

### Item 3.

#### **Public Exhibition - Planning Proposal - 757-763 George Street, Haymarket - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

**File No: X038464**

#### **Summary**

For Central Sydney's competitive advantage to be sustained, capacity for growth in attractive and high quality space for business, new enterprise and employment must be available. It is important that new opportunities and development projects in Central Sydney are prioritised to attract new investment, visitors and workers, particularly in emerging sectors.

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

The subject site at 757-763 George Street is in the Haymarket Ultimo investigation area for a tower cluster at the southern end of Central Sydney. It is strategically located within Tech Central (formerly the Camperdown-Ultimo Collaboration Area), the innovation precinct where government, institutions and private sector are collaborating to drive Sydney's economic recovery, jobs growth and productivity. The site is also near the Western Gateway sub-precinct fronting Railway Square and the future development of Central Station rail corridor. New active and retail uses fronting George and Valentine Streets will help ensure the success of the City's planned public domain upgrades in the area, including the pedestrianisation of George Street.

This planning proposal seeks to amend the planning controls for the subject site to facilitate its redevelopment and deliver additional employment generating floor space. The planning proposal consists of new site-specific provisions in the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012, consistent with the Central Sydney Planning Strategy and accompanying Guideline.

This planning proposal facilitates redevelopment of 757-763 George Street, Haymarket for:

- a new tower consisting of 11,435 square metres of new employment generating floor space;
- maximum building height of RL 117.87 metres, including two storey podium, aligning with the adaptive reuse of the former Sutton Forest Meat Company building heritage item;
- maximum floor space ratio of 11.1:1, above ground, comprising hotel and visitor accommodation, as well as active and retail uses fronting the public domain;
- additional floor space of up to 0.63:1, below ground level linked to above ground uses for active, cultural or late night uses to deliver public domain activity;

- improved streetscape conditions, with pedestrian amenity protected and active street frontages to George and Valentine Streets; and
- ecologically sustainable development benchmarks to ensure an energy efficient building will be delivered.

The proposed changes are for up to an additional 1.83:1 FSR and 57m above the current controls.

Samprian Pty Ltd, the landowner has submitted a public benefit offer to enter into a planning agreement, which includes certainty through a commitment to pay the 3 per cent development contribution at the first construction certificate stage and public art greater than 0.5 per cent of the total project value.

This report recommends approval of the planning proposal for submission to the Department of Planning and Environment seeking a gateway determination, followed by public exhibition. It also recommends a draft site-specific development control plan is endorsed for exhibition, and a draft planning agreement be prepared based on the public benefit letter of offer. It is proposed that all documents are exhibited concurrently.

## Recommendation

It is resolved that:

- (A) Council approve Planning Proposal - 757-763 George Street, Haymarket as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Homes with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 757-763 George Street, Haymarket, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Homes to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect Planning Proposal - 757-763 George Street, Haymarket;
- (D) Council approve Draft Sydney Development Control Plan 2012 - 757-763 George Street, Haymarket Amendment as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 757-763 George Street, Haymarket and Draft Sydney Development Control Plan 2012 – 757-763 George Street, Haymarket Amendment to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 2 May 2022 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal.

## Attachments

- Attachment A.** Planning Proposal - 757-763 George Street, Haymarket and Appendices
- Attachment B.** Draft Sydney Development Control Plan 2012 - 757-763 George Street, Haymarket Amendment
- Attachment C.** Planning Agreement - Public Benefit Offer

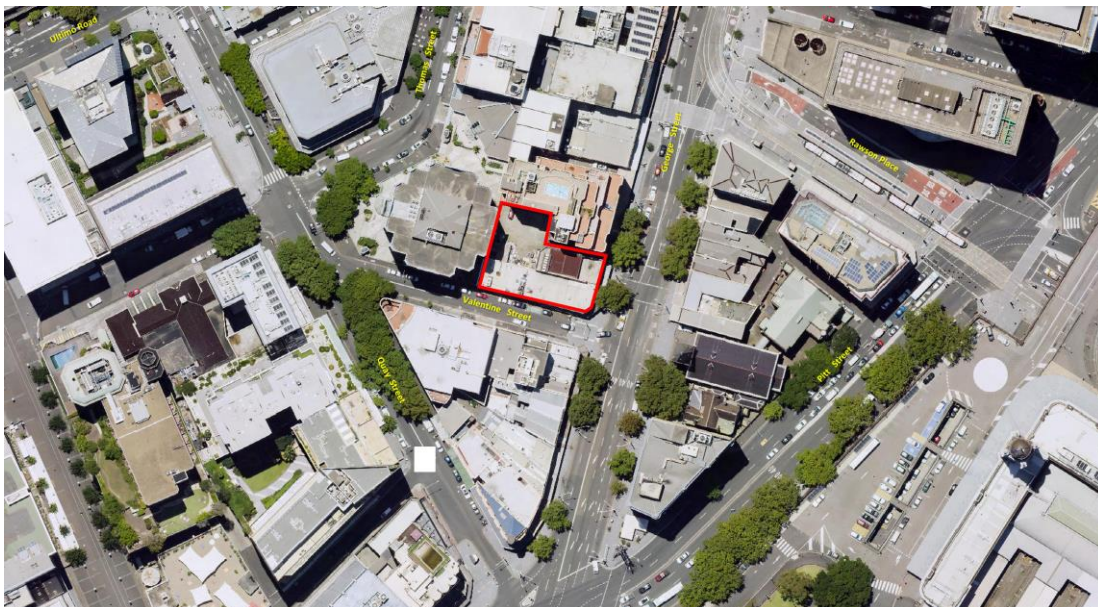
## Background

1. To maintain and build on Central Sydney's status as a globally competitive city, it must continue to attract new business investment and remain a preferred location for workers, residents and visitors. The planning vision to achieve this is set out in the Central Sydney Planning Strategy (Strategy), which was approved by Council in December 2020. The Strategy sets out provisions to grow Central Sydney's competitive economic position and further strengthen its attractive qualities.
2. The southern part of Central Sydney and the surrounding area, inclusive of Haymarket, continues to develop into an emerging precinct of knowledge intensive, creative, technology and start-up sectors with nearby research and academic institutions in the innovation corridor, further supported by industry and other sectors.
3. Increasing incoming producing floor space in Central Sydney and Haymarket is crucial for supporting a robust, resilient and competitive economy. Increased capacity for business growth will help deliver opportunities for investment, new development projects and new jobs. This is particularly important in the current climate, planning for development and growth throughout and after the Covid-19 pandemic.
4. The Strategy seeks to incentivise business and employment generating floor space by providing opportunities for additional building height and density in the right locations. To be eligible, new development must deliver high quality urban design, ensure pedestrian amenity and public spaces are protected and deliver improved public domain interface and environmental sustainability initiatives.
5. This planning proposal aligns with the Strategy in that it will facilitate the redevelopment of two lots in Haymarket including the adaptive reuse of local heritage item, former "Sutton Forest Meat Company" building. The subject site, known as 757-763 George Street is located in Haymarket close to Railway Square and Central Station and in an investigation tower cluster area where additional capacity may be unlocked for economic and employment growth.
6. In October 2020 the landowner, Samprian, submitted a planning proposal request through the NSW Planning Portal for 757-763 George Street, Haymarket following pre-lodgement meetings. The request seeks to insert new site-specific provisions in the Sydney Local Environmental Plan 2012 (LEP) in line with the Strategy and the accompanying Guideline for Site Specific Planning Proposals in Central Sydney (Guideline).
7. The site-specific provisions will enable the development of 757-763 George Street, Haymarket as follows:
  - (a) a new slender tower consisting of 11,435 square metres of new employment generating floor space;
  - (b) maximum building height of RL 117.87 metres, including two storey podium, aligning with the adaptive reuse of the former Sutton Forest Meat Company building heritage item;
  - (c) maximum floor space ratio of 11.1:1, above ground, comprising hotel and visitor accommodation, as well as active and retail uses fronting the public domain;
  - (d) additional floor space of up to 0.63:1, below ground level linked to above ground uses for active, cultural or late night uses to deliver public domain activity;

- (e) improved streetscape conditions, with pedestrian amenity protected and active street frontages to George and Valentine Streets; and
  - (f) ecologically sustainable development benchmarks to ensure an energy efficient building will be delivered.
8. Accompanying the planning proposal request from the landowner is a range of studies to support the proposed changes to the planning controls. These detailed studies are attached as appendices to the planning proposal at Attachment A to this report.

### Site details

9. The legal description of the land affected by this planning proposal is Lot 11 DP 70261 and Lot 1 DP 1031645, known as 757-759 and 761-763 George Street, Haymarket, respectively. The site is referred to in this report as "the site" or "757 George Street". An aerial image and diagram of the subject site and surrounds are shown in Figures 1 and 2 below.
10. The site is irregular in shape and has total area of 1,030 square metres. Street frontage is to George Street to the east and Valentine Street to the south. The site shares a boundary with an adjoining lot to the west that fronts Quay and Thomas Street, and an irregular boundary with a residential apartment building to the north.
11. Existing development on site consists of two low-scale retail commercial buildings, including the two storey local heritage item, the former "Sutton Forest Meat Company" building, which fronts the intersection of George Street and Valentine Street.



**Figure 1:** Aerial image of subject site (in red) and immediate vicinity



**Figure 2:** Diagram of site location and surrounding area

### Adjoining development

12. Existing development surrounding the subject site comprises a mixture of commercial, residential, student and visitor accommodation, as follows:
  - (a) To the east - State heritage item, Christ Church St Laurence is located to the east of the site on George Street. Adjoining the church to the south is local heritage item, the former Lottery Office comprising hostel and visitor accommodation. Retail buildings front the eastern side of George Street, adjoined by an eight storey building, which also comprises hostel and visitor accommodation.
  - (b) To the north - Capitol Terrace, a mixed use building directly adjoins the site along its irregular northern boundary, which comprises residential apartments on the upper floors and retail in an arcade connecting George and Thomas Streets. To the north of Capitol Terrace, small and medium sized commercial buildings front George Street and the intersection with Rawson Place.
  - (c) To the west - A medium-sized office building, 187 Thomas Street adjoins the site. This site has been the recent subject of a separate planning proposal, with amendments to the LEP finalised in September 2021. Several buildings between 16 and 18 storeys in height front the western side of Quay Street, comprising residential, tourist and student accommodation uses.
  - (d) To the south - A number of heritage listed commercial terraces front George Street to the south, comprising office, retail, food and drink and tourist accommodation. Commercial and retail buildings between two and six storeys in height front Valentine Street and Quay Street to the south west of the site.

### Indicative scheme

13. The City has worked with the landowner and their consultants to refine the planning proposal based on the advice from the City's Design Advisory Panel and assessment by City staff. During this process, the proposal has been amended to address the specific challenges of the site and its location.
14. The indicative scheme for 757-763 George Street, Haymarket, shown in Figure 3, envisages a 31 storey tower up to RL 117.87 metres in height with 11,435 square metres of employment floor space predominantly for a hotel with retail and active uses on the ground floor.
15. The proponent's vision for development of the site includes adaptive reuse of the former Sutton Forest Meat Company heritage item for retail and hotel amenities and services connecting to a new slender tower comprising mid-range hotel accommodation. The hotel tower will appear distinct from the heritage building, vertically separated by a cantilever.
16. The proposal will deliver active retail frontages to George and Valentine Streets in the heritage building and the podium of the new tower opening onto an upgraded public domain. Vehicle access and servicing will be from Valentine Street to a basement valet parking accessed by a car lift.



**Figure 3:** Photomontage of the indicative development scheme

**Planning proposal - amendments to the Sydney LEP 2012**

17. The planning proposal for the subject site, included at Attachment A, seeks to amend the LEP to insert new site-specific provisions for 757-763 George Street, Haymarket into Division 5 site-specific provisions. The objectives of the provisions are as follows:
  - (a) facilitate the redevelopment of the subject site including the adaptive reuse of local heritage item, the former Sutton Forest Meat Company building;
  - (b) permit a new tower on site to a maximum building height of RL 117.87 metres;
  - (c) allow maximum floor space ratio of 11.1:1, including design excellence, comprising:
    - (i) mapped floor space of 7.5:1;
    - (ii) accommodation floor space of 1.5:1;
    - (iii) site specific floor space of 1.09:1; and
    - (iv) additional floor space up to 10 per cent if the proposal demonstrates design excellence, to a maximum floor space ratio of 11.1:1;
  - (d) up to 0.63:1 additional floor space ratio located below ground linked to above ground uses for active, cultural or late night uses; and
  - (e) provisions to ensure that development consent may only be granted if the proposal delivers employment generating uses.
18. It is recommended that Council approve the planning proposal, shown at Attachment A to this report, and request a Gateway Determination to enable public exhibition with the draft DCP and draft planning agreement.

**Site specific draft Development Control Plan**

19. A site-specific draft development control plan (draft DCP) is at Attachment B to this report and provides further guidance for development of the site consistent with the LEP amendments. The draft DCP provisions include:
  - (a) building envelope;
  - (b) heritage;
  - (c) tower location;
  - (d) setbacks;
  - (e) street frontages;
  - (f) vehicle access;
  - (g) environmental amenity;
  - (h) design excellence; and



- (i) environmentally sustainable development targets.
20. It is recommended that Council approve the draft DCP, shown at Attachment B to this report, for public exhibition with the planning proposal and draft planning agreement.

### **Planning agreement**

21. Section 7.4(1) of the Environmental Planning and Assessment Act 1979 (Act) enables a proponent to provide a material public benefit by entering into an agreement with a public authority. A planning agreement is the legal instrument for securing public benefits. Planning agreements are voluntary and must be freely entered into by the public authority and a proponent. They are also exhibited publicly and held on a publicly accessible register.
22. The City's position on planning agreements is informed by the City's needs and is outlined in our strategic plans. Opportunities to enter into planning agreements arise as the City changes and improves planning controls to help meet its strategic aims.
23. The offer from the landowner, Samprian Pty Ltd, is at Attachment C to this report and outlines the public benefits as part of this proposal. It includes a certain commitment to pay the 3 per cent development contribution under the Central Sydney Contributions Plan 2020 at the first construction certificate stage rather than occupation certificate stage as envisaged by the NSW Government's changes to contributions legislation. In addition, the Offer contains a provision for public art exclusive to any minimum public art requirements at development application stage, i.e. greater than 0.5 per cent of the total project value.
24. It is recommended that a draft planning agreement is prepared to secure the public benefits outlined in the letter of offer, so they can be delivered through the redevelopment of the site. This report also recommends that the planning agreement be publicly exhibited together with the planning proposal and amendments to the DCP.

### **Key Implications**

#### **Benefits of the planning proposal and draft DCP controls**

25. The planning proposal and accompanying draft DCP facilitates the redevelopment of the subject site. The key benefits are:
- (a) additional new employment floor space;
  - (b) retention and adaptive reuse of the former Sutton Forest Meat Company building heritage item; and
  - (c) new retail space contributing to the success of future public domain upgrades and pedestrianisation of George Street.

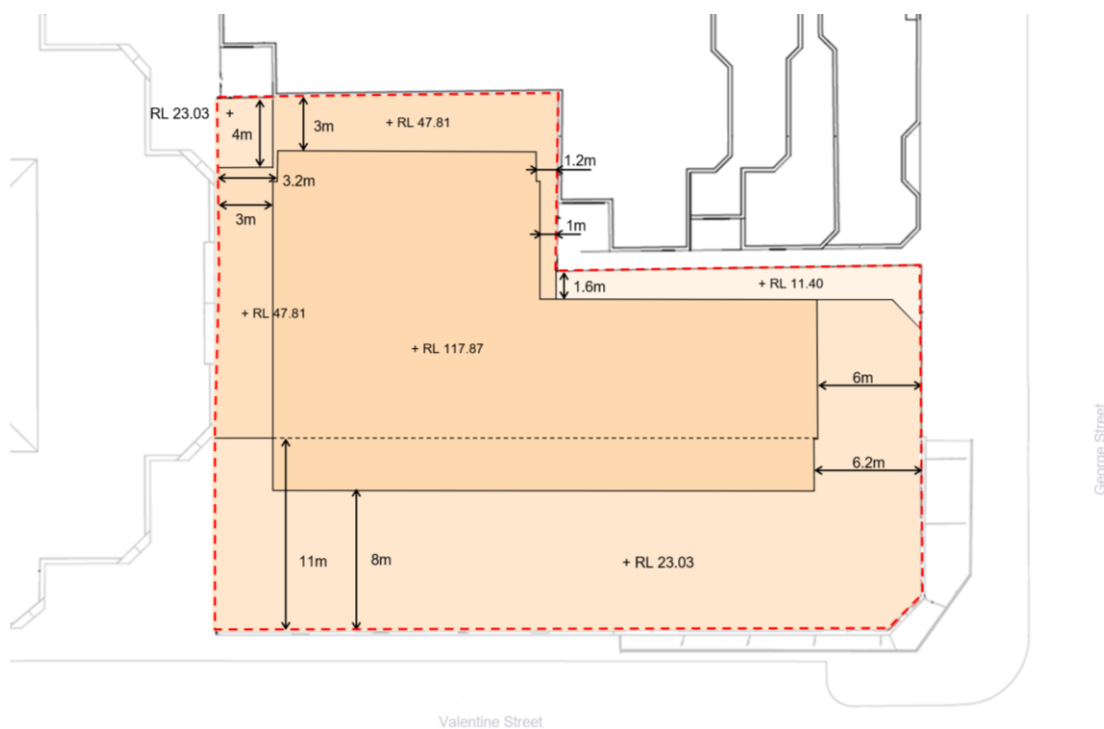
#### **Consideration of environmental impacts**

26. The planning proposal is informed by detailed studies prepared on behalf of the proponent, and assessment of the potential impacts by the City, including referrals by internal specialist teams and Design Advisory Panel. The studies are included as

appendices to the planning proposal at Attachment A and will be exhibited as supporting documentation. The key relevant findings are discussed below.

### Building envelope - height, setbacks and floor space ratio

27. The Central Sydney Planning framework, supported by the Guideline for Site Specific Planning Proposals in Central Sydney (the Guideline), provides opportunities to modify the building height and floor space ratio controls where the planning envelope provides a positive urban design outcome and will not result in adverse impacts to environmental amenity in the public domain, particularly in relation to wind conditions, daylight levels and urban design relationships.
28. The proposed planning envelope facilitated through this proposal seeks a maximum height of RL 117.87 metres, minimum setbacks of 6 metres to George Street, 11 metres to Valentine Street, with the cantilevered upper tower section setback 8 metres from the street. The envelope is setback a minimum of three metres from the western boundary and three metres to the north western section of the northern boundary, one metre for the middle section and a minimum of 1.6 metres from the north eastern section. The 1.6 metre setback matches the adjoining setback of the residential apartments to the north, providing minimum separation of approximately 3 metres from south-facing windows from non-primary living spaces. These setbacks are detailed in Figure 4, below.



**Figure 4:** Setbacks of the proposed building envelope

29. While the setbacks depart from the base case envelope, they are considered acceptable as they do not result in significant adverse public domain amenity impacts, provide sufficient separation to the 187 Thomas Street office building and will maintain acceptable residential amenity to the south-facing apartments in the adjoining building to the north.

30. The planning envelope has been designed to ensure the new tower presents as visually distinct from the heritage item, the former Sutton Forest Meat Company building. The upper part of the tower is setback 8 metres from the southern boundary. Above the heritage building the setback is increased by 3 metres to 11 metres for two storeys to ensure the two building elements remain visually distinct and are read separately.
31. The City's Guideline generally requires 15 per cent of the envelope for architectural articulation and five per cent for façade zones. Due to specific site constraints, the proponent's request seeks approval for 11 per cent articulation, equating to FSR of 12:1 and GFA of 12,243sqm.
32. Following a detailed assessment and the provision of further information, the planning proposal has been amended by the City to deliver sufficient architectural articulation in a manner that is responsive to its context and site constraints while ensuring future development has the flexibility to respond to issues.
33. The planning proposal has been amended to ensure the proposed planning envelope includes an average of 10 per cent for architectural articulation, five per cent façade zones and a combined six metre roof and plant zone. The revised amount of articulation is an average, which accounts for heritage and podium constraints and provides 12 per cent articulation in tower. Therefore, the revised above ground FSR for the planning envelope is 11.1:1 and a GFA of 11,435sqm.
34. The indicative design scheme includes 650sqm floor space to be delivered below ground level. This floor space will be linked to the operation of the hotel delivering additional amenity to hotel visitors and guests. The site-specific provisions for the additional floor space of up to 0.63:1 below ground level will be restricted to active, cultural and/or late night uses that has a direct access to George Street or combined with a ground floor tenancy. It is anticipated that by maximising the delivery of multi-purpose active floor space such as this, the viability of the hotel and retail spaces will help contribute to the success of future pedestrianisation and public domain projects adjacent to the site.

### **Public amenity testing**

35. The Guideline requires a base case envelope to be established, which then sets the performance benchmark for testing the impact of a planning envelope with varied building heights and setbacks. Any proposed planning envelope must achieve equivalent or improved public domain wind and daylight conditions compared to the base case envelope.

### **Daylight / Skyview testing**

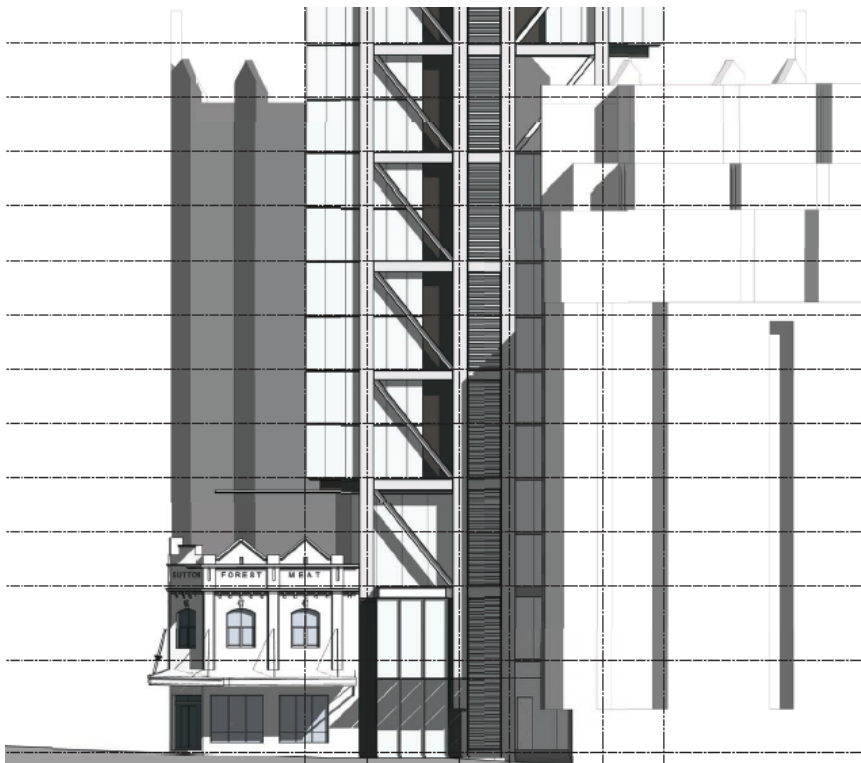
36. The proposed planning envelope seeks to vary the setbacks from the base case envelope from 4.05 metres (3.33 per cent of building height) to minimum setbacks of 8 metres to Valentine Street, 6 metres to George Street, 3 metres to the western boundary and 3, 1 and 1.6 metres to the irregular northern boundary.
37. The planning proposal was accompanied by an Architectural Design Report that detailed daylight levels in the public domain surrounding the site, expressed numerically. The results found that the proposed building envelope will deliver a minor improvement from the base case envelope, maintaining acceptable public domain daylight levels, therefore meeting the requirements of the Guideline.

#### Wind assessment

38. A Pedestrian Wind Environment Study accompanied the planning proposal, assessing public domain wind comfort and safety levels through wind tunnel testing. The initial assessment found the planning envelope was generally equivalent to the base case envelope. Some locations, however were found to be uncomfortable, close to exceeding the wind safety standard and as such further analysis was needed, and additional wind tunnel testing undertaken.
39. The additional wind tunnel testing found the revised planning envelope would result improved public domain conditions, meeting the requirements of the Guideline. The revised testing also recommended wind mitigation measures to further calm the wind including the retention of the heritage awning of the former Sutton Forest Meat Company building and a ground level chamfer adjacent to the George Street frontage. These mitigation measures will redirect uncomfortable wind speeds away from the public domain.
40. Further wind tunnel testing will take place at detailed design and design competition phases. The draft DCP accompanying this planning proposal provides guidance on these potential mitigation measures to ensure comfortable and safe wind conditions are provided in the public domain surrounding the site, consistent with the requirements of the Guideline and will help the success of future pedestrianisation and public domain upgrades in the area.

#### Heritage

41. Local heritage item, the former Sutton Forest Meat Company building comprises part of the subject site adjacent to the intersection of George and Valentine Streets. The site is in the vicinity of State heritage item, Christ Church St Laurence and is located within the Haymarket/Chinatown Special Character Area.
42. The proposal includes the adaptive reuse of the former Sutton Forest Meat Company building incorporated into the proposed hotel development. The Heritage Impact Statement that accompanied the planning proposal found little heritage significance internally within the heritage item due to previous fire damage and alterations.
43. The proposed planning envelope and indicative future scheme has been designed to minimise adverse impact to the heritage item. The building original and decorative features will be retained, including the glazed shopfronts and awning, helping the building maintain its contribution towards the streetscape.
44. The proposed podium height aligns with the heritage item and will maintain the consistent street wall heights in this location. Important view corridors along George and Valentine Street and will not be obscured as a result of the proposal, particularly towards the Christ Church St Laurence.
45. The new tower has been sited away from George and Valentine Streets at the rear of the site, with minimum setbacks of 6 metres and 11 metres respectively. On the upper levels, the tower setback reduces to 8 metres as it cantilevers over the heritage item. This vertical separation will ensure the tower is viewed as a distinct and separate element to the heritage item.
46. The site-specific draft DCP provisions will ensure future development sympathetically relates to heritage on site and in the nearby vicinity, including specifying sufficient vertical separation of at least two storeys between the tower and the heritage item.



**Figure 5:** Eastern elevation of the indicative scheme detailing the southern setback of the tower and vertical separation between the cantilevered tower and the former Sutton Forest Meat Company building

### Public domain

47. The proposed indicative scheme has been prepared to maximise active frontages to George and Valentine Streets. This will ensure that any future development on site will contribute to the success of future public domain upgrades surrounding the site, including the future pedestrianisation of George Street and potential works to Quay and Valentine Streets.
48. All future development is subject to a monetary contribution towards the delivery of community infrastructure under the Central Sydney Contributions Plan 2020 which will contribute towards public domain upgrades. Furthermore, the site-specific draft DCP provisions will ensure further development is designed to respond to and accommodate any future pedestrianisation.

### Design excellence

49. Future development on site will be subject to an architectural design competition consistent with clause 6.21 of the LEP and the Guideline. The accompanying site-specific draft DCP establishes a design excellence strategy which outlines provisions for an architectural design competition.

50. The design excellence provisions of the LEP provide for up to 10 per cent additional floor space subject to the demonstration of design excellence as part of a design competition. The indicative scheme demonstrates this additional floor space can be accommodated within the proposed planning envelope. The site-specific LEP provisions will ensure additional floor space is to be applied to future development as opposed to additional building height.

## Strategic Alignment

### Strategic Alignment - Central Sydney Planning Strategy

51. As the economic heart of Australia's global city, Central Sydney plays a critical role in the economic success of Greater Sydney, the state and national economies. The Central Sydney Planning Strategy sets a planning approach to grow employment and productivity, create high quality places and deliver on the City's Sustainable Sydney programs.
52. The Strategy includes opportunities for additional height and density in the right locations, balanced with environmental sustainability initiatives, and sets criteria for design excellence.
53. This planning proposal is aligned with the following relevant key moves of the Central Sydney Planning Strategy:
  1. Prioritise employment growth and increase floor space capacity - this planning proposal will facilitate redevelopment of the site for a new hotel tower, deliver new employment floor space, increasing the employment capacity and growth in Central Sydney.
  2. Ensure development responds to context - a site-specific DCP accompanies this planning proposal ensuring future development will be sensitive to its heritage context, with a built form that 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 Ultimo investigation area where additional building height may be accommodated.
  5. Ensure infrastructure keeps pace with growth - future development will be subject to development contribution, delivering new infrastructure linked to growth.
  6. Move towards a more sustainable city - the draft DCP for the subject site includes sustainability targets in accordance with the Strategy and Guideline.
  7. Protect, enhance and expand heritage and public places - the proposal facilitates the adaptive reuse of the heritage item, delivering active and fine-grain retail uses, which will improve street life for future pedestrianisation of the area.
  8. Move people more easily - the subject site is within walking distance from Central railway station and light rail stops and as such is well located to capitalise on new investment in public transport projects.

9. Commitment to design excellence - future development will be subject to an architectural design competition.

### Strategic Alignment - Regional and Local Planning

54. The Greater Sydney Region Plan and Eastern City District Plan prepared by the Greater Sydney Commission shape strategic planning and infrastructure across metropolitan Sydney and align planning from the broad regional scale to the local area. The City's Local Strategic Planning Statement sets the overall land use planning strategy for the city which is required to align with the Region and District Plans. The City's planning controls are then required to give effect to the strategic plans.
55. The Region and District Plans and Local Strategic Planning Statement adopt planning priorities of similar themes, being productivity, liveability, infrastructure, sustainability and governance. How this planning proposal gives effect to these priorities is discussed in detail in the planning proposal and is summarised below:
  - (a) **Productivity** - the proposal will deliver additional employment generating floor space close to existing and planned transport connections, including the future Metro station at Central. It will deliver new retail and hotel uses on a site close to support new, emerging and diverse industries in the City Fringe. In addition to meeting the Productivity objective of the Greater Sydney Region Plan, the planning proposal gives effect to the following strategic planning priorities:
    - (i) Eastern City District Plan priorities:
      - a. E7 - Growing a stronger and more competitive Harbour CBD
      - b. E10 - Delivering integrated land use and transport planning for a 30 minute city
      - c. E11 - Growing investment, business opportunities and jobs in strategic centres
      - d. E13 - Supporting growth of targeted industry sectors
    - (ii) Local Strategic Planning Statement priorities:
      - a. P1 - Growing a stronger, more competitive Central Sydney
      - b. P2 - Developing innovative and diverse business clusters in City Fringe
  - (b) **Liveability** - this planning proposal includes the adaptive reuse of the heritage building to include fine-grained retail premises and active frontages. This will help deliver improved street life supporting future public domain strategies. In addition to meeting this objective of the Greater Sydney Region Plan, the proposal gives effect to the following liveability strategic planning priorities:
    - (i) Eastern City District Plan priorities:
      - a. E6 - Creating and renewing great places and local centres, and respecting the District's heritage
    - (ii) Local Strategic Planning Statement priorities:
      - a. L2 - Creating great spaces

- (c) **Infrastructure** - redevelopment of the subject site will benefit from planned additional transport capacity and will contribute towards the delivery of new community infrastructure in Central Sydney. In addition to meeting the infrastructure objective of the Greater Sydney Region Plan, the planning proposal gives effect to the following priorities:
- (i) Eastern City District Plan priorities:
    - a. E1 - Planning for a city supported by infrastructure
  - (ii) Local Strategic Planning Statement priorities:
    - a. I1 - Movement for walkable neighbourhoods and a connected city
    - b. I2 - Align development with growth and supporting infrastructure
- (d) **Sustainability** - the planning proposal will facilitate the redevelopment of the site with a new hotel building with improved sustainability outcomes. In addition to meeting this objective of the Greater Sydney Region Plan, the proposal gives effect to the following sustainability strategic planning priorities:
- (i) Eastern City District Plan priorities:
    - a. E19 - Reducing carbon emissions and managing energy, water and waste efficiently
  - (ii) Local Strategic Planning Statement priorities:
    - a. S2 - Creating better buildings and places to reduce emissions and water and use water more efficiently

### Strategic Alignment - Sustainable Sydney 2030

56. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is aligned with the following strategic directions and objectives:
- (a) Direction 1 - A globally competitive and innovative city - the proposal will facilitate new employment opportunities and increasing the city's tourist capacity, helping Sydney attract global investors and visitors.
  - (b) Direction 2 - A leading environmental performer - this planning proposal will help deliver ecological sustainable development on the site.
  - (c) Direction 3 - Integrated transport for a connected City - the subject site is well placed to capitalise on its close proximity to existing and planned transport infrastructure, with the Sydney Metro line currently under construction nearby.
  - (d) Direction 4 - A city for walking and cycling - the proposed scheme includes ground floor retail and other active uses which will encourage greater public and active transport use, helping deliver a more people-oriented city.
  - (e) Direction 5 - A lively and engaging city centre - the mix of uses on the subject site will deliver greater activation and a livelier engaging city. Outdoor dining and other late night and cultural uses are permissible to help deliver on the City's vision for the area.



- (f) Direction 6 - Vibrant local communities and economies - future development will contribute to the surrounding area through greater capacity for businesses, retail uses and greater activation for local residents and visitors.
- (g) 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.
- (h) Direction 9 - Sustainable development, renewal and design - this planning proposal will deliver future development that is more ecologically sustainable than the current building on site through aspirational sustainability benchmarks.

### **Relevant Legislation**

- 57. Environmental Planning and Assessment Act 1979.
- 58. Environmental Planning and Assessment Regulation 2020.

### **Critical Dates / Time Frames**

- 59. Should Council and the Central Sydney Planning Committee endorse the attached planning proposal for public exhibition, it will be forwarded to the Department of Planning and Environment in accordance with section 3.34 of the Act for Gateway Determination to proceed with consultation or resubmit the planning proposal.
- 60. Following the Gateway Determination, the typical timeframe is 21 days for public authority consultation and 28 days for public exhibition. The Gateway Determination will also provide the date for the completion of the amendment to the LEP.
- 61. Section 7.5(1) of the Act requires a draft planning agreement be publicly exhibited for at least 28 days where possible, the agreement be exhibited with any other related publicly notifiable matters. As such, this report recommends that the City prepare a planning agreement to be exhibited with the planning proposal and the draft DCP.
- 62. Following public authority consultation and public exhibition, the outcomes will be reported back to Council and the Central Sydney Planning Committee.

### **Public Consultation**

- 63. The public exhibition process for this planning proposal will be determined by the Department of Planning Industry and Environment. It is proposed that the public exhibition of the planning proposal, draft DCP and notification of the planning agreement will run concurrently. The consultation will be in accordance with the requirements of:
  - (a) the Gateway Determination issued by the Department of Planning and Environment under section 3.34 of the Act;
  - (b) the Environmental Planning and Assessment Regulation 2000;
  - (c) in relation to the Planning Agreement, section 7.5(2) of the Act; and

- (d) the City of Sydney Community Participation Plan 2020.
- 64. It is likely that the public exhibition for the planning proposal would be for a minimum of 28 days, with notification in accordance with the Gateway Determination and the City's Community Participation Plan.
- 65. The planning proposal, draft DCP and draft planning agreement will be publicly exhibited online on the City of Sydney website and in accordance with the Environmental Planning and Assessment Regulation 2000.

**GRAHAM JAHN AM**

Director City Planning, Development and Transport

Daniel Thorpe, Specialist Planner