Thomas Street has been widened to accommodate outdoor dining from the adjacent restaurants in the Prince Centre.
- West – Quay Street to the west of the subject site is characterised by a generally consistent row of buildings between 16 and 18 storeys in height and include residential, tourist and student accommodation above podiums that include retail and active uses. Outdoor dining is located on the widened footpath on the west side of Quay Street.
- South – Small to medium sized commercial buildings ranging between two and six storeys in height are located to the south of the site on the block bound by Valentine Street, George Street and Quay Street. A row of heritage listed commercial terraces front George Street. These buildings primarily consist of commercial office, retail, entertainment, food and drink and tourist accommodation uses.

The subject site does not contain a heritage item, however there are several heritage items located within its vicinity, including local heritage item, the former ‘Sutton Forest Meat’ building, which directly adjoins the site. The Christ Church St Laurence, a State heritage item, is located on the eastern side of George Street adjacent to the intersection with Valentine Street. A row of heritage listed commercial terraces between three and four storeys in height are located to the south of the site, fronting the western side of George Street.

Figures 4 to 6 show existing development on the site. The surrounding area is shown in Figures 7 to 9.



Figure 4. Looking south along Thomas Street towards the subject site, shown in red





Figure 5. Photo of the subject site as viewed from the intersection of Thomas and Quay Streets



Figure 6. View along Valentine Street towards subject site and Christ Church St Laurence





Figure 7. View looking north along Quay Street towards subject site and the corner of Thomas Street on the right and Darling Harbour



## 2. Existing planning controls

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

### 2.1 Zoning

The site is zoned B8 Metropolitan Centre, as shown in Figure 8. The zone permits a broad range of uses, including commercial premises, community facilities, food and drink premises, as well as residential accommodation and tourist and visitor accommodation.

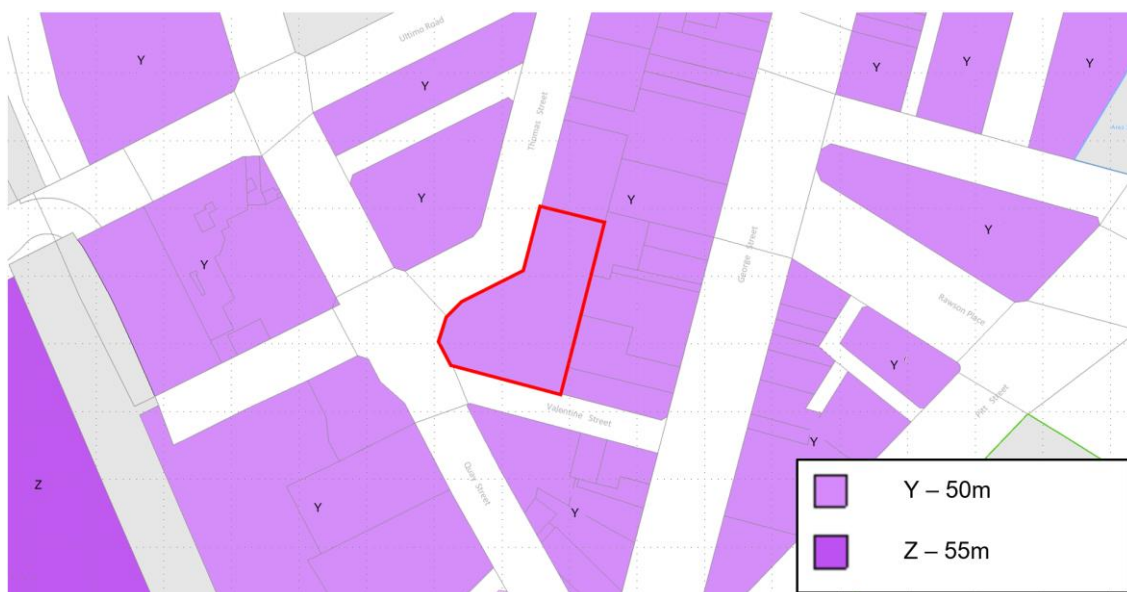
Figure 8. Extract from Zoning Map in the Sydney Local Environmental Plan 2012



### 2.2 Building height

The maximum permissible height for the site is 50 metres, as shown in Figure 9.

Figure 9. Extract from Height of Building Map in the Sydney Local Environmental Plan 2012



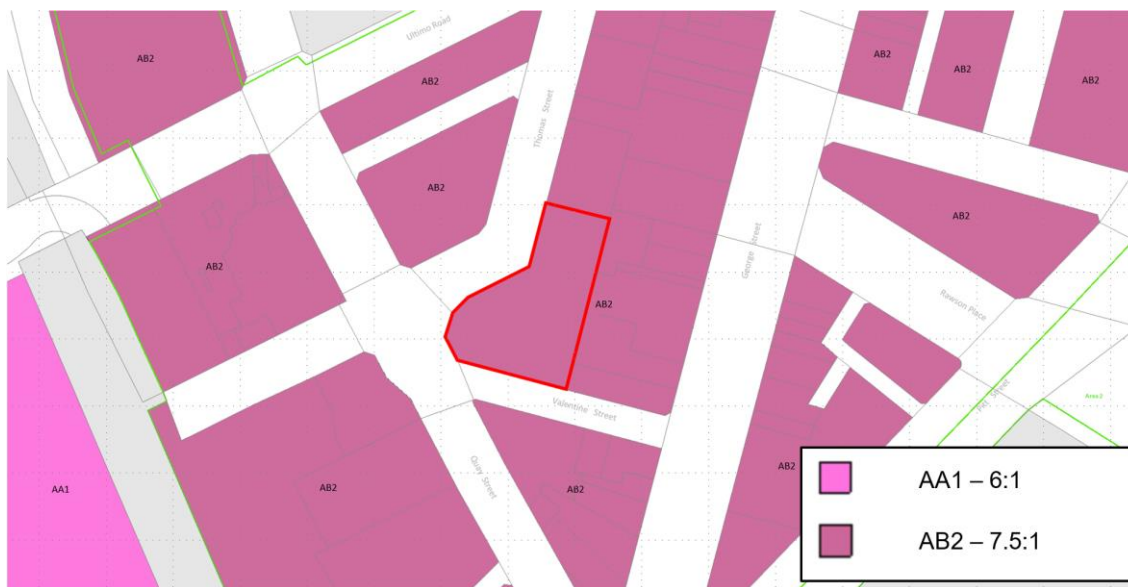
## 2.3 Floor space ratio

The maximum floor space ratio for the site is 7.5:1, as shown in Figure 10. Clause 6.4 of the LEP provides additional FSR of up to 1.5:1 for residential accommodation, serviced apartments, hotel or motel accommodation, community or childcare facilities and purchase of heritage floor space. Up to 10 per cent additional floor space may be granted under clause 6.21(7) of the LEP subject to a competitive design process and demonstration of design excellence.

In total, an FSR of 9.9:1 is potentially achievable for a residential or tourist accommodation development and 8.25:1 for a commercial development.

The site is in the Haymarket and Ultimo tower cluster area, identified in the Central Sydney planning proposal, and as such could, in the future, be eligible for a new design excellence bonus pathway of up to 50 per cent additional floor space, subject to satisfying several criteria. The future changes to the LEP as part of the Central Sydney planning proposal will also provide additional FSR of 1.5:1 for office, business and retail premises on the site.

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



## 2.4 Heritage

The subject site does not contain any heritage items but it is located in the vicinity of several heritage items, including the former 'Sutton Forest Meat' building, adjoining the site and State heritage item, Christ Church St Laurence, on the eastern side of George Street.



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



## 2.5 Landowner request

In April 2020, the landowner, Greateon Development, submitted a request to prepare a planning proposal for 187 Thomas Street, Haymarket. The request was accompanied by a number of specialist reports including a Planning Justification Report, Urban Design Study, Design Excellence Strategy, Visual Impact Assessment, Ecologically Sustainable Development Concept Report and Wind Impact Assessment. The City has prepared this planning proposal following consideration and assessment of the request.

The request seeks to insert new site-specific controls in the LEP to permit redevelopment of the site with a new commercial tower. The request is to increase the maximum building height control from 50m to RL 226.8m and set a maximum floor space ratio of 20:1, including design excellence floor space.

The landowner's design vision for the site seeks to deliver a connected and integrated hybrid tower that combines multiple commercial uses that are vertically, physically and functionally connected with shared facilities. The proposal will deliver approximately 47,000m<sup>2</sup> of new commercial floor space in a 47 storey tower consisting of retail, commercial, innovation and visitor accommodation uses.

Ground level retail and active uses front an upgraded public domain and a new through-site link connection to George Street. The proposal includes an innovation tech hub in the podium and low-rise tower, which will deliver affordable innovation space, labs and equipment for small and start-up companies in the technology sector.

Commercial work space will comprise up to twenty storeys across the low-rise and high-rise sections of the proposed tower. A hotel will be located in the upper ten storeys of the tower accessed by separate shuttle lifts to the sky lobby. Shared facilities such as meeting rooms, event space and food and drink offerings are proposed to support business visitors staying in the hotel and utilising the innovation tech hub.

The proposal includes additional floor space of up to 1.5:1 to be located below ground level, in the basement for the provision of a laboratory for the innovation tech hub and back of house facilities for the hotel. The existing auditorium that is currently located on the ground floor of the site will be relocated into the basement of the future development, providing a raked space for collaborative

workshops, presentations and conferences complimenting the proposed provision of meeting rooms, collaboration space and shared services for use by the innovation tech hub and hotel.

The landowner's request includes a building envelope that has been subject to wind, daylight and solar access testing to establish the envelope form. A large 20 metre, four storey high void has been included on the north elevation of the building to provide views and solar access to the north-west facing apartments of the adjoining residential apartment building Capitol Terrace.

### Assessment

This planning proposal is the result of more than twelve months of consultation and collaboration between Greateon Development, the landowners, and the City. During this time, the proposal has progressed through a number of iterations that have been further refined to address the specific challenges of the site, ensure compliance with the draft Central Sydney Planning Strategy and to respond to the particular urban design issues.

Two indicative designs were provided when the planning proposal was initially lodged in April 2020, as follows:

- Option 1 – Building height: RL 209m (49 storeys), FSR: 22:1 (51,700m<sup>2</sup>); and
- Option 2 – Building height: RL 206m (47 storeys), FSR 20:1 (47,000m<sup>2</sup>).

As part of its assessment, this planning proposal was referred to the City's internal specialist units, including City Design, Transport, Design Excellence, Sustainability, Heritage and Urban Design teams. The proposal was also referred to the City's Design Advisory Panel (DAP) in May 2020 for expert design advice and guidance in nominating a preferred building envelope to progress as part of this planning proposal.

The City's Design Advisory Panel expressed their preference for the 20:1 building envelope (above ground) as it allowed for greater daylight access and improved wind conditions in the public domain. Furthermore, the preferred option allowed for greater design flexibility and more opportunity for building expression.

Overall, the Panel supported the proposal, noting that the delivery of new future work space at the southern end of the CBD near transport is considered a positive outcome and a proposal at this location and of this scale demands an exemplary outcome.

Additional wind testing was undertaken to further understand the wind impacts of the proposed building envelope and ensure wind conditions in the public domain remain suitable for existing activities such as outdoor dining. Computation Fluid Dynamics (CFD) testing assessed the impact of proposed mitigation measures, including an additional notch on the western elevation above the podium and a rounded south-west corner, with the intent of redirecting wind horizontally and upwards away from the public domain. The draft DCP includes provisions to ensure further wind tunnel testing is undertaken following the design competition.

The proposal accommodates additional floor space of up to 1.5:1 below ground level, primarily for the provision of laboratory floor space to complement the innovation tech hub. It will be located on the lowest floor of the basement to minimise noise and vibration impacts.

### Planning proposal

The City has prepared this planning proposal following detailed review and assessment of the proposed development concept. The City has worked with the proponent and their consultants to achieve a building envelope that responds to its context, maintains acceptable wind and daylight conditions in the public domain adjacent to the subject site and is capable of being consistent with the draft Central Sydney Planning Strategy (Strategy) and the draft Development Control Plan: Central Sydney.

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



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The planning proposal and draft DCP address issues arising from the assessment of the landowner's planning proposal request.

This planning proposal has been prepared noting the recent exhibition of the revised draft Central Sydney planning proposal. This site has been the subject of ongoing discussions for some time and is ready to be progressed, without waiting for a change to the LEP prior to seeking a Concept Plan approval.

Figure 12. Photomontage of the future development concept



## 3. Objectives and intended outcomes

This planning proposal will enable the redevelopment of 187 Thomas Street, Haymarket to deliver:

- Additional floor space for employment uses,
- a built form consistent with the future character of Central Sydney and with acceptable environmental outcomes, and
- greater street activation, public domain improvements and pedestrian connections,

by:

- increasing the maximum building height to RL 226.8m;
- increasing the maximum floor space ratio to 20:1 above ground, inclusive of design excellence;
- allowing additional floor space of up to 1.5:1 to be located below ground level for limited purposes; and
- provisions to ensure the application of accommodation floor space .

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

- a tower comprising commercial uses with a maximum height of RL 226.8m including podium to provide definition to and activation of the public domain;
- an appropriate building form with sufficient setbacks to reinforce adequate public domain wind and daylight amenity;
- a flexible building envelope to comfortably accommodate architectural articulation and wind mitigation measures without resulting in additional impacts to public domain amenity;
- deliver public domain improvements including an extension to the adjoining future public square on Quay Street and pedestrian connections to George Street.
- provisions and parameters for an architectural design competition; and
- achieve high standard of ecological sustainable development targets, including 5.5 star NABERS Energy rating for the commercial component, 5 star NABERS Energy rating for the hotel component and 4 star NABERS water score for commercial and hotel.



## 4. Explanation of provisions

### 4.1 Sydney Local Environmental Plan 2012

To achieve the intended outcomes, this planning proposal seeks to amend the Sydney Local Environmental Plan 2012 by inserting a new site specific clause for 187 Thomas Street, Haymarket under Division 5 Site specific provisions to:

- allow a maximum building height of RL 226.8 metres;
- permit a maximum floor space ratio of 20:1, inclusive of design excellence and additional floor space of 8.89:1;
- additional floor space of up to 1.5:1 to be located below ground level for limited purposes that will support the related uses in the above ground portion of the building;
- provide a through-site link and extension of the future Quay Street square;
- ensure the building is not used for residential accommodation or serviced apartment uses; and
- ensure that additional floor space can be awarded where development demonstrates design excellence.

#### Revised building height

The current maximum permissible building height for the subject site pursuant to clause 4.3 of the LEP is 50 metres. This planning proposal is to insert new site specific provisions into the LEP with a maximum building height of RL 226.8 metres for uses proposed.

The indicative building designs developed by FJMT and the landowner includes a lower building height than the proposed maximum building height to be inserted into the site-specific provisions for the site, to ensure sufficient opportunities for architectural articulation and flexibility to respond to amenity issues are able to be explored during the design competition within a building envelope that has been tested.

#### Floor space ratio

The planning proposal will deliver employment generating development on the subject site with a maximum floor space ratio of 20:1 inclusive of design excellence.

Commercial development can currently achieve floor space ratio of 8.25:1, which comprises mapped FSR of 7.5:1 and 10 per cent design excellence floor space. This planning proposal anticipates and provides for additional floor space of 1.5:1 for office, business and retail premises, which will be inserted into the LEP as part of changes to accommodation floor space in the Central Sydney planning proposal. This planning proposal provides for additional site-specific floor space of 8.89:1, resulting in maximum floor space ratio of 20:1 should the building exhibit design excellence. The application of the various floor space provisions applicable to the subject site is shown at Table 1 below.

The site-specific provisions ensure heritage floor space is applicable to future development on the subject site, in accordance with the existing provisions of clause 6.11 of the LEP. There is no change to the application of heritage floor space for accommodation floor space. Heritage floor space is not applicable for the provision of the site-specific floor space.

The proposed development concept includes an end of journey facility within the basement, a clause will be inserted into the site-specific provisions for the subject site to ensure that the existing end of journey provisions in the LEP apply to the site.

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The site-specific provisions include additional floor space of up to 1.5:1, to be located below ground level. The purpose of this additional floor space is to provide ancillary floor space in the below ground portion of the building to support the related uses in the tower and podium. This additional floor space will be restricted to laboratory floor space for the innovation tech hub, an auditorium and back of house facilities for the hotel only.

Table 1: Application of the various floor space provisions applicable for 187 Thomas Street

LEP clause	Applicable floor space	Floor space ratio
cl. 4.4	Mapped floor space ratio	7.5:1
cl. 4.6	Accommodation floor space	1.5:1
cl. 6.6	End of journey floor space	0.3:1
TBA	Site-specific floor space	8.89:1
		18.19:1
cl. 6.21(7)(a)	Additional floor space – design excellence	up to 10%
		20:1
TBA	Site-specific floor space – below ground	1.5:1

### Non-residential uses

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

This planning proposal does not propose to change the current zoning for the subject site, which is B8 Metropolitan Centre and permits a wide range of uses including retail, commercial and residential uses. Any future redevelopment of the site to include residential or serviced apartment uses will however be limited to the existing building height and floor space ratio controls under clauses 4.3 and 4.4 of the LEP respectively.

### Design excellence

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

Clause 6.21(7) of the LEP provides up to 10 per cent additional floor space subject to an architectural design competition and demonstration of design excellence. The additional floor space is capable of being accommodated within the RL 226.8m building ensure that is the subject of this planning proposal and as such a new provision is to be included to ensure additional floor space is taken up rather than additional building height.

### Drafting instructions

To deliver the objectives and intended outcomes of this planning proposal, a new site specific clause for 187 Thomas Street will be inserted to Division 5 Site specific provision of the LEP.

Drafting instructions are shown at Table 2 below. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

Table 2: Drafting instructions for 187 Thomas Street, Haymarket in LEP

### 6.## 187 Thomas Street, Haymarket

- (1) The objective of this clause is to encourage:
  - (a) land uses other than residential accommodation and serviced apartments, and
  - (b) the provision retail activation, pedestrian connections and publicly accessible open space.
- (2) This clause applies to 187-189 Thomas Street, Haymarket, being Lot 100 DP 804958.
- (3) Despite clause 4.3, development consent may be granted to the erection of a building with a maximum height of RL 226.80 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 comprising:
  - (a) mapped floor space ratio under clause 4.4, and
  - (b) accommodation floor space ratio under clause 6.4, and
  - (c) end of journey floor space under clause 6.6, and
  - (d) an additional site specific floor space ratio of
    - (i) 8.89:1, located in the above ground portion of the building, and
    - (ii) 1.5:1 for the purposes of hotel back of house, auditorium and laboratory uses, located in the below ground portion of the building as ancillary floor space to support related uses in the above ground portion of the building.
  - (e) an amount of additional floor space, to be determined by the consent authority, of up to 10% if the building demonstrates design excellence within the meaning of clause 6.21(7)(b).
- (5) Clause 4.6 does not apply to development to which this clause applies.
- (6) Development consent must not be granted under this clause unless the consent authority is satisfied that the development will–
  - (a) include a through-site link and publicly accessible open space as an extension of the future square to be located adjacent to the site on Quay Street, and
  - (b) include business premises and retail premises fronting the through-site link and future public square at ground level, and
  - (c) provide a satisfactory distribution of built form and floor space, and
  - (d) will not be used for the purpose of residential accommodation or serviced apartments.
- (7) Clause 6.21(7)(a) does not apply to development on land to which this clause applies.
- (8) In this clause–

**Hotel back of house** means facilities that assist with the operation of the hotel, including office space and housekeeping and are not accessible to guests or the public.

**Auditorium** means a space for public speaking, conferences and workshops with tiered seating.

**Laboratory uses** means space equipped for the experimental study, research, testing, manufacture and teaching.

## 4.2 Sydney DCP 2012 amendments

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

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

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



# 5. Justification

This section is structured as follows:

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

## 5.1 Description of the proposed development concept

The City's vision for the development of the site is based on an assessment of the landowner's concept, which the City has amended to address issues and achieve improved outcomes.

The proposed development concept includes redevelopment of the site to accommodate a new commercial tower comprising work spaces, innovation and visitor accommodation uses, including ground floor active uses, a pedestrian through-site link and a ground floor setback to provide additional public space adjoining the future public square created through the closure of Quay Street between Thomas Street and Valentine Street. Key elements of the proposed development concept are discussed in greater detail below.

### Building height

This planning proposal inserts site-specific provisions into the LEP providing a new building height to a maximum of RL 226.80 metres for the subject site (about 215 metres above ground level), shown in Figure 14. There is no change to the existing mapped building height control for the site of 50 metres.

The site-specific provisions will facilitate the delivery of a new commercial tower consisting of work space, innovation floor space, retail and hotel uses on the subject site. To achieve the proposed development concept, the site-specific provisions will restrict the additional building height to non-residential and non-serviced apartment uses only.

The ground floor and podium will comprise retail and active uses fronting an upgraded public domain and enlarged public open space that will adjoin the future public square on Quay Street directly adjacent to the site. A new through-site link will connect with the existing pedestrian connection through Capitol Terrace to the adjoining residential apartment building that fronts George Street.

The planning proposal delivers on a key move of the draft Central Sydney Planning Strategy by unlocking additional employment generating floor space within designated tower cluster area, shown in Figure 13. The draft Strategy allows opportunities for additional building height and density to be unlocked balanced with key environmental sustainability targets and where the project will not result in adverse wind and daylight impacts to the public domain. The height of the tower is consistent with the heights envisaged under the draft Strategy.

The proposed concept includes tower setbacks of 10m to Quay Street, 8m to Valentine Street and a 20m void on the north elevation, shown in Figure 15. As these setbacks vary from those set by the draft Strategy, this planning proposal is accompanied by a sky view factor and wind impact

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assessment of the impacts from the variations. Wind mitigation measures, including a notch on the western elevation and a rounded south-west corner of the building are detailed in the draft DCP.

To accommodate architectural articulation and mitigation measures to maintain pedestrian amenity, this planning proposal sets a maximum building height that includes adequate flexibility within the envelope to respond to any issues that may arise within a tested building envelope.

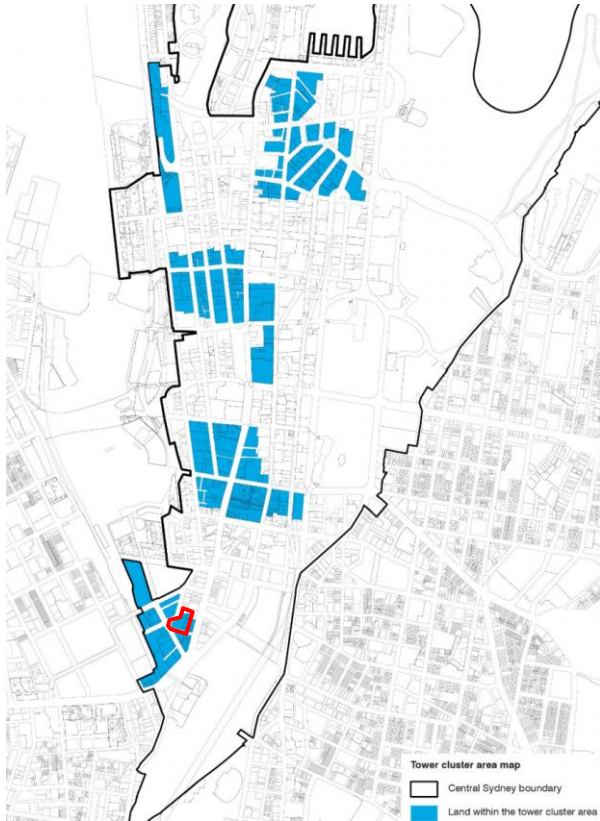


Figure 13. Identified Tower Cluster Map proposed as part of Central Sydney planning proposal

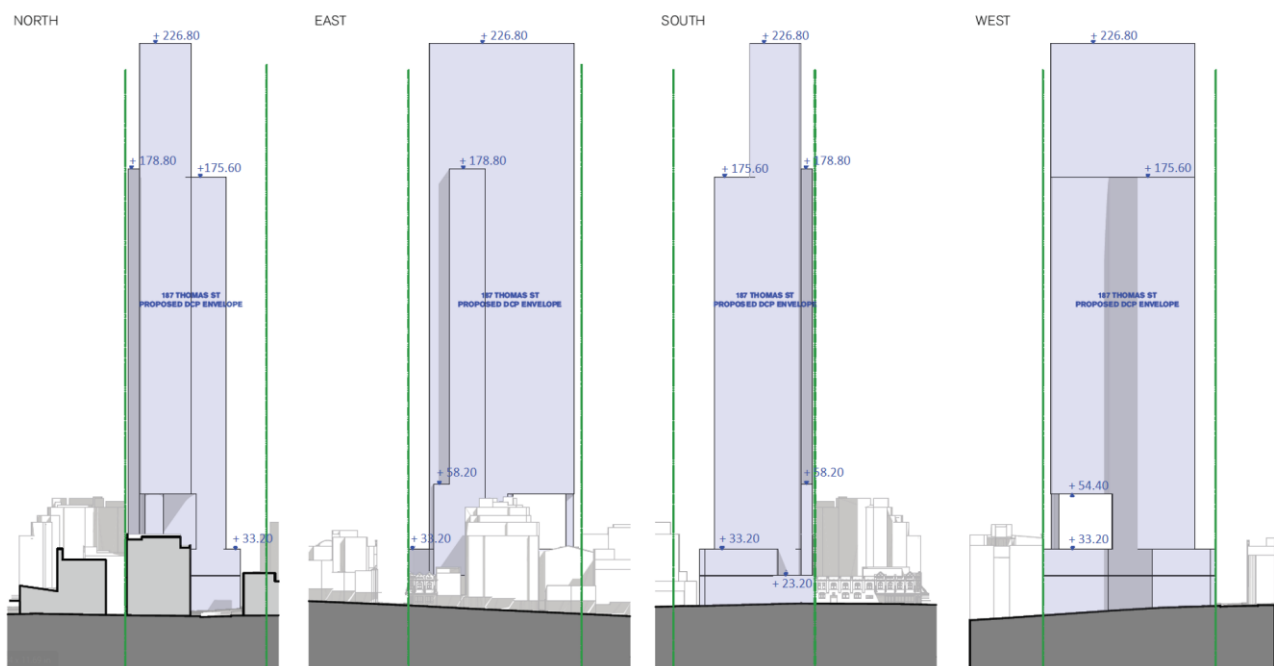


Figure 14. Elevations of the indicative building envelope



Figure 15. Setbacks of the indicative building envelope

### Floor space ratio

This planning proposal will facilitate a maximum above ground floor space ratio on site of 20:1, inclusive of design excellence.

The maximum floor space ratio, comprises the mapped FSR of 7.5:1 and other additional floor space that the future development may be eligible for, including end of journey floor space. The future changes to the accommodation floor space provisions for the site, which are to be inserted into the LEP as part of the Central Sydney planning proposal are anticipated as part of this planning proposal and will provide additional FSR of 1.5:1 for a commercial development.

The planning proposal also provides for site-specific floor space of 8.89:1 for commercial development, resulting in a maximum above ground floor space of 18.19:1. Future development on site is also eligible for 10 per cent bonus floor space subject to a competitive design process and demonstration of design excellence, in a maximum floor space of 20:1.

The indicative concept provides for about 47,000m<sup>2</sup> of new employment generating floor space, located above ground in a new tower, which includes active uses and ground floor retail fronting an improved public domain, an innovation tech hub in the podium and commercial office and hotel uses in the tower above.

The indicative design concept includes laboratory floor space to be located below ground level, in the lowest basement level. The laboratory is required to be situated in this location to minimise noise and vibration impacts to sensitive equipment. The site-specific provisions include additional floor space of up to 1.5:1, below ground level, restricted to laboratory floor space for the innovation tech hub, an auditorium and back of house facilities for the hotel only.

### Public domain and pedestrian connections

Existing development on site includes a pedestrian connection and through-site link to George Street through the adjoining residential apartment building, Capitol Terrace. The existing conditions include several level changes, accessed via stairs from Thomas Street, or at-grade, indirectly through the building forecourt at Quay and Valentine Streets.

The proposed indicative concept seeks to retain the pedestrian connection to George Street, enhance the conditions by providing a wider, more direct and accessible connection to Thomas Street lined by retail tenancies and entries to the hotel and commercial components of the building.

This planning proposal includes upgrades to the surrounding public domain, with widening of the footpath on Valentine Street adjacent to the site, an expanded pedestrian plaza at the corner of Thomas and Quay Streets and integration with the proposed Quay Street public domain works.

### Ecologically sustainable development

Future development on the subject site is to achieve ambitious ecologically sustainable development ratings, including a 5.5 star NABERS Energy rating and 4 star NABERS Water rating for the office component and 4.5 star NABERS Energy rating and 4 star NABERS Water rating for the hotel component.

The ESD Concept Report accompanying the planning proposal has been prepared in accordance with the City of Sydney's Draft Guideline to Preparing Planning Proposals in Central Sydney and posits that future development on the subject site is capable of achieving a 25 per cent reduction in carbon emissions achieved through the provision of photovoltaic panels on the façade and efficient energy and water systems.

The design excellence provisions in the draft DCP will include the above sustainability targets to ensure future development on site delivers significantly improved environmental performance and sustainability outcomes.

## 5.2 Proposed changes to, benefits of and managing impacts of increasing building height and floor space ratio

The planning proposal seeks to amend the maximum building height and floor space ratio controls to facilitate the redevelopment of the subject site with a built form that has acceptable impacts on the surrounding area.

### Commercial use

This planning proposal will facilitate the redevelopment of the subject site with a new commercial tower comprising ground floor retail and active uses, including an innovation tech hub in the podium, commercial office space and hotel accommodation in the tower above. This proposal will deliver about 47,000m<sup>2</sup> of new employment floor space, increasing Central Sydney's employment generating floor space capacity.

The proposed development concept includes upgrades to the surrounding public domain, fronted by fine-grain retail premises and capable of accommodating outdoor dining. These active uses will help generate increased activity in and around the subject site, improving the amenity and quality of the public domain.

The additional building height and floor space delivered by this planning proposal is only available to commercial uses. This will be achieved through the insertion of a restriction into the new site-specific provisions for 187 Thomas Street in the LEP.

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

### Height and FSR changes

The planning proposal will insert site-specific building height and floor space ratio controls in the LEP for the subject site, 187 Thomas Street, Haymarket.



The building height and floor space ratio controls are specific to the building envelope outlined in this planning proposal, provided by the landowner. To be eligible for the increased development controls, future development on the site is to meet the site-specific requirements in the LEP, such as restricting future development on site to non-residential uses only and provision of a through-site link, public domain upgrades and ground floor active uses.

The new site-specific provisions are to be inserted into Division 5 of the LEP for 187 Thomas Street will provide for a maximum building height of up to RL 226.80 metres. The maximum building height is capable of comfortably accommodating the proposed indicative concept design with sufficient flexibility to accommodate any required mitigation to respond to and address any issues and provide architectural articulation.

The planning proposal provides for a maximum floor space ratio of 20:1, inclusive of design excellence, above ground. The site-specific provisions outline the FSR provisions that are applicable for the site, comprising the mapped and various additional FSR and site-specific FSR of 8.89:1, providing a maximum above ground FSR of 18.19:1, to which the additional design excellence floor space of up to 10 per cent can be applied, following a competitive architectural design competition. The site-specific provisions to be inserted into the LEP can accommodate the indicative concept design and additional floor space within a tested building envelope.

An Urban Design Study accompanies this planning proposal detailing how the surrounding area can accommodate the proposed building envelope without significant adverse impacts to pedestrian amenity and will deliver commercial floor space to ensure Central Sydney can remain a competitive economic centre without significant adverse impacts.

The site-specific provisions include additional floor space of up to 1.5:1, below ground level restricted to laboratory floor space for the innovation tech hub, an auditorium and back of house facilities for the hotel only. This will accommodate a laboratory that has been included in the indicative design concept that will complement the innovation tech hub with shared equipment for research and testing.

### Built form

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

The proposed envelope includes a four storey podium, RL 33.20 metres in height, and a commercial tower above, to a height of RL 226.80 metres. The tower includes a 10m setback to Quay Street, 8m to Valentine Street and a general rear setback to the eastern boundary of 5m. A 20 metre, four story void is located above the podium at the north of the site to maintain light and views to the windows of the adjoining residential apartment building to east. The upper levels of the tower are further setback from the western boundary of the site to provide a visual distinction for hotel from the commercial office component below.

The wind and daylight assessments that accompanied the planning proposal demonstrate that the proposed building envelope would deliver public domain daylight and wind conditions that are generally equivalent to that of a building envelope that is consistent with the requirements of the draft Central Sydney Planning Strategy.

The wind impacts were higher at a small number of locations. Additional CFD wind testing was undertaken to demonstrate the effect of potential mitigation measures such as an additional notch on the western elevation above the podium and a rounded south-west corner of the building. The testing found that these measures would redirect wind away from the public domain, ensuring sufficient public domain amenity is maintained. The site-specific provisions include sufficient flexibility to address any issues that may arise in the design competition.

The new building will be significantly higher than other existing buildings within its immediate vicinity. The subject site is however located in a future tower cluster, where the City has identified further towers may be located. The tower is consistent with the intended built form for this part of

the Central Sydney as described in the Draft Strategy. The proposed indicative concept includes design measures to minimise the building's impact on the adjacent heritage items and surrounding public domain, such as greater ground floor setbacks, a sympathetic podium height and greater tower setbacks.

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

### Heritage

The subject site is not identified as a heritage item, nor is it located in a heritage conservation area. The proposed redevelopment facilitated by this planning proposal will not include the demolition of any heritage item.

There are several heritage items located in the vicinity, including the former 'Sutton Forest Meat' building which adjoins the subject site on its south-east boundary and a row of commercial terraces that front George Street to the south of Valentine Street are identified as local heritage items in the LEP. State heritage item, Christ Church St Laurence is located on the eastern side of George Street adjacent to the intersection with Valentine Street. The subject site is also located within the Haymarket/Chinatown Special Character Area under section 2 of the DCP.

The planning proposal is accompanied by a Heritage Impact Statement which advised that although the proposed building envelope will be significantly larger than the existing building on site, the proposal will have a limited impact to the significance of nearby items. The existing office building on site is not considered particularly significant and provides an unsympathetic backdrop to adjacent heritage items.

The proposed reference scheme offers a design that is able to better relate to its context, the podium and tower setbacks will ensure key view corridors along George Street, Valentine Street and Thomas Street will not be further interrupted or obscured as a result of the proposal, nor will there be any additional overshadowing to Central Station.

The planning proposal is accompanied by site-specific provisions for the DCP to ensure future development on site relates sympathetically to adjacent heritage items in terms of locations of voids, blank walls, façade treatments and materials.

### Design excellence

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

A Design Excellence Strategy accompanied the planning proposal provides for an invited architectural design competition consisting of a minimum of five competitors ranging from emerging and established local and national architectural firms and a competition jury that will comprise of representatives nominated by the City and who are part of the Design Advisory Panel. The accompanying draft DCP includes design excellence provisions for an architectural design competition.

### Traffic and transport

The future development concept includes basement parking for up to 79 vehicles, loading facilities, bicycle parking and an associated end of journey facility. The basement will be accessed through a new driveway on Thomas Street at the north of the site. The quantum of parking spaces is less than the maximum parking rate of 91 spaces set by the LEP for this site.

This planning proposal is accompanied by a Traffic Impact Assessment Report which noted that the proposal would result in a minor increase in traffic generation of up to four vehicles in the morning peak and eight vehicles in the afternoon peak. The assessment found that the local road

network was capable of absorbing these additional volumes without major external improvements as volumes at this level are considered minimal and within the typical fluctuations in background road traffic volumes.

The subject site is located close to a number of significant changes to the pedestrian, cycle and road network that are proposed or part of long term visions identified by the City, including closure of Quay Street between Thomas Street and Valentine Street to create a new public plaza, conversion of Valentine Street to a shared zone and pedestrianisation of George Street to Railway Square.

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

### Pedestrian activity and comfort

A Footpath Pedestrian Capacity Study accompanied the planning proposal and assessed the impacts of the scheme on adjacent footpaths and pedestrian links in accordance with the City's Pedestrian Level of Comfort assessment tool.

The pedestrian assessment looked at pedestrian facilities on George, Valentine, Thomas and Quay Streets surrounding the site as well as the through-site links. Existing pedestrian numbers and conditions were compared to anticipated pedestrian volumes based on the proposed building envelope and identified the proposed changes to Quay Street, including the public plaza and potential conversion of Valentine Street to a one-way street and potential future shared zone.

The assessment noted that the majority of surrounding pedestrian footpaths would continue to operate satisfactorily and could safely accommodate increased pedestrian numbers. The modelling notes that Valentine Street would only achieve an 'F' rating based on the increase in pedestrian numbers as a result of the indicative concept scheme and their circulation. To safely accommodate the increase in pedestrian numbers, the assessment recommends increasing the footpath width on Valentine Street or conversion to a shared zone. Conversion of Valentine Street to a shared zone is consistent with the Chinatown Public Domain Plan and the City's vision of the precinct, relevant provisions are included in the draft DCP to ensure that the future development on the site is designed and constructed to accommodate any future pedestrianisation on Valentine Street and to other streets surrounding the site.

### Geotechnical assessment

The planning proposal includes the excavation for a basement to accommodate parking, site servicing and end of journey facilities. A Geotechnical Assessment accompanied the planning proposal, which found that the subject site consists of Sydney Basin Hawkesbury Sandstone Bedrock below a layer of soil and fill and that excavation is possible without significant adverse impacts.

The study did however indicate that potential contamination was noted in the investigation report for the adjacent site at 757 George Street. A detailed excavation and contamination investigation will be undertaken as part of the detailed development application phase.

## 5.3 Draft development control plan

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

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

- building height;
- street frontage heights and setbacks;
- building design and bulk;
- parking and vehicular access;
- active frontages;
- public domain and through-site link;
- public art;
- design excellence provisions; and
- environmentally sustainable development provisions.

### 5.4 Need for the planning proposal

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

The planning proposal is consistent the draft Central Sydney Planning Strategy. The draft Strategy describes objectives and a framework to ensure future growth is employment focused, occurs where it respects our special places, spaces and parkland, and is highly sustainable, resilient and responsive to climate change.

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

The landowner has undertaken a number of studies in support of the request, including an Urban Design Study prepared by FJMT. The study describes how the proposal is consistent with the City's vision for Central Sydney to remain economically competitive and capable of accommodating growth in employment generating floor space through additional building height and floor space in selected locations that do not result in unacceptable impacts on public domain amenity.

The supporting documents commissioned by the landowner to support their request are attached as the following appendices to this planning proposal:

- Part A: Vision and Value Proposition – Greateon
- Part B: Planning Justification Report – MG Planning
  - Appendix 1: Design Excellence Strategy – Greateon
  - Appendix 2: Public Benefit Offer – Greateon
  - Appendix 3: Heritage Impact Statement – Weir Phillips
  - Appendix 4: Acoustic Impact Assessment – White Noise Acoustics
  - Appendix 5: ESD Concept Report – WSP
  - Appendix 6: Capital Investment Value Summary – Rider Levett Bucknall
  - Appendix 7: Preliminary Geotechnical Assessment – ARUP
  - Appendix 8: Draft DCP 2012 Amendment – Greateon
  - Appendix 9: Environmental Wind Assessment – ARUP
  - Appendix 10: Economic Impact Assessment – Atlas Urban Economics
  - Appendix 11: Visual Impact Photomontage Report – Virtual Ideas
  - Appendix 12: Traffic Impact Assessment – Traffix
  - Appendix 13: Footpath Capacity Study – Traffix
  - Appendix 14: Aeronautical Impact Assessment – AVLAW Consulting
  - Appendix 15: Preliminary Operational Waste Management Plan – Elephants Foot
  - Appendix 16: Civil Engineering Advice – ARUP
- Part C: Urban Design – FJMT



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

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

This can be achieved in a timelier manner by considering these site specific changes as part of the planning proposal than with the City's proposed changes to the LEP through the Central Sydney planning proposal.

## 5.5 Relationship to strategic planning framework

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

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

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

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

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

- **Infrastructure** – Future development on the site will support the delivery of investment into community infrastructure, in particular key public domain projects in close proximity to the site, such as new public square on Quay Street and upgrades to Railway Square and George Street.
- **Liveability** – The proposed development concept includes retail activation and will facilitate the delivery of public domain upgrades delivering opportunities greater public life for people to walk and improving the permeability of Central Sydney.
- **Productivity** – The proposal will deliver additional commercial floor space for new hotel, innovation and office uses close to existing and future transport infrastructure contributing to Central Sydney's economy.
- **Sustainability** – Delivery of a new building with improved sustainability outcomes than the current building stop is a key priority of this planning proposal.

### *Eastern City District Plan*

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

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

## Planning Proposal – 187 Thomas Street, Haymarket

- **Planning Priority E1 – Planning for a city supported by infrastructure** – To refresh and renew the offering of commercial floor space in Haymarket and Central Sydney, this planning proposal seeks to expand and enhance commercial uses on the subject site by facilitating the delivery of new office, innovation and visitor accommodation floor space on a site that is located close to existing and planned transport infrastructure to maximise the efficient use of the existing and future new capacity.
- **Planning Priority E7 – Growing a stronger and more competitive Harbour CBD** – Haymarket and Central Sydney lie at the core of the Harbour CBD, within the Eastern Economic Corridor. This Planning Proposal will help facilitate new commercial office space, as well as new visitor accommodation and innovation floor space, which will maximise on the site's central location on the CBD fringes and close to nearby universities and research institutions.
- **Planning Priority E10 – Delivering integrated land use and transport planning for a 30 minute city** – The future development concept satisfies the 30 minute city objective as it will deliver access to employment opportunities close to existing and future public transport connections, for example Central train station, which includes direct train connections to many parts of Greater Sydney within 30 minute travel time.
- **Planning Priority E11 – Growing investment, business opportunities and jobs in strategic centres** – This planning proposal will facilitate the delivery of additional employment generating floor space, including an innovation hub on the subject site, strategically located close to academia and research institutes in Ultimo and Camperdown and key industry sectors in Central Sydney.
- **Planning Priority E13 – Supporting growth of targeted industry sectors** – This planning proposal will deliver innovation floor space and will be primarily tech-focused, an industry sector that is targeted by the City and NSW government. The innovation hub will provide co-working space, equipment and support for start-ups and small entrepreneurs to foster and grow their business.
- **Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently** – The proposed development concept will deliver a new commercial building with significantly improved sustainability outcomes. Future development on the site is to achieve ambitious ecological sustainable development targets.

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

#### *Sustainable Sydney 2030*

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

- **Direction 1 – A globally competitive and innovative city** – The proposal will support a future high quality urban design outcome that will provide new employment opportunities, particularly the proposed innovation hub, which will provide space for new tech start-up businesses with a focus on innovation, helping to make Sydney attractive to global investors.
- **Direction 2 – A leading environmental performer** – This planning proposal will deliver ecological sustainable development on the site by establishing ambitious minimum sustainability targets for future development.
- **Direction 3 – Integrated transport for a connected City** – Future development on the subject site is well placed to capitalise on its proximity to Central Station and Railway Square which feature excellent existing and planned transport infrastructure with train, light rail and bus connections, with a new stop on the future Sydney Metro line currently under construction.
- **Direction 4 – A city for walking and cycling** – The proposed development concept facilitated by this planning proposal includes ground floor retail activation, a through-site link and an end of

journey facility which will encourage greater active transport use, helping deliver a more people oriented city.

- **Direction 5 – A lively and engaging city centre** – The mix of uses on the subject site will deliver greater activation and a livelier engaging city. Future ‘fine grain’ retail premises, as well as outdoor dining and other late night and entertainment uses will be encouraged to complement the proposed office space, innovation hub and visitor accommodation.
- **Direction 6 – Vibrant local communities and economies** – Future development facilitated by the planning proposal will contribute to Haymarket and the nearby Chinatown and Central Sydney area through greater opportunities for business, start-ups and entrepreneurs, as well as new retail activation and a wider selection of food and drink and potentially new entertainment premises for local residents and visitors.
- **Direction 7 – A cultural and creative city** – Public art delivered through the future development on the site will provide new creative and cultural experiences and opportunities for engagement with the public.
- **Direction 9 – Sustainable development, renewal and design** – this planning proposal will support delivery of future development that is more ecologically sustainable than the current building on site by establishing aspirational sustainability benchmarks.

### *Local Strategic Planning Statement*

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

### *Infrastructure*

- **I1. Movement for walkable neighbourhoods and a connected city** – The future development concept for the subject includes a through-site link that will connect Thomas Street with the existing arcade in the adjoining residential apartment building, providing a direct connection to George Street and beyond, maintaining the existing permeable pedestrian network.
- **I2. Align development and growth with supporting infrastructure** – The subject site is well located to take advantage of nearby existing and future transport infrastructure, including the new light rail and the Sydney Metro that is currently under construction. Both projects will increase the public transport capacity within Central Sydney considerably.

### *Liveability*

- **L5. Creating great places** – The planning proposal will deliver improved street life and activation through a greater ground floor setback fronting the future square on Quay Street, which will be read as additional public space and activated by fine-grain retail premises, where new food and drink premises and entertainment uses will be encouraged.

### *Productivity*

- **P7. Growing a stronger, more competitive Central Sydney** – This planning proposal supports growth in Central Sydney by facilitating future development that will deliver additional capacity for economic and employment growth.
- **P8. Developing innovative and diverse business clusters in City Fringe** – The proposed indicative scheme includes the provision of an innovation tech hub to support and foster small and start-up tech businesses, intended to act as a catalyst for a wider tech industry cluster in the City Fringe, building on the separate development emerging from the nearby Western Gateway precinct at Central.



### Sustainability

- **S11. Creating better buildings and places to reduce emissions and water and use water efficiently** – Future development facilitated through this planning proposal will be required to meet ambitious sustainability benchmarks ensuring the new buildings will be more sustainable than the existing building stock.

### *Draft Central Sydney Planning Strategy*

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

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

- **1. Prioritise employment growth and increase capacity** – This planning proposal will facilitate the delivery of additional employment generating floor space, in the form of office, innovation and visitor accommodation uses, increasing the employment capacity and growth within Central Sydney.
- **2. Ensure development responds to context** – The site-specific DCP that accompanies this planning proposal includes provisions to ensure future development responds to its context with a built form that includes sufficient tower setbacks and does not result in adverse wind and daylight impacts in the public domain.
- **4. Provide employment growth in new tower clusters** – The subject site is located in the Haymarket and Ultimo tower cluster where additional building height may be accommodated.
- **5. Ensure infrastructure keeps pace with growth** – This planning proposal facilitates a contribution towards community infrastructure in Central Sydney and towards the provision of affordable housing.
- **6. Move towards a more sustainable city** – Future development is to achieve the ambitious sustainability targets as set out in this planning proposal, consistent with the draft Strategy.
- **8. Move people more easily** – 187 Thomas Street is well located to capitalise on the recent NSW Government investment in public transport including the new light rail and metro projects.
- **9. Reaffirm commitment to design excellence** – Future development on site will be subject to a full competitive design competition with the draft DCP to include design excellence provisions to ensure a high quality built form.

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

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

**Table 3: Consistency with SEPPs and REPs**

SEPPs with which this planning proposal is consistent	SEPP 1 – Development Standards; SEPP 19 – Bushland in Urban Areas; SEPP 21 – Caravan Parks; SEPP 33 – Hazardous and Offensive Development; SEPP 50 – Canal Estate Development; SEPP 70 – Affordable Housing (Revised Schemes); SEPP (Affordable Rental Housing) 2009; SEPP (Educational Establishments and Child Care Facilities) 2017; SEPP (Exempt and Complying Development Codes) 2008; SEPP (Infrastructure) 2007; SEPP (Mining, Petroleum Production and Extractive Industries) 2007;
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## Planning Proposal – 187 Thomas Street, Haymarket

SEPP (Miscellaneous Consent Provisions) 2007; SEPP (State and Regional Development) 2011; SEPP (State Significant Precincts) 2005; SEPP (Vegetation in Non-Rural Areas) 2017;

SEPPs that are not applicable to this planning proposal

SEPP 36 – Manufactured Home Estates; SEPP 44 – Koala Habitat Protection; SEPP 47 – Moore Park Showground; SEPP 64 – Advertising and Signage; SEPP 65 – Design Quality of Residential Flat Development; SEPP (Building Sustainability Index: BASIX) 2004; SEPP (Coastal Management) 2018; SEPP (Housing for Seniors or People with a Disability) 2004; SEPP (Integration and Repeals) 2016; SEPP (Kosciuszko National Park— Alpine Resorts) 2007; SEPP (Kurnell Peninsula) 1989; SEPP (Penrith Lakes Scheme) 1989; SEPP (Rural Lands) 2008; SEPP (Sydney Drinking Water Catchment) 2011; SEPP (Sydney Region Growth Centres) 2006; SEPP (Three Ports) 2013; SEPP (Urban Renewal) 2010; SEPP (Western Sydney Employment Area) 2009; SEPP (Western Sydney Parklands) 2009

REPs with which this planning proposal is consistent

Sydney REP (Sydney Harbour Catchment) 2005

REPS that are not applicable to this planning proposal

Sydney REP 8 – (Central Coast Plateau Areas); Sydney REP 9 – Extractive Industry (No 2 – 1995); Sydney REP 16 – Walsh Bay; Sydney REP 20 – Hawkesbury- Nepean River (No 2 – 1997); Sydney REP 24 – Homebush Bay Area; Sydney REP 26 – City West; Sydney REP 30 – St Marys; Sydney REP 33 – Cooks Cove; Greater Metropolitan REP No 2 – Georges River Catchment; Darling Harbour Development Plan No. 1; Sydney Cove Redevelopment Authority Scheme.

### State Environmental Planning Policy (Infrastructure) 2007

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

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

### Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Under Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, 187 Thomas Street is located within the Sydney Harbour Catchment Boundary but not within the Foreshore and Waterways Area Boundary.

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

### Is the planning proposal consistent with applicable Ministerial Directions?

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

Table 4: Consistency with Ministerial Directions

Ministerial Directions with which this planning proposal is consistent	1.1 Business and Industrial Zones; 2.3 Heritage Conservation; 2.6 Remediation of Contaminated Land; 3.4 Integrating Land use and Transport; 3.5 Development Near Licensed Aerodromes; 4.1 Acid Sulfate Soils; 4.3 Flood Prone Land; 5.10 Implementation of Regional Plans; 6.1 Approval and Referral Requirements; 6.3 Site Specific Provisions; 7.1 Implementation of A Plan for Growing Sydney
Ministerial Directions that are not applicable to this planning proposal	1.2 Rural Zones; 1.3 Mining, Petroleum Production and Extractive Industries; 1.4 Oyster Aquaculture; 1.5 Rural Lands; 2.1 Environmental Protection Zones; 2.2 Coastal Protection; 2.4 Recreation Vehicle Areas; 2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs; 3.1 Residential Zones; 3.2 Caravan Parks and Manufactured Home Estates; 3.3 Home occupations; 4.2 Mine subsidence and Unstable land; 4.4 Planning for Bushfire Protection; 5.2 Sydney Drinking Water Catchments; 5.3 Farmland of State and Regional Significance on the NSW Far North Coast; 5.4 Commercial and Retail Development along the Pacific Highway, North Coast; 5.8 Second Sydney Airport, Badgerys Creek; 5.9 North West Rail Link Corridor Strategy; 6.2 Reserving Land for Public Purposes; 7.2 Implementation of Greater Macarthur Land Release Investigation; 7.3 Parramatta Road Corridor Urban Transformation Strategy; 7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan; 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan; 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan; 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor

## 2.6 Remediation of Contaminated Land

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

This planning proposal was not accompanied by a preliminary site investigation as the site is currently used for commercial purposes and the proposed future use will remain commercial. The planning proposal was however accompanied by a Preliminary Geotechnical Assessment, which noted that contamination was noted in the adjacent site at 757 George Street.

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

## 3.5 Development Near Licenced Aerodromes

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

The proposed development concept includes construction of a new tower up to RL 226.80m, which would encroach into the Obstacle Limitation Surface (OLS), and as such, Direction 3.5 applies. Clause 4 of the Ministerial Direction states that in preparation of the planning proposal, the relevant

planning authority is to consult with the operator of the airport to prepare appropriate height controls and ensure development on the site is not incompatible with the airport's operation.

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

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

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

### 6.3 Site Specific Provisions

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

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

The proposed development concept described in this planning proposal, the amendments to the LEP and the draft DCP have been developed by the City in consultation with the landowner based on their design vision for the site as well as the City's vision for future development in Central Sydney. Despite the recent public exhibition of the revised Central Sydney planning proposal, the landowners of 187 Thomas Street have been involved in ongoing discussions with the City for some time and the proposal can be progressed at this time without waiting for the future changes to the LEP for Central Sydney.

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

## 5.6 Environmental, social and economic impact

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

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

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

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

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



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

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

### Building height and tower setbacks

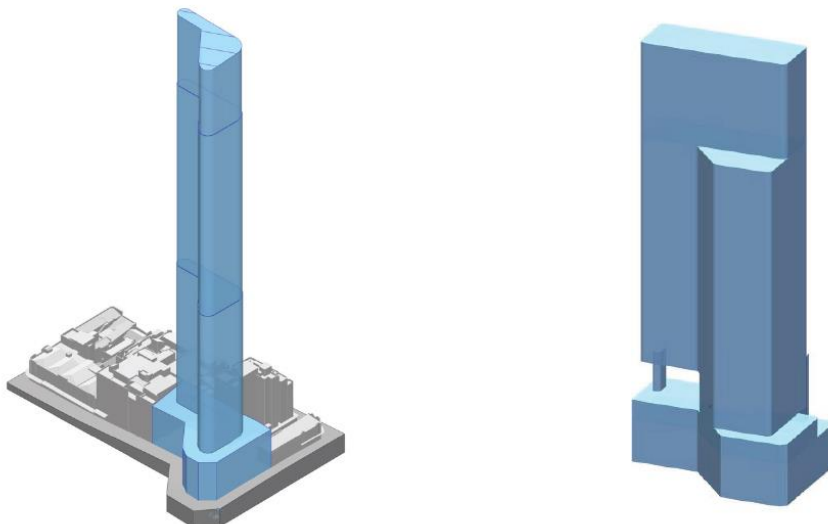
The planning envelope facilitated by this planning proposal has been tested against public domain amenity and is capable of comfortably accommodating the proposed indicative concept design with sufficient flexibility to accommodate any required mitigation to respond to and address any issues and provide architectural articulation without resulting in adverse conditions at ground level. Figure 16 details the maximum envelope available under the draft Strategy and the proposed building envelope.

The tower is within the Haymarket/Ultimo tower cluster and consistent with the heights envisaged for this part of Central Sydney under the draft Strategy. The concept envelope has been designed with four distinct visual elements that is modulated as the building gets higher to maximise daylight access and reflect the existing stratification of buildings in the precinct.

The podium provides a consistent street wall height that matches the adjoining commercial building to the north and the adjacent buildings on Valentine Street. Appropriate tower setbacks have been incorporated into the proposed building envelope that despite not being consistent with the draft Strategy, help mitigate public domain wind impacts and provide a suitable curtilage to the adjoining heritage item. Furthermore, the wind mitigation measures identified in the additional CFD wind testing such as an additional notch on the western elevation above the podium and a rounded south-west corner of the building will be detailed in the draft DCP provisions to ensure sufficient public domain amenity is maintained.

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

Figure 16. Draft Central Sydney Planning Strategy envelope (left) and proposed envelope under this planning proposal (right)



### View analysis

The Urban Design Study accompanying the planning proposal provides a preliminary view analysis exploring the impact of the indicative concept from key viewpoints in the public domain in Central Sydney, Haymarket, Surry Hills and Chippendale.

The study found that in locations closer to the subject site, the podium height and setbacks will help the proposed building relate in a sympathetic manner to adjacent buildings and heritage items. The tower setbacks will provide adequate visual curtilage and improve views to the Christ Church St Laurence as viewed along Valentine Street.

In locations such as from Thomas Street and George Street in Haymarket, the proposed tower will be visible above existing lower buildings and will be higher than existing buildings in its immediate vicinity, however this is consistent with the City's future tower cluster identified in the draft Strategy where additional building height may be located subject to adequate public domain conditions.

### Solar access and overshadowing

Clause 6.19 of the LEP prevents new buildings from creating additional overshadowing to certain public places. The public places within proximity of the subject that may be impacted include Prince Alfred Park and Railway Square (Future Third Square). Sun access planes for these public places are proposed to be inserted into the LEP as part of the Central Sydney planning proposal, shown in Figure 17. The Urban Design Study that accompanies the planning proposal includes a solar and overshadowing analysis.

The proposed planning envelope is not located within the Railway Square sun access plane and the upper levels of the building will not intersect the Prince Alfred Park sun access plane. Despite not being a nominated public place in the LEP, the proposed building may impact Chippendale Green, to the southwest of the site, however analysis indicates that the shadow of the proposed scheme falls within the existing shadow cast by the existing Central Park main tower and will not result in any additional overshadowing to Chippendale Green.

The analysis assessed the impact of the proposed planning envelope on existing residential development within the vicinity of the site. Residential buildings that front Quay Street, the Central Park towers, several sites within Surry Hills receive additional overshadowing as a result of the proposed building envelope, which are within the DCP requirements.

Due to the orientation of the west-facing windows of the apartments in Capitol Terrace, there will be some impact to direct solar access within mid-winter. To address this, the proposed building envelope has been designed to include a 4 storey void about 20 metres in height to ensure light and views are protected to these existing apartments.

The solar access analysis found most overshadowing as a result of the proposed envelope occurs closest to the site, with some reduction of sun, however two hours of sun access is maintained. Notwithstanding this, a more detailed study of the nearby residential buildings will be included as part of a detailed development application.



Figure 17. Sun Access Protection Map proposed by the Central Sydney planning proposal

### Daylight access / Sky view factor

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

The draft Strategy provides for a 'base case' building envelope with a maximum height to the aviation level, 8 metre street setbacks and a curved and tapered form. Planning proposals may vary from an envelope set by the draft Strategy subject to equivalent or improved daylight access to the surrounding public domain.

The Urban Design Study that accompanied the planning proposal included a Daylight Analysis that measured the daylight levels within the public domain up to 200m from the site, represented numerically as a sky view factor.

The proposed building envelope RL 226.80 metres in height includes tower setbacks of 10m to Quay Street, 8m and 9.5m to Valentine Street, zero setback to Thomas Street, 3m to the northern boundary and between 1m and 5m to the eastern boundary, as well as a four storey, 20 metre void was compared to the base case envelope.

The results found that the proposed building envelope results in a minor improvement from the base case envelope and would maintain an acceptable level of daylight access to the public domain.

### Wind assessment

The planning proposal was accompanied by an Environmental Wind Impact Assessment prepared by ARUP which assessed pedestrian wind comfort levels as a result of future development on the subject site. The assessment included a wind tunnel test of the surrounding area to 480m from the site with wind speed measurements captured at various locations.

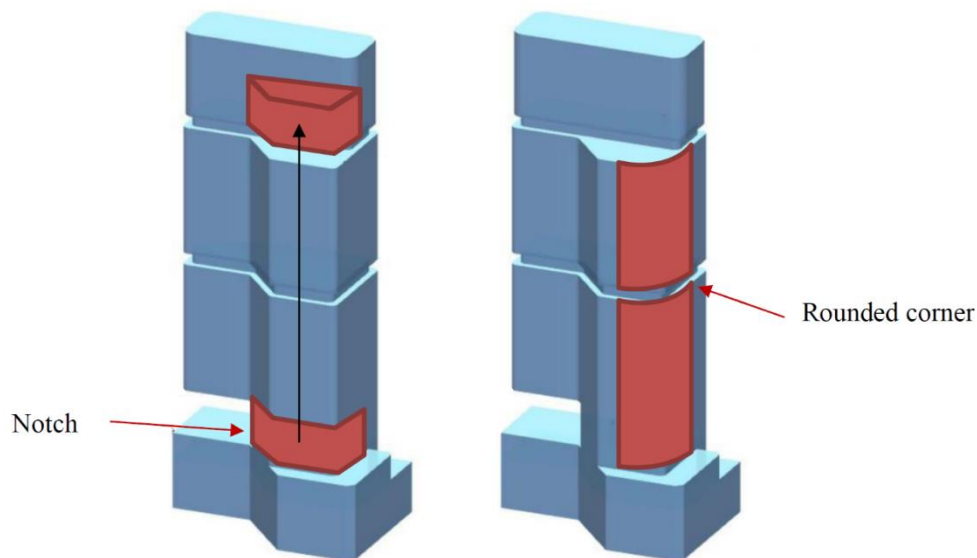
The assessment included wind equivalence testing of two scenarios – the proposed planning envelope at RL 226.80 metres in height and a base case envelope to the maximum height and with tower setbacks that are consistent with the draft Strategy.

The wind assessment found that proposed envelope results in improved overall wind conditions as compared to the base case envelope. Overall, the wind conditions remained generally within the comfort range, suitable for pedestrian standard – the same rating as the existing wind conditions.

Notwithstanding the above, the assessment did find that wind conditions close to the site on Thomas Street and Valentine Street could be improved by the further work.

Additional CFD wind testing was undertaken to assess proposed mitigation measures to improve wind conditions in these locations with exceedances. The tested measures included extending the opening/void from the north of the building to the western elevation and smoothing the south-west corner of the tower, as shown in Figure 18. The additional testing found that a portion of the wind is redirected away from the public domain and will improve the wind conditions on Thomas Street and Valentine Street. The draft DCP includes provisions that will provide guidance on these mitigation measures to be explored as part of the design competition and detailed design phase. The proposed building envelope provided in the site-specific provisions includes considerable flexibility to ensure public domain wind conditions generally remain calm and suitable for dwelling.

Figure 18. Wind mitigation measures to improve conditions in the public domain



Additional wind tunnel testing will take place following the design competition, to assess the winning detailed building design, as such, the draft DCP includes provision to ensure public domain conditions are sufficiently addressed.

### Residential amenity

Capitol Terrace, 755 George Street, directly adjoins the subject site along the eastern boundary, while it is a mixed use building, comprising retail and commercial tenancies, the building is however predominantly residential primarily consisting of apartments on the upper levels from level 4 to 13.

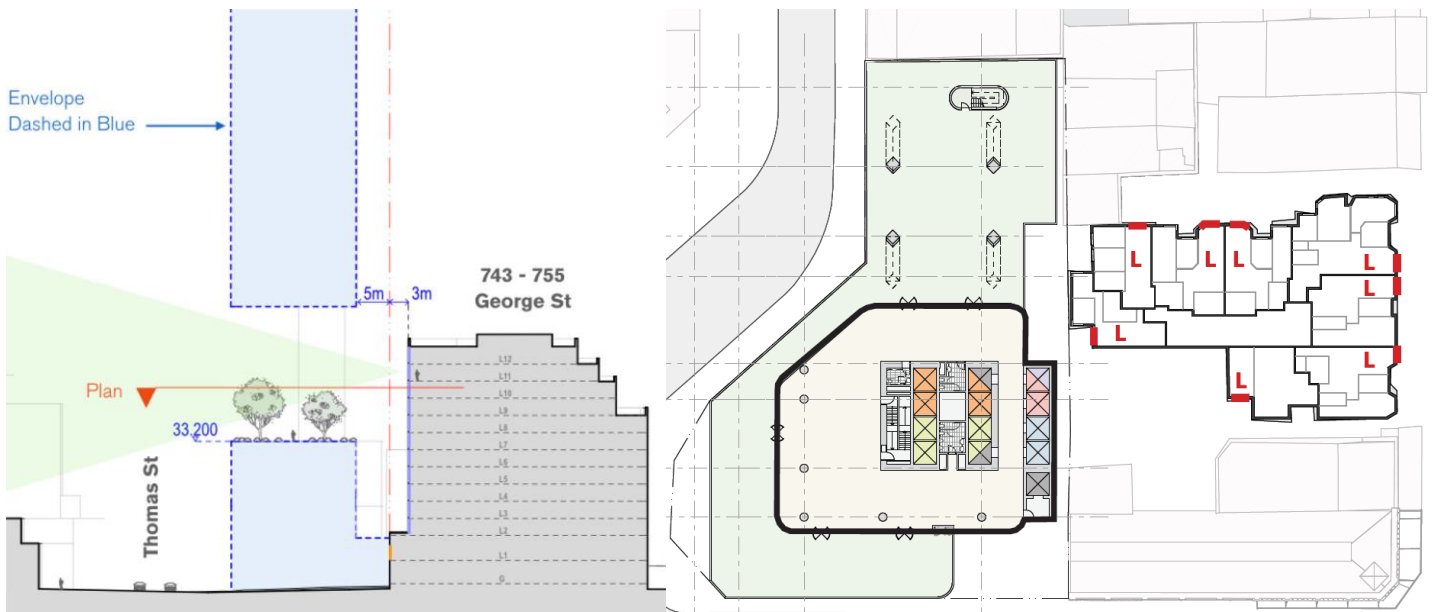
The proposed envelope without the specific recommendations may have the potential to impact on the residential amenity on apartments within this building, particularly to apartments on the rear western elevation. This planning proposal has been prepared to ensure the protection of the residential amenity of the affected units. A large several storey void has been included in the northern section directly above the podium to preserve views, solar access and outlook.



## Planning Proposal – 187 Thomas Street, Haymarket

The proposed opening/void, shown in Figure 19, will begin at RL 33.20m and extend to at least RL 54.40m and will maintain views and aspect from the affected units and ensures light and solar access with the tower sitting above. The Urban Design Study included as an appendix to this planning proposal includes an analysis of the impacts of the proposal to these apartments. However the analysis indicates that the proposed envelope will not impact on the west-facing apartments being able to achieve a minimum of two hours solar access in midwinter. Further assessment will be undertaken at the detailed development application stage.

Figure 19. Location of the void in the indicative design and adjoining residential apartments



### Acoustic impact

The concept scheme includes an outdoor terrace above the podium in the north-facing void. While the primary purpose of this void is to maintain views and daylight access to adjoining residential apartments, it is proposed that the outdoor terrace is used as part of the Innovation Tech Hub located in the podium of the building subject to management controls.

The indicative use of the terrace and void could have the potential to impact upon the residential amenity of nearby apartments. The planning proposal is accompanied by an Acoustic Impact Assessment that recommended the underside of the tower structure above the terrace include acoustic absorption material, no amplified music be permitted on the terrace and the house of operation be restricted and other management measures.

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

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

This planning proposal provides an opportunity for the redevelopment of the subject site, located in an identified future tower cluster where additional building height may be accommodated subject to acceptable public domain amenity conditions. Redevelopment will provide positive social and economic effects including:

- Providing 20,000m<sup>2</sup> of additional employment generating floor space to contribute to and strengthen Central Sydney's role as a globally competitive city;
- Creating an estimated 1,357 additional jobs;
- Delivery of an innovation tech hub supporting and providing equipment for small and start up businesses in the technology industry;

- Leverage of locational benefits the subject site provides, part of an emerging innovation and technology precinct, adjacent to the Camperdown-Ultimo Collaboration Area, the Western Gateway Precinct and the Sydney CBD;
- A new hotel providing accommodation for business visitors to the tech hub and tourists, contributing to Central Sydney's economy and tourist industry;
- Increased activation and accessibility of the surrounding public domain, delivering improved amenity and safety for the public.

## **5.7 State and Commonwealth interests**

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

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

The proposal will provide upgraded public domain and pedestrian infrastructure across the site, helping future development capitalise on its location adjacent to a planned future square on Quay Street, improving the public amenity for the surrounding area.

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

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

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

Clause 7.16 of the LEP requires concurrent approval from Sydney Airport for all works proposed to penetrate the OLS height, which is 152-156 metres in this location. At RL 226.80 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.

## 6. Mapping

This planning proposal does not include any amendments to maps.

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

Updated maps and new figures to reflect the proposed future development concept as discussed in this planning proposal are detailed in the draft DCP, included as an appendix.

## 7. Community consultation

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

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

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

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



## 8. Project timeline

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

Stage	Timeframe
Commencement / Gateway Determination	<b>September/October 2020</b>
Government agency consultation	<b>November 2020</b>
Public exhibition	<b>November 2020</b>
Consideration of submissions	<b>December 2020</b>
Post exhibition consideration of proposal	<b>February 2021</b>
Draft and finalise LEP	<b>March 2021</b>
LEP made	<b>March 2021</b>
Plan forwarded to Department of Planning, Industry and Environment for notification	<b>March 2021</b>

