

Notice of decision – Martin Place Station Precinct Amending Concept Proposal for the South Site – SSD 9347

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

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| Application type | State significant development |
| Application number and project name | SSD 9347 Amending Concept DA Martin Place Station Precinct |
| Applicant | Macquarie Corporate Holdings Pty Ltd |
| 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 development consent and condition is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

25 February 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 additional information provided in the Response to Submissions report;
- the findings and recommendations in the Department's Assessment Report; and
- 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 City of Sydney Council policies, as well as the Greater Sydney Region Plan, the Eastern District Plan and recent amendments to Sydney Local Environmental Plan 2012. The proposal is permissible with consent and generally compliant with the key development standards that govern bulk, density and scale.
- *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 within 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 Thursday 23 August 2018 until Wednesday 19 September 2018 (28 days) and received 11 submissions, including 5 objections. Three submissions were received from the community, with the remainder being from government agencies and Council.

The Department conducted two site visits and had a representative attend the Martin Place Design Review Panel (DRP) meetings as an observer. The Department did not meet with Council, however there is a representative from Council on the DRP and so their concerns were heard by DPE (as well as the concerns of the other panel members) during the DRPs.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include building envelope, view impacts, heritage, overshadowing and solar access. Other issues are addressed in detail in the Department's Assessment Report.

| <i>Issue</i> | <i>Consideration</i> |
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| <p><i>Building envelope (height, FSR and setback to Martin Place, Elizabeth Street and Castlereagh Street)</i></p> <ul style="list-style-type: none"> additional floor space on the site is not adequately justified with analysis Council recommends 25 m setback to Martin Place for consistency with prevailing character Increase in height | <p><i>Assessment</i></p> <ul style="list-style-type: none"> Additional floor space will provide commercial floor space in a strategic centre supported by public transport links Floor space ratio would decrease in the detailed development application phase once a detailed design is achieved, and the FSR requested provides flexibility in the design process The setbacks to Martin Place of adjoining developments vary significantly from one another The Department does not support the prescription of a 0 m setback to Elizabeth Street and Castlereagh Street and requires the Applicant to further explore this in the detailed development application phase to achieve the best design outcome for the site The height proposed is consistent with the SLEP controls and does not penetrate the Hyde Park North sun access plane <p><i>Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include endorsement of the Design Guidelines subject to an amendment to delete a parameter for 0 m setback to Elizabeth and Castlereagh Streets. |
| <p><i>View impacts</i></p> <ul style="list-style-type: none"> View to St Mary's Cathedral from 1 Hosking Place (apartment building) to be lost Heritage: views to/from Chifley Square, Richard Johnson Square and the GPO Clock Tower Views along Castlereagh Street and Elizabeth Street | <p><i>Assessment</i></p> <ul style="list-style-type: none"> It would be unreasonable to expect the view to St Mary's Cathedral to be retained given it has only recently been made available by the demolition of the building on the site. The view loss is negligible relative to the views to the east and west which are retained Residential amenity and views to heritage items are not substantially affected and the envelope complies with the SLEP Views along Castlereagh Street and Elizabeth Street are not substantially affected The envelope is not visible from Chifley Square and Richard Johnson Square and views to the GPO Clock Tower are not affected |
| <p><i>Heritage impacts</i></p> <ul style="list-style-type: none"> proposal inconsistent with the character of Martin Place impact of enlarged envelope on Martin Place (heritage listed) podium does not provide a well enclosed and continuous building line | <p><i>Assessment</i></p> <ul style="list-style-type: none"> the enlarged envelope provides a podium setback at height of 55 m to respond to the height and scale of 50 Martin Place the envelope will not have an adverse impact on Martin Place as a civic and ceremonial place the setback to Martin Place is not out of context with existing developments along Martin Place and does not cause any overshadowing of Martin Place. As stated above, views to and from heritage items are not affected. <p><i>Conditions/Response</i></p> <ul style="list-style-type: none"> Condition requiring that future detailed applications comply with the Conservation Management Plan for the Government Savings Bank of NSW |

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| | <ul style="list-style-type: none"> Condition requiring future detailed applications include a detailed Heritage Impact Statement prepared in consultation with the Heritage Council of NSW. |
| <i>Overshadowing and solar access</i> <ul style="list-style-type: none"> overshadowing of Hyde Park | <p><i>Assessment</i></p> <ul style="list-style-type: none"> The envelope does not penetrate the Hyde Park North Sun Access Plane, even though it causes some minor overshadowing to Hyde Park There will be opportunity to reduce the impact to Hyde Park through the detailed applications, where the envelope only represents a maximum The envelope causes no overshadowing to Martin Place <p><i>Conditions/Response</i></p> <p>Conditions include a requirement to explore opportunities to reduce overshadowing of Hyde Park in the detailed applications.</p> |