

Item 8.

Post Exhibition - Planning Proposal - 56-60 Pitt Street and 3 Spring Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

File No: X103370

Summary

Central Sydney continues to be Australia's leading economic centre for business investment and a preferred location for workers, residents and visitors. The Central Sydney Planning Strategy (Strategy) prioritises growth opportunities through increased capacity in areas that can accommodate greater building height. The Strategy protects Central Sydney's heritage and public places, encourages pedestrian connections, and moves towards a more sustainable city.

This report recommends approving the planning proposal recently exhibited for 56-60 Pitt Street and 3 Spring Street, Sydney, which seeks to amend the building height and floor space ratio controls for the site. These changes will support the delivery of a next generation 70 storey commercial development comprising approximately 90,000 square metres of premium grade office space with ground floor retail. The changes also facilitate a new public plaza fronting Bridge Street to be dedicated to the City of Sydney (the City), a new pedestrian through-site link connecting Pitt Street to Spring and Gresham Streets, and a shared precinct loading dock for the use of surrounding businesses.

The proposed controls were endorsed by Council and the Central Sydney Planning Committee (CSPC) in July 2024 and the NSW Government issued a gateway determination in November 2024.

This report details the outcomes of the public consultation of the planning proposal, draft development control plan (DCP) and voluntary planning agreement for the site, which were exhibited from 1 May 2025 to 28 May 2025. A total of 11 submissions were received: 5 were supportive, 3 provided feedback without a position on the proposal and 3 opposed. A total of 6 submissions from government agencies were also received, which did not object to the proposal. Key matters raised in submissions include concerns about building height, bulk and scale, the built form and podium design of future development and impacts of the proposal on the surrounding character.

The site is located in the northern tower cluster area in Central Sydney, the largest premium office sub-market in Australia favoured by financial, legal, property and technology sectors. The quality of the public domain and workplace environment is critical to maintaining this competitive edge. This precinct is expected to see further renewal, with the Strategy facilitating significant premium grade developments through planning proposals.

This report recommends approval of the planning proposal and draft development control plan, without substantive change following public exhibition, and notes the City will enter into the planning agreement.

Recommendation

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 56-60 Pitt Street and 3 Spring Street, Sydney, the draft Sydney Development Control Plan 2012 56-60 Pitt Street and 3 Spring Street, Sydney, and draft Voluntary Planning Agreement, as shown in Attachment D to the subject report;
- (B) Council approve Planning Proposal - 56-60 Pitt Street and 3 Spring Street, Sydney, as shown at Attachment A to the subject report, and request the relevant local planning authority make as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft Sydney Development Control Plan 2012 - 56-60 Pitt Street and 3 Spring Street, Sydney, as shown at Attachment B to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 56-60 Pitt Street and 3 Spring Street, Sydney, and the draft Sydney Development Control Plan 2012 - 56-60 Pitt Street and 3 Spring Street, Sydney, to correct any minor errors or omissions prior to finalisation; and
- (E) Council note the draft Voluntary Planning Agreement, as shown at Attachment C to the subject report, will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Attachments

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| Attachment A. | Planning Proposal - 56-60 Pitt Street and 3 Spring Street, Sydney |
| Attachment B. | Draft Sydney Development Control Plan 2012 - 56-60 Pitt Street and 3 Spring Street, Sydney |
| Attachment C. | Voluntary Planning Agreement |
| Attachment D. | Summary of Submissions |
| Attachment E. | Resolutions of Council and Central Sydney Planning Committee |
| Attachment F. | Gateway Determination - dated 15 November 2024 |

Background

1. A request to prepare a planning proposal was lodged for 56-60 Pitt Street and 3 Spring Street, Sydney ('the site') in May 2024 through the NSW Planning Portal by the landowner, Dexus. The site is shown in Figure 1.



Figure 1: Land affected by this planning proposal

2. The subject site comprises 4 separate addresses under single ownership with total area of 3,288 square metres. Existing development on site includes:
 - (a) 56 Pitt Street, a 26-storey commercial building comprising ground floor retail and office space on the upper levels
 - (b) 58 Pitt Street, a 10-storey office and retail building
 - (c) 60 Pitt Street, a 12-storey office and retail building and
 - (d) 3 Spring Street, a 16-storey commercial building comprising office space.
3. Further details of the subject site, surrounding area and planning controls are included in section 2 of the Planning Proposal at Attachment A to this report. A photo of the subject site and existing development is at Figure 2 and 3.



Figure 2: Looking south toward the subject site (in red) across Bridge Street



Figure 3: Looking west towards the subject site (in red) from Bent Street

Proponent requested changes to height and floor space controls to enable a commercial development, a through-site link and shared loading dock facility

4. The proponent requested a planning proposal to facilitate redevelopment as envisaged by the Central Sydney Planning Strategy (Strategy). The proposal includes:
 - (a) a future office building to a maximum height of RL 310 metres (approximately 305 metres above Bridge Street and 70 storeys)
 - (b) approximately 90,000 square metres of premium grade office space with ground floor retail, to a maximum floor space ratio of 27.4:1
 - (c) a new public space with deep soil fronting Bridge Street to be dedicated to the City
 - (d) a new publicly accessible pedestrian through-site link connecting Pitt Street to Spring and Gresham Streets and
 - (e) a shared precinct loading dock facility (logistics hub) to provide off-street loading for the subject site and nearby buildings.
5. Photomontages of the indicative scheme are provided at Figures 4 and 5.



Figure 4: Photomontage of concept development



Figure 5: Photomontage of the planning proposal concept development viewed from Bridge Street

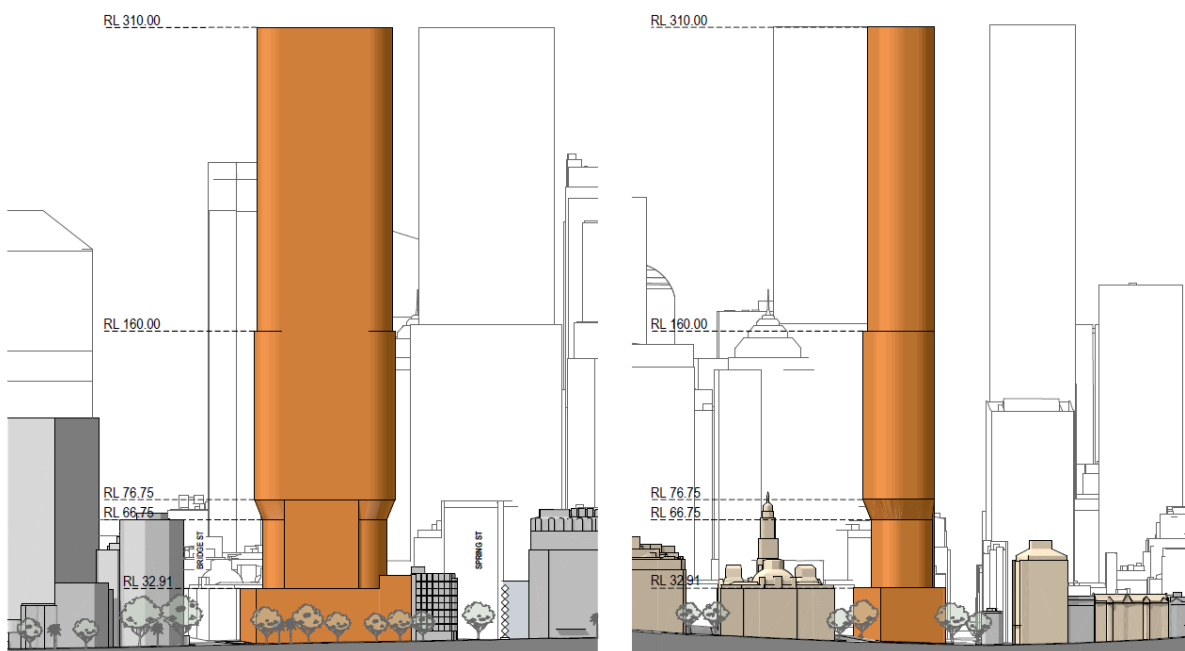


Figure 6: Proposed planning envelope – north and west elevations

The City prepared a planning proposal to increase the height and floor space controls for a commercial development.

6. The planning proposal details the proposed amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) by inserting new site-specific provisions to incentivise commercial floor space. The provisions are to:
 - (a) permit a maximum building height of RL 310 metres (305 metres)
 - (b) increase the maximum floor space ratio of 27.4:1 inclusive of accommodation floor space, shared loading facility floor space, end of journey floor space and design excellence
 - (c) deliver a public plaza fronting Bridge Street to be dedicated to Council and a retail activated through-site link
 - (d) ensure development consent may only be provided subject to the following:
 - (i) the building will not be used for residential accommodation or serviced apartments
 - (ii) includes an end of journey facility
 - (iii) includes a logistics hub for the subject site and surrounding business and
 - (iv) demonstrates design excellence as the winner of an architectural design competition
 - (e) disallow design excellence bonuses for additional building height or floor space and
 - (f) allow for redevelopment of the site using the underlying controls in the LEP and DCP if all of the above cannot be met.
7. Further explanation of the provisions can be found in section 4 of the Planning Proposal at Attachment A.

A site-specific Development Control Plan was prepared to ensure the proposal fits within the surrounding area

8. A site-specific Development Control Plan (draft DCP) is at Attachment B and provides further guidance for development facilitated by this Planning Proposal. The draft DCP provisions include:
 - (a) maximum building envelope including podium and tower setbacks, street wall heights and tapered form as shown at Figure 6
 - (b) new public plaza to be dedicated to Council fronting Bridge Street in the 8 metre ground floor setback
 - (c) through-site link extending the east-west alignment of Abercrombie Lane with a minimum height clearance of 10 metres at Pitt Street to provide clear sightlines
 - (d) provisions to ensure all building frontages and the through-site link are activated with retail and business uses

- (e) requirements for access and operation of the logistics hub and
- (f) sustainability and public art provisions and a design excellence strategy.

A voluntary planning agreement is provided to deliver the through-site link, shared precinct loading dock and additional sustainability outcomes

9. The proponent offered to enter into a Voluntary Planning Agreement (VPA) with Council to deliver public benefits as part of this planning proposal. The VPA has been publicly exhibited.
10. The public benefit offered in conjunction with this planning proposal is:
 - (a) creation of a new public space fronting Bridge Street, with associated deep soil zone, and dedication in stratum to Council
 - (b) delivery of a publicly accessible through-site link connecting Pitt Street with the intersection of Gresham and Spring Streets, secured by way of an easement registered on title for unrestricted public access
 - (c) construction and operation of a precinct loading dock (logistics hub) providing shared loading facilities to the surrounding area
 - (d) provision of public art in publicly accessible areas in addition to any DA requirements and
 - (e) sustainability commitments to meet the energy efficiency requirements in non-residential developments.
11. This Voluntary Planning Agreement will not offset local infrastructure contributions required under a contributions plan (section 7.12 of the Act), housing and productivity contributions (division 7.1, subdivision 4 of the Act) nor affordable housing contributions (clause 7.13 of the LEP).

The planning proposal received gateway determination and was placed on public exhibition

12. The planning proposal was approved to be submitted to the Minister for Planning and Public Spaces for gateway determination by the Central Sydney Planning Committee on 25 July 2024 and by Council on 29 July 2024. The Council also approved the draft DCP for public exhibition with the planning proposal.
13. The Planning Proposal was sent to the Department of Planning, Housing and Infrastructure for a gateway determination on 1 August 2024. Gateway determination was received from the Department on 15 November 2024, and is at Attachment E. The gateway determination required consultation with relevant government agencies.
14. The gateway determination included a condition to remove the exclusion of the draft controls from clause 4.6 of the Sydney LEP 2012, as it did not meet the requirements outlined in the Department's 'Guide to exclusions from clause 4.6 of the Standard Instrument'. As such, the planning proposal was amended to remove the clause 4.6 exemption as required by the gateway determination, prior to public exhibition.
15. The amended planning proposal, draft DCP and draft VPA was on public exhibition from 1 to 28 May 2025.

Key Implications

We received 11 responses to the public exhibition of the Planning Proposal

16. The following activities were undertaken to support the public exhibition:
- (a) a webpage and survey were created for people to review the planning proposal and supporting documentation, and provide their feedback
 - (b) 132 notification letters were sent to property owners and occupiers within a 75-metre radius of the site
 - (c) the project was included in the May edition of the Sydney Your Say eNews and
 - (d) the planning proposal was referred to: Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts; Sydney Airport; Civil Aviation Safety Authority; Airservices Australia; and Utility Providers, including Sydney Water.
17. Ten submissions were received in response to the exhibition, 5 submissions were supportive, 3 submissions objected to the proposal and 3 provided feedback without a position. Sydney Water, Transport for NSW, Ausgrid, Airservices Australia, Sydney Airport and the Civil Aviation Safety Authority also provided comment but did not object to the proposal.
18. The City's response to the issues raised in submissions are discussed below and in more detail in the summary of submissions at Attachment D. No changes are recommended to the planning proposal, Draft DCP or VPA following the consideration of submissions.

Supportive submissions noted the development would support maintaining global city status

19. The City received 5 submissions which were supportive of the proposal. Noting that future development would assist in maintaining Sydney's competitiveness and global city status and the additional building height facilitated by this planning proposal would improve Central Sydney's skyline. Support for increased height was also noted.

Submissions expressed disapproval regarding increased building height and scale

20. Four submissions raised concerns over the increase in building height, bulk and scale proposed. They noted overshadowing impacts to adjacent properties and the scale of the tower is disproportionate to surrounding buildings and would dominate the skyline.

Response

21. The increased bulk and scale on site has strategic merit enabling the delivery of premium employment floor space that supports Global Sydney. The planning envelope has also been subject to extensive bulk and scale testing to ensure the subject site is able to support additional height and density due to its site area, orientation and relationship with adjacent buildings.

22. The site is close to public transport and in the Central Sydney northern tower cluster which supports additional height and density. Extensive solar studies have helped deliver a built form envelope that avoids inappropriate overshadowing and allows surrounding properties and key heritage landmarks to maintain reasonable solar access. It is noted that the proposal will not adversely impact solar access to any residential apartment in its vicinity.
23. The proposal is supported by a site-specific DCP provisions to ensure the building is appropriately designed, scaled and positioned on site.

Submissions raised concerns regarding the podium form of future development

24. Four submissions expressed concern regarding the built form of future development, particularly its podium design. One submission commented the occasional tall building without a podium provides for a variety of spaces within a city. Noting they add to the grandeur and spectacle of a supertall building and create a sense of space that doesn't exist when every street is walled in. Another submission suggested the building should extend towards Bridge Street to match the alignment of adjacent buildings.

Response

25. In general, the podium form is an important design feature in this instance, as it ensures good public domain amenity is maintained despite an increased building height. Wind conditions at street level will remain comfortable as strong wind gusts are redirected by the podium away from pedestrians. Upper level setbacks ensure the tower is appropriately positioned setback from the street, minimising visual bulk and scale impacts and ensuring acceptable solar access to the public domain.
26. An extensive and iterative design process has resulted in an appropriate podium height that maximises the benefits whilst being sympathetic to surrounding buildings, aligning with the height of neighbouring heritage buildings. The podium form delivers additional ground floor activation, with a new public plaza and through-site link, catering for the anticipated increase in pedestrian foot traffic and activity in the area.
27. The location of the Bridge Street public plaza is intended to pick up on that of the Royal Exchange Building that was formerly on the subject site and its alignment away from the street. The plaza appropriately responds to its heritage context by opening up views to the former Lands Department building when viewed along Bridge Street, giving greater prominence to the building.

Submissions raised concerns regarding the impact of the proposal on the surrounding character

28. Four submissions expressed concern that the proposal will negatively impact the character of the area due to its imposing nature, being out of context with the aesthetics and heritage character of Bridge Street. Noting that without careful controls and high quality design, the development may diminish the character of one of Sydney's most historic streets.

Response

29. Bridge Street's strong heritage character is acknowledged and respected through a strong podium form aligned with parapet datum of neighbouring heritage buildings. Further, the site specific DCP requires the development to respond to and maintain significant view corridors along Bridge and Spring Streets to highlight and celebrate these character buildings.
30. The proposal's generous setback to Bridge Street and Gresham Streets provides visual separation between adjacent heritage buildings. An increased setback is also provided to the southern boundary that adjoins a local heritage item at 62 Pitt Street.
31. Local character will be enhanced through the proposal's provision of a new public plaza, through-site link and ground floor retail activation for an enhanced pedestrian experience. The site-specific DCP includes provisions which will ensure future development is contextually appropriate and in-keeping with the existing and desired future character of the area.

Government agencies provided in principle support

32. Transport for NSW, Ausgrid, Airservices Australia, Sydney Airport Corporation, and the Civil Aviation Safety Authority (CASA) raised no objections to the planning proposal.
33. Sydney Airport and Airservices Australia noted the proposed development is higher than the prescribed airspace in this location, so compliance with relevant regulations including approval of any construction equipment and cranes, will be considered as part of any future Development Application.
34. Ausgrid, as the electrical supply authority, noted the additional considerations for the detailed design and development application stages to ensure the safety and compatibility of the future development and Ausgrid assets.

The planning proposal is consistent with the City's Strategic vision

35. The Central Sydney Planning Strategy is a 20-year growth strategy that facilitates opportunities for additional height and density for jobs growth where balanced with environmental sustainability initiatives and excellence in urban design. This planning proposal aligns with the Central Sydney Planning Strategy by:
 - (a) prioritising employment growth and increasing capacity to enable a new 90,000 square metre premium-grade office space in the northern tower cluster area, providing for up to 6,000 jobs
 - (b) ensures future development is responsive to its context with appropriate street frontage heights and setbacks, in addition to a suitable urban design outcome these controls protect public domain wind and daylight conditions
 - (c) improves and expands the pedestrian network with new public open space, new pedestrian connections and a logistics hub which moves loading and servicing off-street to support the movement of people through Central Sydney and
 - (d) future development will achieve the City's 2026 performance standards for net zero energy buildings, in particular: 100% renewable energy, 6-star NABERS Energy, 4.5-star NABERS Water and 4-star NABERS Waste ratings.

36. The City's local strategic planning statement, City Plan 2036 sets the land use context, vision and planning priorities to positively guide development and outlines how the City will plan for and manage change. This planning proposal gives effect to the Plan by delivering additional floor space and capacity for economic and employment growth close to existing and future transport infrastructure, provides for public domain upgrades and community wellbeing in a new plaza featuring high-quality public art.
37. Sustainable Sydney 2030-2050 Continuing the Vision is the vision for a city that is green, global and connected achieved through sustainable growth, creativity and innovation. It sets targets, objectives and actions to achieve this vision. This planning proposal is aligned with the following strategic directions:
- (a) Direction 2: A leading environmental performer – future development will deliver ecological sustainable development on the site meeting the City's requirements.
 - (b) Direction 3: Public places for all – the surrounding public domain will be improved through the delivery of a new public plaza fronting Bridge Street and through-site link connecting Pitt street with Spring and Gresham Streets. The proposal aligns with the City North Public Domain Plan supporting the activation of Spring Street which will be pedestrianised through the Plan.
 - (c) Direction 4: Design excellence and sustainable development - future development will be informed by a competitive design process to achieve design excellence and will achieve ecological sustainable development in line with the City's sustainability requirements.
 - (d) Direction 5: A city for walking, cycling and public transport - the site is able to make efficient use of existing and future transport infrastructure, with a new through-site link and upgraded pedestrian network to improve pedestrian permeability of the CBD.
 - (e) Direction 6: An equitable and inclusive city - future development facilitated by the planning proposal will deliver a positive contribution Central Sydney through greater opportunities for business and new retail activation for local workers, residents and visitors.
 - (f) Direction 7: Resilient and diverse communities - this planning proposal will enhance the City Core precinct with increased business opportunities for investment, employment and improved public domain conditions for workers and visitors.
 - (g) Direction 8: A thriving cultural and creative life - 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: A transformed and innovative economy - this planning proposal supports job growth in Central Sydney, helping to maintain the city's position as a destination for business, investment and talent.

38. The Community Strategic Plan Delivering Sustainable Sydney 2030-2050 implements Sustainable Sydney 2030-2050 Continuing the Vision. This planning proposal is aligned with Direction 4: Design excellence and sustainable development, where productivity will be supported by planning for jobs, innovation and enterprise activities. The site is located within Central Sydney and will deliver new jobs and employment floor space, helping to reach the target of 200,000 new jobs by 2036.
39. Further information regarding the alignment of the Planning Proposal with the strategic planning framework can be found in section 5.3 of the Planning Proposal at Attachment A.

Risks

40. City staff have undertaken a thorough assessment of the planning proposal and found that it demonstrates strategic and site-specific merit in accordance with NSW Government guidelines. The NSW Government also assessed and issued a Gateway Determination. The planning proposal is consistent with Sustainable Sydney 2030-2050 Continuing the Vision.
41. Progressing the planning proposal is within the City's risk tolerance and appetite.
42. The planning proposal has demonstrated that development will be capable of complying with relevant environmental and planning laws, regulations and industry standards and is within the City's minimal appetite for non-compliance with environmental laws, regulations and industry standards.
43. Proceeding with the planning proposal will meet the City's minimal appetite for disruption to our regulatory functions as decisions will be within the timeframes set in the NSW Government's Statement of Expectations Order 2024.

Relevant Legislation

44. Environmental Planning and Assessment Act 1979.
45. Environmental Planning and Assessment Regulation 2021.
46. Environmental Planning and Assessment (Statement of Expectations) Order 2024.

Critical Dates / Time Frames

47. The gateway determination requires the amendments to the Sydney LEP 2012 be completed by 11 September 2025.
48. If the planning proposal is approved by the Central Sydney Planning Committee and Council, the City will liaise with Parliamentary Counsel to draft and make the local environmental plan. Once the plan is made, the amendments to the Sydney LEP 2012 will come into effect when published on the NSW Legislation website.
49. If approved by Council, the draft DCP will come into effect on the same day as the amendment to the Sydney LEP 2012.

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