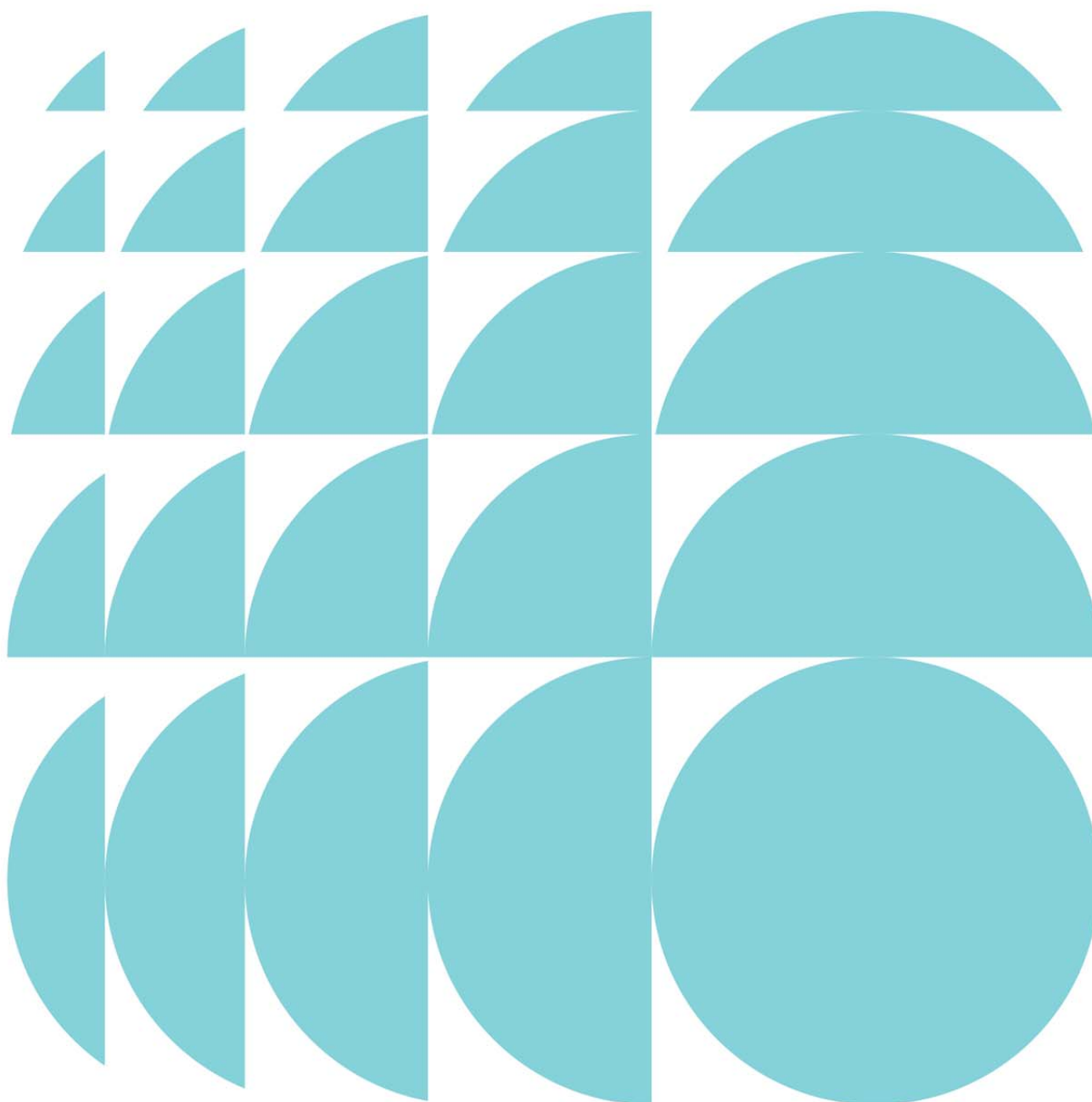


Request for Secretary's Environmental Assessment Requirements

North Site Stage 2 Detailed Development Application
Sydney Metro Martin Place Station Precinct

Submitted to the Department of Planning and Environment
On behalf of Macquarie Corporate Holdings Pty Limited

11 April 2018 | 15879



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1.0 Introduction

This report is prepared on behalf of Macquarie Corporate Holdings Pty Limited (Macquarie) in support of a request for the Secretary's Environmental Assessment Requirements (SEARs) relating to the detailed design and development of the North Site within the Sydney Metro Martin Place Station Precinct. The Development Application (DA) will seek approval for the detailed design and construction of the North Site Over Station Development (OSD), located above and integrated with the Martin Place Metro Station (part of the NSW Government's approved Sydney Metro project).

This application follows an approval granted by the Minister for Planning on 22 March 2018 for a Concept Proposal for two OSD commercial towers above the northern (North Site) and southern (South Site) entrances of Martin Place Metro Station (SSD 17_8351), which approved building envelopes, land uses, Gross Floor Areas (GFA) and Design Guidelines with which the detailed design (otherwise known as a Stage 2 DA) must be consistent ('Concept Approval').

As the project is within a rail corridor/related to rail infrastructure, involves a commercial premises, and has a capital investment value of more than \$30 million, it is State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The requested SEARs will inform the preparation of an Environmental Impact Statement (EIS) to accompany a future Stage 2 Detailed DA for the proposal. The DA will be made under Section 4.22 of the EP&A Act and will be pursuant to the Concept Approval (SSD 17_8351) applying to the site.

To support the request for SEARs, this report provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

1.1 Context

The New South Wales (NSW) Government is implementing the Future Transport Strategy 2056 (Transport for NSW, 2018), which is an overarching strategy, supported by a suite of plans to achieve a 40 year vision for the transport system. Future Transport 2056 seeks to ensure that the State is prepared for rapid changes in technology and innovation to create and maintain a world class, safe, efficient and reliable transport system over the next 40 years.

Sydney Metro is a new standalone rail network which was identified in *Sydney's Rail Future* (2012 plan), which forms a key component of the Future Transport Strategy 2056. The Sydney Metro network consists of Sydney Metro Northwest (Stage 1) and Sydney Metro City & Southwest (Stage 2), with the next stage being the Sydenham to Bankstown upgrade.

Stage 2 of the Metro entails the construction and operation of a new Metro rail line from Chatswood, under Sydney Harbour through Sydney's CBD to Sydenham and onto Bankstown through the conversion of the existing line to Metro standards. The project also involves the delivery of seven (7) new Metro stations, including Martin Place. This step-change piece of public transport infrastructure once complete will have the capacity for 30 trains an hour (one every two minutes) through the CBD in each direction.

On 9 January 2017 the Minister approved the Stage 2 (Chatswood to Sydenham) Metro application lodged by Transport for NSW (TfNSW) as a Critical State Significant Infrastructure (CSSI) project (reference SSI 15_7400). Work is well underway under this approval, including demolition of buildings at Martin Place.

The OSD development is subject to separate applications to be lodged under the relevant provisions of the EP&A Act.

1.2 Site Description

The Sydney Metro Martin Place Station Precinct comprises land owned by Macquarie and land acquired by Transport for NSW (TfNSW) for the purposes of delivering the Sydney Martin Place Station.

It comprises the entire City block bounded by Hunter Street, Elizabeth Street, Martin Place and Castlereagh Street; that portion of Martin Place located between Elizabeth Street and Castlereagh Street; and the northern most property in the block bounded by Martin Place, Elizabeth Street, King Street; and Castlereagh Street.

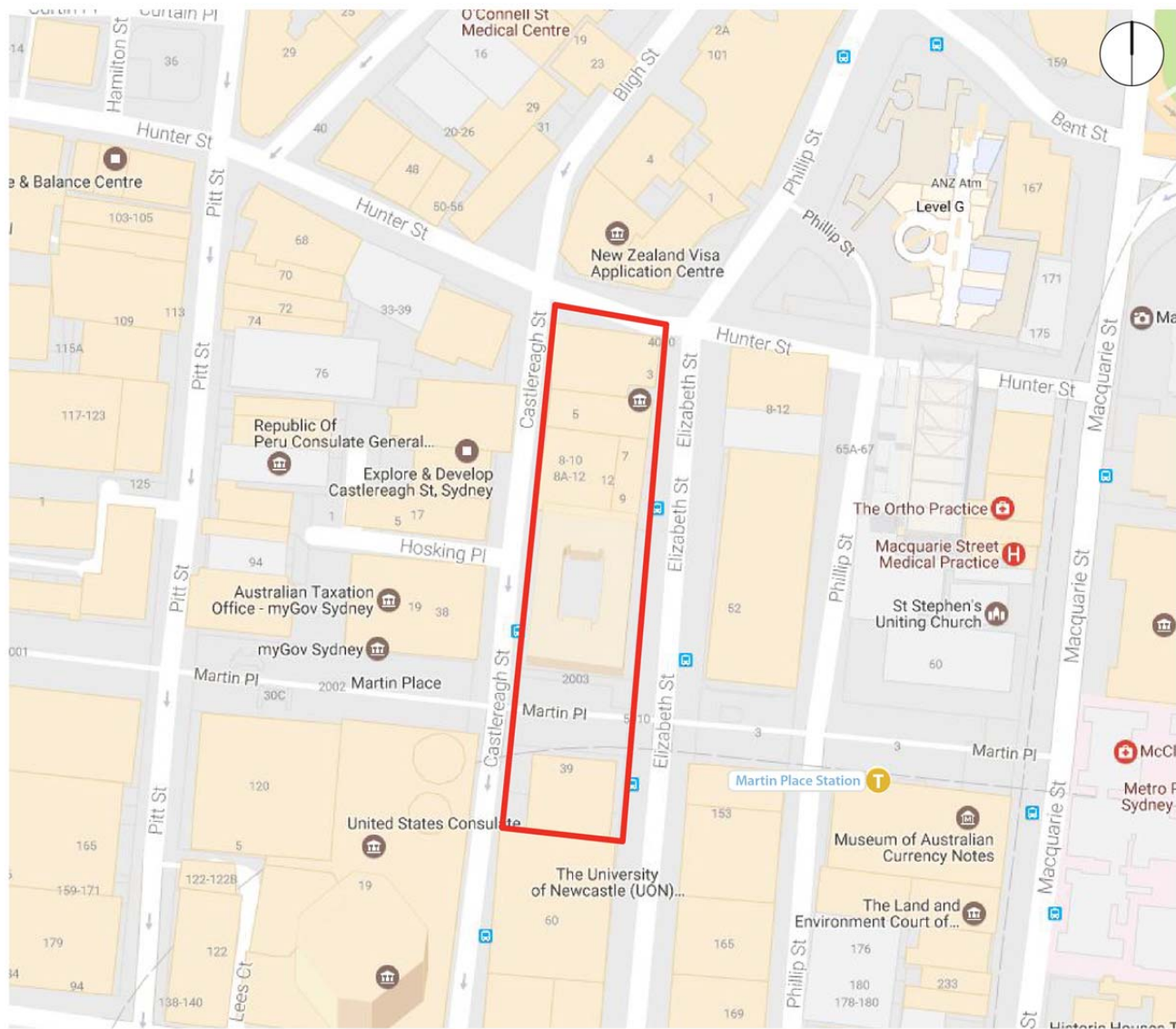
Together it constitutes an above ground site area of approximately 9,400 square metres, with a dimension from north to south of approximately 210 metres and from east to west of approximately 45 metres. It also incorporates a portion of one of Sydney's most revered public spaces – Martin Place.

The Concept Approval in effect divided the Sydney Metro Martin Place Station Precinct into a series of 'sub-precincts' relating to the following properties:

- **North Site** – 50 Martin Place; 9-19 Elizabeth Street; 8-12 Castlereagh Street; 5 Elizabeth Street; 7 Elizabeth Street; and 55 Hunter Street.
- **South Site** – 39-49 Martin Place.
- **Martin Place** – being that part bound by Elizabeth Street and Castlereagh Street (this land was specifically excluded from the Concept Proposal).

This request for SEARs relates exclusively to the North Site.

A context map of the Sydney Metro Martin Place Station Precinct and an aerial photograph indicating the North Site and South Site are included at **Figure 1** and **Figure 2** below.



The Precinct

Figure 1 – Context map of the Precinct

Source: Google Maps + Ethos Urban



Figure 2 – Aerial photo of the North Site and South Site in context

Source: Nearmap + Ethos Urban

2.0 Background

2.1 Sydney Metro Stage 2 Approval (SSI 15_7400)

On 9 January 2017, the Minister approved Stage 2 of the Sydney Metro project, involving the construction and operation of a metro rail line between Chatswood and Sydenham, including the construction of a tunnel under Sydney Harbour, links with the existing rail network, seven metro stations (including a station at Martin Place), and associated ancillary infrastructure. The project approves the demolition of existing buildings at Martin Place, excavation and construction of the new station (above and below ground) along with construction of below and above ground structural and other components of the future OSD, although the fit-out and use of such areas are the subject of separate development approval processes.

Modification 3 (approved on 22 March 2018) to the Sydney Metro approval enabled the inclusion of Macquarie-owned land at 50 Martin Place and 9-19 Elizabeth Street within the Martin Place Station footprint, and other associated changes (including retention of existing MLC pedestrian link).

2.2 Concept Proposal (SSD 17_8351)

On 22 March 2018, the Minister approved a Concept Proposal (SSD 17_8351), relating to the Sydney Metro Martin Place Station Precinct. This Concept Proposal established the planning and development framework through which to assess the detailed Stage 2 applications.

Specifically, the Concept Proposal encompassed:

- Building envelopes for OSD towers on the North Site (see **Figure 3** below) and South Site comprising:
 - 40+ storey building on the North Site
 - 28+ storey building on the South Site
 - Concept details to integrate the North Site with the existing and retained 50 Martin Place building (the former Government Savings Bank of NSW)
- Predominantly commercial land uses on both sites, comprising office, business and retail premises
- A maximum total GFA of 125,437m² across both sites
- Consolidated Design Guidelines to guide the built form and design of the future development
- A framework for achieving design excellence
- Strategies for utilities and services provision, managing drainage and flooding, and achieving ecological sustainable development
- Conceptual OSD areas in the approved Martin Place Metro Station structure, above and below ground level¹.

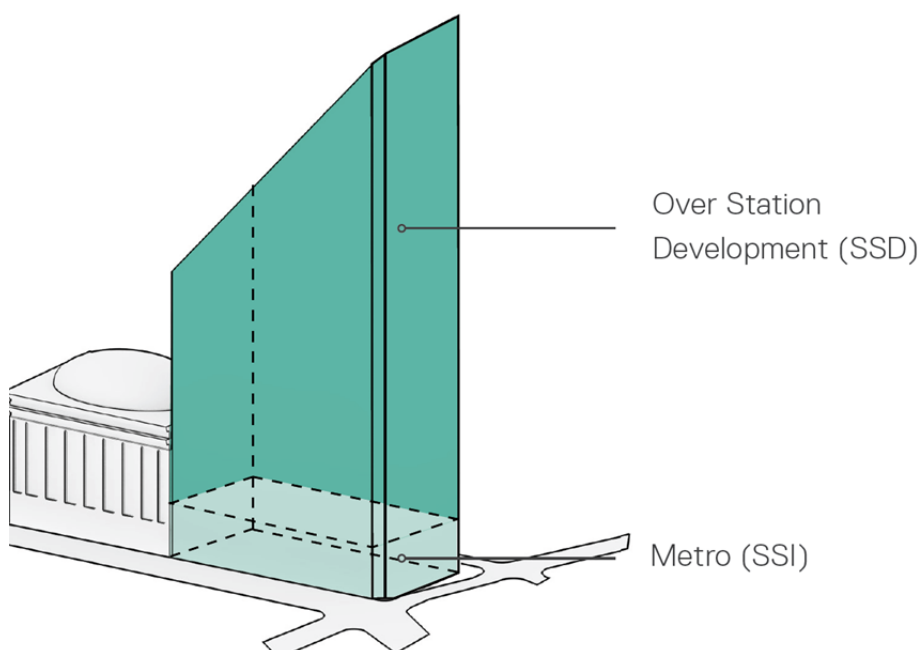


Figure 3 – North Site Approved OSD Building Envelope

¹ Refers to those components within the Metro CSSI approved station envelope that will contain some OSD elements not approved in the CSSI consent. Those elements include the end of trip facilities, office entries, office space and retail areas, along with other office/retail plant and back of house requirements that are associated with the proposed OSD and not the rail infrastructure.

3.0 The Project and Planning Applications

The subject application relates to the Stage 2 detailed design and delivery of the North Site OSD. It has been designed as a fully integrated Station and OSD project that intends to be built and delivered as one development, in-time for the opening of the Sydney Metro line in 2024. The future Stage 2 application will seek consent for the following:

- The design, construction and operation of a new 40+ storey commercial OSD tower within the approved building envelope on the North Site, including office space, retail tenancies.
- Physical connections between the OSD podium and the existing 50 Martin Place building, to enable the use of the North Site as one integrated building.
- Vehicle loading and parking areas and end of trip facilities within the basement levels.
- Works relating to the provision of services, management of drainage and flooding, and the mitigation of construction noise and vibration.

Owing to the unique nature of this proposal, that relates to development within and above the approved Metro line, it is important there is a clear delineation between the scope of the proposed Stage 2 SSD DA and those elements already approved and being delivered as part of the Metro CSSI approval. Any development falling within the scope of the CSSI approval cannot constitute SSD pursuant to Section 5.12(7) of the EP&A Act.

The following are the key components of the integrated project that fall within the scope of the CSSI approval, as amended:

- demolition of existing buildings;
- excavation and bulk earthworks across the Precinct;
- all structural elements required to support future OSD, and space to accommodate various OSD elements within the station 'box' or core building, including:
 - building footprints structural elements (steel and/or concrete), building grids, column loadings and building infrastructure relating to the Station and to enable the construction of future OSD;
 - space for lift cores, access, parking and building services for the future OSD; and
- public domain works within and surrounding the Precinct.

The Stage 2 application does, however, seek consent for the detailed design and delivery of 'interface areas' within both the approved Station envelope and Concept Approval that contain OSD-exclusive elements, such as the end of trip facilities, office entries, office space and retail areas not associated with the rail infrastructure.

The Stage 2 SSD DA will form part of a comprehensive package of applications required for the design coordination and delivery of the envisaged integrated station and OSD solution for the Precinct.
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4.0 Statutory and Strategic Planning Context

The key planning instruments applying to the Precinct and its development are the *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD) and the *Sydney Local Environment Plan 2012* (Sydney LEP), as discussed in more detail below.

The EP&A Act establishes the assessment framework for State Significant Development. Under Section 4.37 of the EP&A Act, the Minister for Planning is the consent authority for State Significant Development. Section 4.12(8) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS).

Pursuant to Section 4.22 of the EP&A Act, a Concept DA may be made setting out concept proposals for the development of a site (including setting out detailed proposals for the first stage of development), and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs (i.e. the DA the subject of this SEARs request).

The project will contribute to the achievement of a number of key State and local government objectives/policies, including *NSW State Priorities*, *The Greater Sydney Region Plan*, *Eastern City District Plan*, *Future Transport Strategy 2056*, *Sustainable Sydney 2030*, *Draft Central Sydney Planning Strategy*, and *Sydney City Centre Access Strategy*.

4.1 State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD)

SEPP SRD identifies development which is declared to be State Significant. Under Item 19(2) of Schedule 1 of SEPP SRD, development within a railway corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million and which is for the purposes of commercial premises is declared to be SSD for the purposes of the EP&A Act.

The proposed development of the North Site OSD qualifies as SSD and will be assessed under the relevant provisions of Part 4 of the EP&A Act.

SSD applications are treated differently to regular 'local' and 'regional' developments, with a range of other legislation not applying (Section 4.41 and 4.46 of the EP&A Act) and other legislation needing to be applied consistently with the terms of any SSD consent (Section 4.42 of the EP&A Act). Furthermore, Development Control Plans are specifically excluded from being applicable to SSD (Clause 11 SEPP SRD).

The Minister for Planning is the consent authority for SSD (Section 4.37 of the EP&A Act).

4.2 Sydney Local Environment Plan 2012 (Sydney LEP)

Sydney LEP is the principal local environmental planning instrument applying to the Precinct, and would ordinarily establish (amongst other things):

- zoning and permissible land uses;
- development standards (e.g. height, FSR, car parking etc); and
- design excellence requirements.

Land Uses

The North Site is located within the B8 Metropolitan Centre Zone. The objectives of the zone are:

- *To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.*
- *To provide opportunities for an intensity of land uses commensurate with Sydney's global status.*
- *To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.*
- *To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling.*

- *To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.*

The relevant land uses for the North Site were established under the Concept Approval, comprising commercial uses including office and retail spaces. These uses are permitted with consent within the B8 land use zone.

Building Height

The Concept Approval established the maximum horizontal and vertical parameters for future development on the site through a building envelope. This building envelope complies with the LEP maximum building height development standard (Clause 4.3 of Sydney LEP), sun access planes (Clause 6.17 of Sydney LEP), and overshadowing controls (Clause 6.19 of Sydney LEP). The proposed Stage 2 OSD will be designed to fit within the approved building envelope (Application 1).

Floor Space

The Concept Approval also established the maximum Gross Floor Area (GFA) that could be accommodated within the North Site building envelope, inclusive of relevant CSSI Station areas and the existing 50 Martin Place building on site. The approved quantum of all development on the North Site is 104,270m², equating to an FSR of approximately 18.5:1. The proposed Stage 2 OSD on the North Site will comply with this maximum GFA and FSR approved under the Concept Approval.

Design Excellence

The proposed Stage 2 OSD will achieve the highest standard of architectural, urban, landscape, and environmental design, in accordance with Clause 6.21 of the Sydney LEP. An alternative design excellence process (not involving a competitive design process) was proposed as part of the Concept Proposal and supported by the Department of Planning and Environment and the Office of the Government Architect NSW. The Concept Approval conditioned the establishment of a Design Review Panel (refer Condition A14 of the Concept Approval) to review and advise on detailed design (including prior to lodgement of Stage 2 DAs), and ensure the achievement of design excellence.

A Concept DA may also be undertaken in lieu of a site-specific DCP in accordance with Section 4.23 of the EP&A Act. Accordingly, the Concept Approval negates the need to prepare a DCP under Clause 7.20 of the LEP.

4.3 Biodiversity Conservation Act 2016

Clause 7.9 of the Biodiversity Conservation Act 2016 applies to SSD, and requires that a Biodiversity Assessment Report accompany such applications. Clause 7.9 states as follows:

7.9 Biodiversity assessment for State significant development or infrastructure

(1) This section applies to:

(a) an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and

...

(2) Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

...

(our emphasis bold)

As per subclause (2), it is considered that the proposed development is not likely to have any impact on biodiversity values given the site's location in the Sydney CBD and the heavily urbanised nature of the precinct.

Accordingly, it is requested through this SEARs request that the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values and that a Biodiversity Development Assessment Report is not required for the project.

5.0 Preliminary Key Issues Identified

The following potential impacts and anticipated key issues have been identified and will be addressed in the EIS:

- **Compliance with Strategic and Statutory Plans:** This will include a summary of all National, State, District or Regional, and Local plans and strategies relevant to the proposal, and how the proposal addresses those documents.
- **Compliance with the Concept Approval:** As the proposal is staged development in accordance with Section 4.22 of the EP&A Act, the Stage 2 SSD DA cannot be inconsistent with the Concept Approval. The EIS will therefore demonstrate that the proposed OSD is in keeping with the Concept Approval and the conditions of the approval.
- **Built Form:** The design response will be a key issue to be addressed. This will include a comprehensive response to how the OSD fits within the established building envelope and responds to the surrounding context. The design response will set out the relevant framework for assessing the detailed built form under the Sydney Metro Martin Place Station Consolidated Design Guidelines and how the development achieves the recommended principles for the siting and design, environmental performance, heritage, vistas and connectivity, street activation, pedestrian spaces, building massing, articulation, materials and finishes.
- **Floor Space Ratio:** The application will include comprehensive area schedules and plans to clearly demonstrate compliance with the approved GFA.
- **Heritage Impacts:** A large number of heritage items are located in the vicinity of the Precinct, as identified in the Sydney LEP. The North Site itself includes Macquarie's landmark heritage building at 50 Martin Place, which will be retained and protected. Also included in the Precinct is the locally listed Martin Place. Demolition of the heritage item at 7 Elizabeth Street (approved as part of the CSSI consent for the new Martin Place Metro Station) has been completed as part of the CSSI approved works. Parts of the Precinct are also within Special Character Areas in the Sydney LEP. Heritage impacts will therefore be an important consideration, particularly in relation to the proposed physical connections to and impacts on 50 Martin Place. A Heritage Impact Statement and Heritage Interpretation Strategy will be lodged with the application.
- **Design Excellence:** The Stage 2 OSD is required to demonstrate that it achieves design excellence, and has followed the process and met the requirements established under the Concept Approval, namely the ongoing review and refinement of the proposal in consultation with the Site-Specific Design Review Panel.
- **Connectivity and Integration with the Metro Station:** Macquarie's proposal will be a strong catalyst for growing and sustaining Sydney's role as a global centre for business. This growth and enhancement of the CBD is in large part due to the Metro, and the arrival experience on entering the City through this new transport portal, the grand public spaces that will be created, and the place making architecture and urban design. The EIS will provide a description and assessment of the interface between the OSD and the Station.
- **Solar Access:** The Martin Place Sun Access Plane will be complied with under this proposal, with a full shadow study assessment submitted to assess the relative impact of the final proposal and demonstrate compliance with the conditions of the Concept Approval. The detailed design of the OSD will aim to improve solar access to the ground plane of Martin Place between 12pm and 2pm (14 April) when compared to the approved building envelope.
- **Wind Impacts:** Wind tunnel testing of the built form will be undertaken as part of this application. It will identify any mitigation measures required for the detailed design of the OSD. The detailed design of the OSD will aim to deliver improvements to comfort and safety ratings.
- **Ecologically Sustainable Development:** The proposal will confirm how it has achieved the relevant targets established under the Concept Approval, and explore opportunities to achieve stretch targets in ecologically sustainable design. An ESD Strategy will be included as part of the EIS.
- **Traffic, Access & Public Transport:** The Sydney Metro represents a monumental uplift in sustainable public transport for the Sydney Metropolitan Region. The Macquarie proposal builds on this by offering integrated office and related land uses to create an inspiring and transformative transport hub that welcomes workers and visitors alike. It supports transit oriented development, with minimal on-site car parking proposed. The Macquarie proposal will also provide generous bike parking and end of trip facilities for all workers in the development. Various assessments will accompany the EIS, addressing the following:
 - Pedestrian movements and capacity;

- Integration with the proposed Metro and other rail infrastructure;
 - Provisions for parking and loading and service vehicles;
 - Traffic generation;
 - Construction management;
 - Accessibility to other public transport; and
 - Initiatives to encourage sustainable transport options.
-
- **Noise and Vibration:** In view of the integrated nature of the proposal, it is important that the application provide an assessment of the main noise generating sources and activities, including a consideration of noise and vibration impacts associated with the trains running beneath the commercial development.
 - **Crime Prevention and Security:** The proposed development forms part of a new transport node and significant destination within the Sydney CBD. Safety and security will be a key issue in determining the functionality and usability of the Martin Place Metro Station and associated OSD, and will be the subject of separate detailed CPTED and Security assessments.

6.0 Expected Deliverables

To assist in confirming the SEARs, the following are the expected deliverables to support the EIS:

- DA Form and DA fees.
- QS/CIV Certificate.
- Site Survey Plan.
- Architectural Design Statement/Report.
- Architectural Plans.
- Structural Statement.
- Flood Assessment/Stormwater Management Plan.
- Utilities Infrastructure Analysis.
- Rail Corridor Impact Report.
- Heritage Impact Assessment.
- Heritage Interpretation Strategy.
- Reflectivity Analysis.
- Shadow Studies and Verification.
- Wind Assessment.
- Traffic, Access and Parking Report.
- Green Travel Plan.
- Loading Dock Management Plan.
- Noise and Vibration Report.
- DDA/Access Assessment.
- CPTED Assessment.
- Security Statement.
- ESD Strategy.
- Waste Management Plan.
- BCA Statement.
- Fire Engineering Statement.
- Public Art Strategy.
- Construction Management Plan.
- Air Quality Assessment.
- View Impact Analysis.
- Skyview Assessment.
- Consultation Report.
- Physical Model.

7.0 Consultation

The EIS will include a detailed analysis and summary of the consultation undertaken previously and as part of the Stage 2 OSD design and testing process, including all pre-lodgement consultation considered in the Concept Approval. It is anticipated that the following key agencies and stakeholders will be consulted at appropriate stages in the process:

- Department of Planning and Environment (as the assessment agency).
- Transport for NSW (especially the Sydney Metro team).
- Sydney Trains.
- Heritage Council.
- Utilities and Service providers.
- City of Sydney Council.
- Surrounding landowners / occupiers.
- The broader community.

8.0 Conclusion

The purpose of this report is to request the SEARs for the preparation of an EIS relating to the Stage 2 SSD Application for the detailed design and development of the North Site within the Sydney Metro Martin Place Station Precinct. The proposal comprises a unique opportunity to contribute to the legacy of the Sydney Metro program, and constitutes an important component of the overall Martin Place Metro Station Precinct. This Stage 2 SSD DA follows on from the issue of the Stage 1 / Concept Approval Development Consent (SSD 17_8351) issued by the Minister for Planning on 22 March 2018 and this application forms part of concurrent applications which will follow to realise the vision for the Martin Place Metro Station Precinct.

The North Site forms part of an overall scheme which seeks to achieve a single integrated development outcome, delivering efficiencies gained from combining the land holdings and releasing associated constraints on the otherwise complex site configuration and development approach. The scheme optimises the functionality of the development opportunity, the connectivity between Station entrances, public spaces and the OSD, including passenger and civic areas and office lobbies, with leading commercial office design.

The information detailed in this report is considered sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS.