

Notice of decision – Martin Place Station Precinct Stage 2 – North Site (SSD 9270)

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 9270 Martin Place Station Precinct Stage 2 – North Site
Applicant	Sydney Metro
Consent Authority	Minister for Planning

Decision

The Minister for Planning has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the Department of Planning and Environment's Assessment Report, development consent and conditions are available [here](https://www.planningportal.nsw.gov.au/major-projects/project/10616).

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Date of decision

13 August 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- *Consistent with NSW Government and Local Policies* – the project is consistent with NSW Government and the City of Sydney policies including the Greater Sydney Region Plan, the Eastern City District Plan and the Sydney Local Environmental Plan 2012. The proposal is permissible with consent and compliant with the key development standards that govern bulk, density and scale.
- *Consistent with Concept Approval* – the project complies with the Stage 1 Concept Approval and the associated endorsed Design Guidelines and Design Excellence Strategy
- *Benefits* – the project would provide a range of benefits for the region and the State as a whole, including significant employment generation within the Sydney CBD at a site with excellent access to services and public transport
- *Impacts can be managed* - the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards
- *Community views considered* - the issues raised by the community during consultation and in submissions have been considered and adequately addressed within the Environmental Impact Statement, Response to Submissions and the recommended conditions of consent. Refer to Attachment 1 in this regard
- Weighing all relevant considerations, the project is in the public interest.

• Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 11 October 2018 until 7 November 2018 (28 days) and received eleven submissions from Government agencies and an objection from the City of Sydney Council.

No public submissions were received during the exhibition period.

The Department undertook site visits and attended the Design Review Panel sessions as observers.

The key issues raised by the community (including in submissions by Council) and considered in the Department's Assessment Report and by the decision maker include building form, heritage impact, overshadowing, design excellence and transport issues. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Building form - the building should be setback 8m on all sides above the podium, especially along Elizabeth St to reduce overshadowing of Martin Place (object) - the proposal is incongruous with the character of Martin Place (object) - the proposed podium and tower and response to 50 Martin Place is appropriate (support) - the building has external services, louvres and ducting along street frontages (object)	Assessment - the building height and floorspace complies with the Sydney LEP 2012 and the Concept Approval, including the endorsed Design Guidelines. - the building complies with the Martin Place Sun Access Plane and overshadowing of Martin Place is less than the Concept Approval as is required in the conditions of the Concept - the proposal has acceptable visual and heritage impacts on Martin Place and surrounding heritage-listed buildings. - the Department accepts there are services and plant along the street frontages. However, these areas have been consolidated with services and plant for the station infrastructure and integrated with the external materials and finishes of the building Conditions Conditions include Design Integrity requirements relating to maintaining the design elements in the post approval phase.
Design excellence - a competitive design process under Sydney LEP 2012 should be carried out (object) - the proposal exhibits design excellence (support)	Assessment - the requirement to carry out a competitive design process was considered as unnecessary in the assessment of the Concept Approval. - the proposal complies with the Design Excellence Strategy endorsed with the Concept Approval and the Department considers the integration of the CSSI works and OSD works is better integrated than one competitive design process for the OSD - the Department considers the proposal exhibits Design Excellence and has benefitted from the advice of the Design Review Panel Conditions Conditions include Design Integrity requirements relating to maintaining the design elements in the post approval phase.
Heritage - the Applicant should consult the Heritage Council during the Construction Certificate phase - the Heritage Interpretation Plan should be updated in accordance with the Strategy lodged and the Strategy endorsed with the station works (CSSI 7400)	Assessment The Department agrees the Heritage Council should be consulted and the Heritage Interpretation Plan should be prepared in accordance with the Strategy and CSSI Strategy. Conditions Conditions include requirements to consult the Heritage Council and in relation to the preparation of the Heritage Interpretation Plan.
Transport issues - the North Site should not have basement loading dock or bike parking for the South Site - loading dock management requires efficiency measures within the site and off-site - the Construction Traffic and Pedestrian Management Plan should be updated in consultation with the Sydney Coordination Office and be consistent with the framework in the CSSI approval.	Assessment - the Department noted the North Site has basement servicing for the South Site because the South Site has existing and proposed station works below - the Department agrees that construction and operational traffic management requires conditions. Conditions Conditions include requirements for loading dock management, and the preparation of the Construction Traffic and Pedestrian Management Plan in consultation with the Sydney Coordination Office.