



Pyrmont Peninsula Place Strategy Implementation

Exhibition discussion paper and incorporated
Explanation of Intended Effects

November 2021



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Acknowledgment of Country

The Department of Planning, Industry and Environment acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

Aboriginal people take a holistic view of land, water and culture and see them as one, not in isolation to each other. The Pymont Peninsula Place Strategy implementation is based on the premise upheld by Aboriginal people that if we care for Country, it will care for us.

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1. Executive Summary

Pymont – a Place of Innovation

The Pymont Peninsula will play an important role in the continued growth and economic success of Greater Sydney and the NSW economy over the next 20 years. The Pymont Peninsula Place Strategy (PPPS) was endorsed by the Minister for Planning and Public Spaces in December 2020. It set the vision for the Peninsula to continue to provide jobs in the Innovation Corridor, and allow for place making to take advantage of the mix of urban character found in the Peninsula.

Implementation of the place strategy through the resolution of key site planning controls

Ensuring growth and change is facilitated in the Pymont Peninsula is the next task in the delivery of the PPPS. Balancing character, heritage, and amenity in the resolution of the planning controls for key sites, while also setting out the infrastructure details to support growth is critical. Extensive urban design review and analysis, feasibility testing, infrastructure needs assessment, heritage review and other supporting technical work has also been undertaken.

This report sets out: the sub-precinct master plans for the seven sub-precincts in the Peninsula; planning control amendments for two key sites (The Star and UTS) and two future Sydney Metro station sites; and the infrastructure planning, including a proposed State infrastructure contribution.

Two key documents to support the actions are the Urban Design Report and Design Guidelines. The Urban Design Report sets out Peninsula wide objectives, seven sub-precinct master plans and integrates height, solar access, wind impacts, street activation, pedestrian networks, public open spaces and proposed built form. The Design Guidelines provide detailed controls for the Star, UTS and the two Metro sites.

An Infrastructure Delivery Plan (IDP) has also been prepared to describe what key infrastructure for the Peninsula is needed to support growth and identifies mechanisms that may deliver and fund that infrastructure.

Other supporting studies and technical reviews (for example, wind, noise and air quality, transport and, affordable housing) were also prepared to help inform the implementation of the PPPS, and all documents form part of the exhibition material for this implementation package.

The Star and UTS master planning process

The PPPS nominated four Key Sites with capacity for significant change (Harbourside, Blackwattle Bay, The Star and UTS). Harbourside and Blackwattle Bay have progressed through separate planning processes. The Star and UTS prepared key site master plans and went through design sessions with the State Design Review Panel.

The Star submitted a master plan for the existing casino complex at 80 Pymont Street, with development sought for a six-star hotel.

UTS submitted a master plan proposing development of an Indigenous residential college at its Site 13-15, 622-632 and 644-644A Harris Street, Ultimo.

DPIE has given consideration to these master plans when determining the most appropriate planning controls for these sites under the PPPS.

New planning controls for Sydney Metro sites

In May 2021, the Government announced two sites within the Peninsula that would accommodate a new Metro Station. These sites propose Metro site east (a station entry and mixed-use tower development) at 37-39 Union Street, and Metro site west (comprising a station entry and infrastructure) at 26-32 Pymont Bridge Road.

Through extensive urban design work, new planning controls are proposed to ensure the over station development options build on the design and place outcomes in the PPPS.

The final development of both sites will also be guided by the Design Guidelines.

Proposed planning amendments

Part 5 of this report provides the explanation of intended effect to the legal exhibition of the planning amendments. It is proposed that Sydney Local Environmental Plan 2012 (LEP 2012) will be amended to include site-specific clauses for the four sites (The Star Casino, UTS, Metro site east, and Metro site west). These amendments will increase the height and floor space ratio (FSR) controls and recognise the Urban Design Report and Design Guidelines.

Amendments will also be made to the Pymont Ministerial Direction under section 9.1 of the *Environmental Planning and Assessment Act, 1979* to reference the Urban Design Report. This will ensure any planning proposals within the Peninsula will have to consider the urban design objectives and develop in alignment with the sub-precinct master plans.

Future Implementation Work

The urban design review has allowed a better understanding of the development potential of the sites identified in the PPPS as being capable of change. The City of Sydney Council (Council) will use the output from the review to establish planning controls to facilitate development as part of this work to consolidate the different planning instruments across the Peninsula into the LEP 2012.

Investigations as part of the design review has narrowed the number of sites suitable for additional development. This ensures the objectives around design and place making in the PPPS can continue to be achieved.

All documents produced by, or on behalf of the Department of Planning, Industry and Environment as part of the 2021 implementation phase will form the basis of Council's work to ensure the PPPS is realised.

2. Pymont Peninsula Place Strategy 2020

2.1 Introduction

The Pymont Peninsula (Peninsula) is Sydney's fifth largest business district, with around 40,000 workers, part of the Innovation Corridor and one of the fastest growing jobs hubs in Greater Sydney. It is home to employment industries specialising in media, arts and culture with businesses including Google, Network Ten, the ABC and Screen Australia, the University of Technology, Sydney (UTS), TAFE and the Powerhouse Museum. It contains jobs that complement the established tourism and entertainment attractions at Darling Harbour, the Australian National Maritime Museum, The Star Casino and the new Sydney Fish Markets.

The Pymont Peninsula is also home to a residential population of around 20,000 people that live and work in and around the area and benefit from high levels of active and public transport to access the Sydney CBD. The Pymont Peninsula Place Strategy (PPPS) recognised the area was appreciated by residents, workers and visitors for its authentic sense of place, sense of community, attractive landscape and waterfront setting, and the benefits of its strong economic foundation of local jobs and connections to the Harbour CBD.

The Peninsula extends from the Anzac Bridge at the northern end to Broadway in Ultimo in the south. The Peninsula's proximity to the Sydney CBD and the harbour makes it a desirable place to work, learn and live and position as a key place that will connect thriving new technology industries in Redfern, Eveleigh and the Australian Technology Park in the south, through to Camperdown-Ultimo and Tech Central, across to the Bays West precinct. Refer to **Figure 1** for a map of the Innovation Corridor.

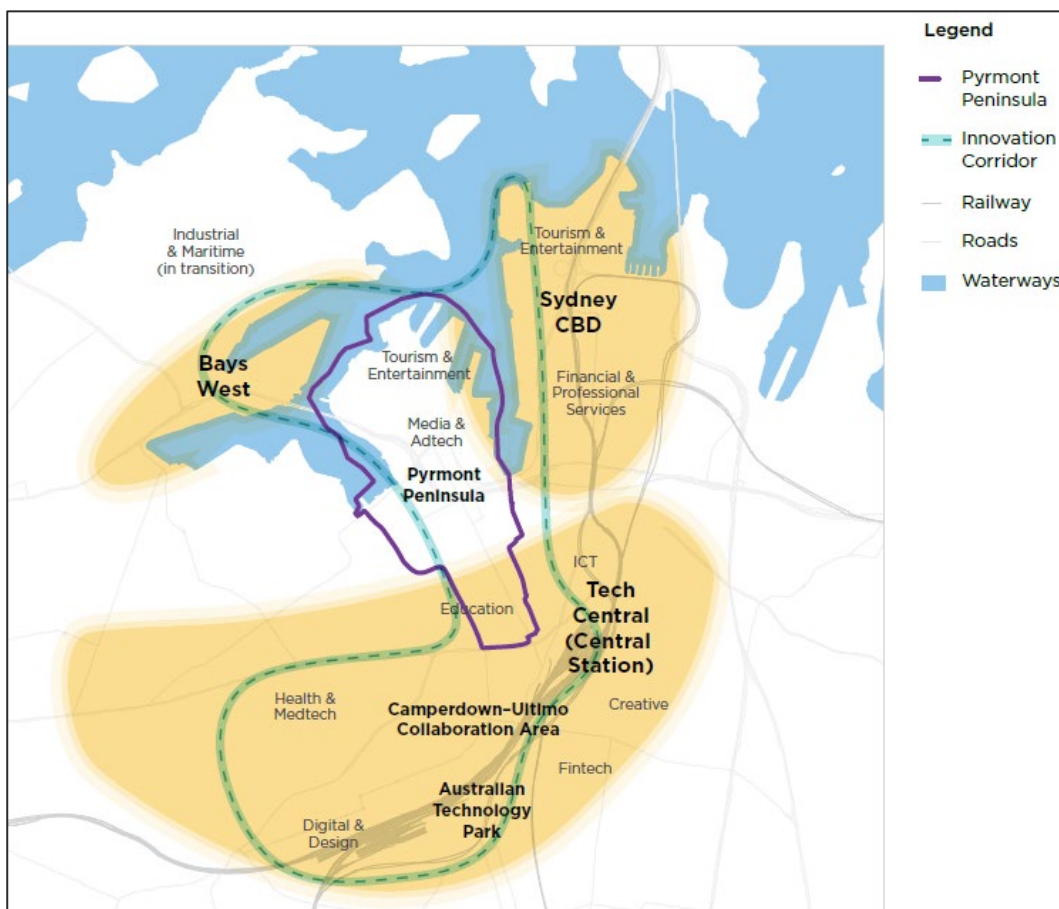


Figure 1 - The Innovation Corridor
(Pymont Peninsula Place Strategy 2020)

These circumstances make it a desirable place to invest for Government and industry with recent decisions or developments including:

- a new Pymont metro station on the Sydney Metro West line connecting Westmead, Parramatta, Sydney Olympic Park, The Bays, Pymont and the Sydney CBD
- the redevelopment of the Sydney Fish Market
- Infrastructure NSW's (INSW) proposed revitalisation of Blackwattle Bay
- the retention and enhancement of the Powerhouse Museum at Ultimo
- Mirvac's redevelopment of Harbourside Shopping Centre
- the proposed development of a six-star hotel at the Star Casino
- the next phase of master planning for UTS in Ultimo.

The Greater Sydney Commission (GSC) in 2019 identified the need to coordinate and align separate investment choices for the Peninsula, rather than considering growth on a site-by-site basis. As a result, the Department of Planning, Industry and Environment (DPIE) undertook the preparation of a place-based strategy for the Peninsula.

2.2 Pymont Peninsula Place Strategy

The PPPS coordinates the next phase of the economic transformation of the Peninsula, balancing growth and change with character, heritage and amenity, maximising public benefits, and providing the capacity for new growth to unlock the area's potential under the new vision and directions.

The PPPS was endorsed by the Minister for Planning and Public Spaces in December 2020 and was shaped by the strategic vision of the *Greater Sydney Region Plan* and the *Eastern City District Plan*. The Government also announced it would invest in a new metro station in Pymont.

The PPPS responded to the GSC's direction to 'unlock the economic potential' of the area and was led by the *Pymont Peninsula Economic Development Strategy* (EDS) prepared by NSW Treasury.

The EDS describes the area's current economic character, analyses the drivers of growth and change, and forecasts future demand for new jobs and floor space, assuming a Sydney Metro station is delivered in Pymont in the next decade. It also took account of the impact of the COVID-19 pandemic on economic productivity in its modelling. It included the following forecasts:

- strong growth in jobs: an increase of between 20,000 – 23,000 new jobs to 2041
- a local economy that is approximately 60% larger by 2041 with \$4.2 - \$4.9 billion more economic output per year compared to current levels
- an increase in productivity by 7% due to the growth of jobs in knowledge intensive industries
- greater supply of commercial buildings: an additional 600,000 – 800,000 square metres of floor space will be required across the Peninsula by 2041
- increased retail and residential development density associated with the provision of a new Metro station, as well as more commuters coming in and out of the area
- an industry mix geared towards knowledge industries, with growth in many of the associated industries for which the Peninsula is recognised: tourism and entertainment, media and information technology (IT).

The PPPS set out 10 Directions addressing matters of strategic economic, social and environmental significance in the Peninsula to guide future growth and change to 2041.

The PPPS also identifies Five Big Moves to help realise the Vision and the Peninsula's potential:

1. A world-class harbour foreshore walk
2. A vibrant 24-hour cultural and entertainment destination
3. Connect to Metro
4. Low carbon, high performance precinct
5. More, better and activated public space.

A Structure Plan in the PPPS (refer **Figure 2**) supports the 10 Directions and establishes the area's most appropriate for growth and change while balancing character, heritage and amenity.



Figure 2 – Structure Plan of the Pyrmont Peninsula
(Pyrmont Peninsula Place Strategy 2020)

Sub-precincts

The PPPS acknowledged the Peninsula is a collection of many places and identified seven sub-precincts (refer **Figure 3**), each with their own unique character and identity.



Figure 3 – Pymont Peninsula’s seven sub-precincts
(Pymont Peninsula Place Strategy 2020)

The type of growth and change anticipated in each sub-precinct is described in existing and future character statements in the PPPS. They include an identification of the important place priorities for each sub-precinct across land use, movement, infrastructure, landscape and built form to guide new development to address the specific and different needs of each part of the Peninsula.

Key sites

The PPPS identifies four key sites (refer **Figure 4**). Their identification responds to the GSC review report, which considered ‘the current [development] activity is substantial but characterised by a small number of large but disconnected projects, many on the edges of the review area’. This was recognised as limiting the realisation of cumulative opportunities and benefits, such as connecting and activating the public domain and providing links between sub-precincts, amongst others.

Due to the strategic potential of each key site, DPIE has been working with key site landowners to bring forward their aspirations and visions in a way that is aligned and coordinated with the PPPS noting that some are in different stages of planning processes:

- The Harbourside key site has progressed to approval via the State significant development (SSD) assessment process. SSD 7874 was approved by the Independent Planning Commission on 25 June 2021.
- The Blackwattle Bay key site was exhibited as a State Significant Precinct (SSP) from 2 July – 20 August 2021 and is under consideration by DPIE.
- The Star Casino and UTS were both required to prepare key site master plans, which are discussed in **Section 3** of this report.

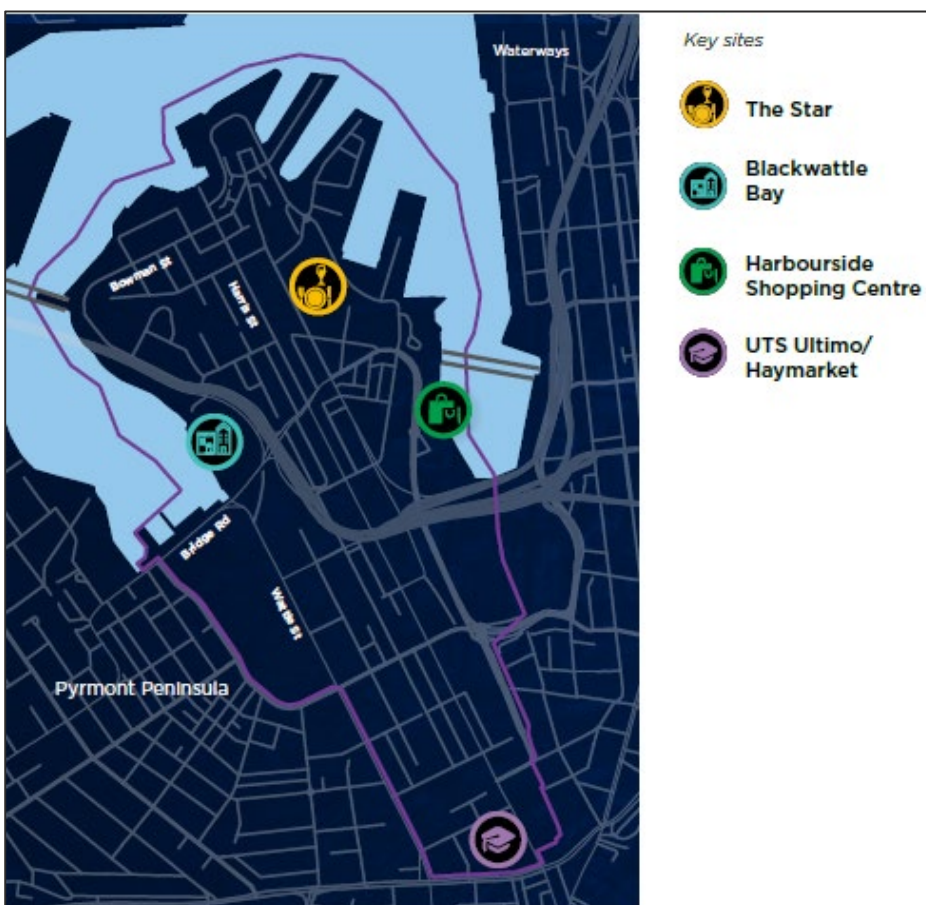


Figure 4 – Four Key sites
(Pyrmont Peninsula Place Strategy 2020)

Sites capable of change

As part of the exhibition material for the PPPS, the *Pymont Peninsula Place Strategy, Volume II Strategic Framework* included a figure (2.1.4): Sites capable of change. Refer to **Figure 5** below for a reproduction. The sites were identified based on criteria that demonstrated they had the potential to be developed or redeveloped to meet residential and commercial floorspace forecasts as set out in the PPPS over the next 20 years. Those criteria included:

- State Significant renewal sites
- Sites identified by the City of Sydney Council (Council) in its Development Capacity Study 2019
- State or local government owned land
- Land within a single ownership
- Strata commercial and residential sites with 10 or less lots
- Heritage warehouse sites suitable for adaption.

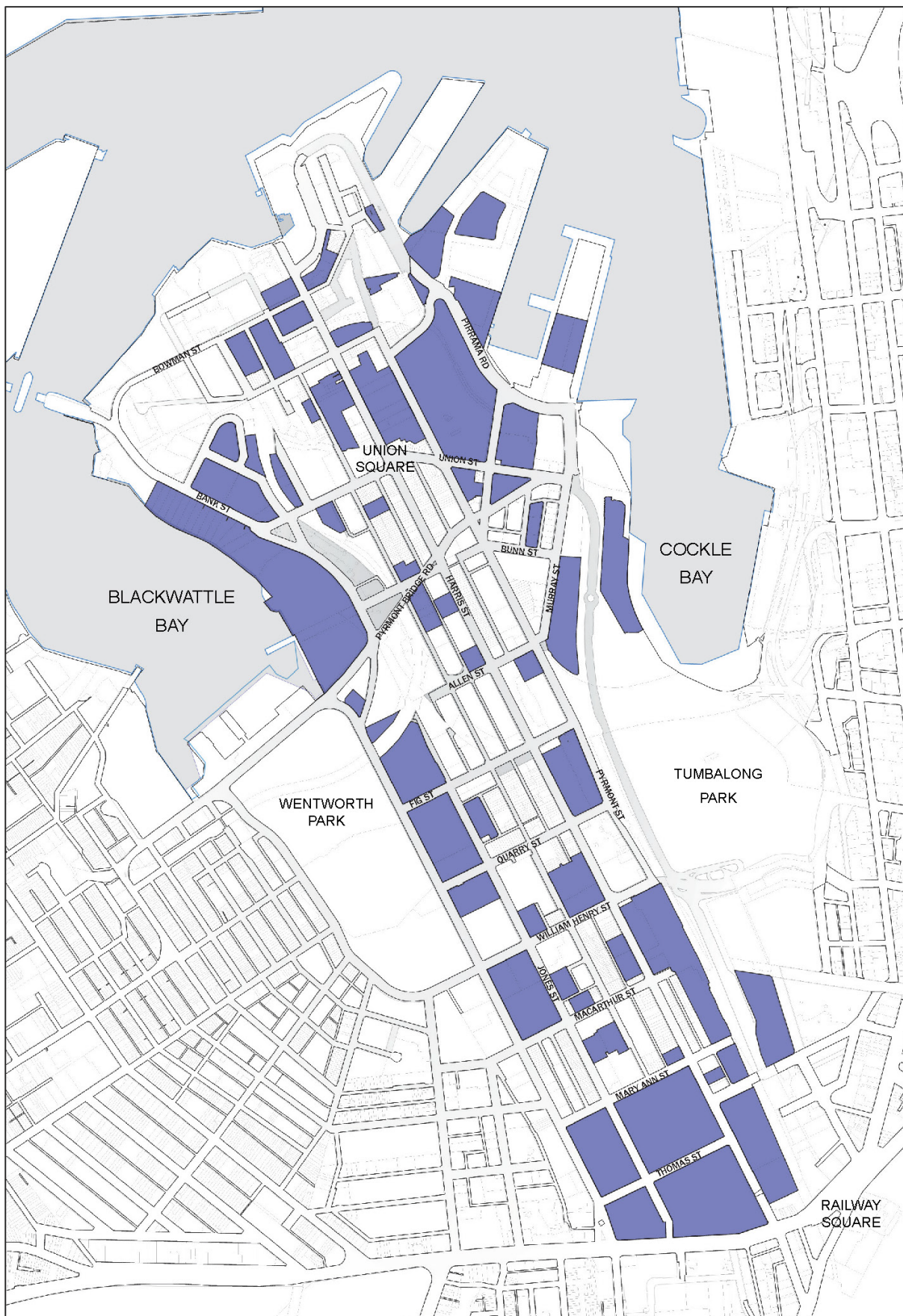


Figure 5 - Sites capable of change as part of the PPPS exhibition in 2020
(Pymont Peninsula Place Strategy 2020)

3. Implementation of the Pymont Peninsula Place Strategy

3.1 Overview

DPIE has undertaken further work to implement the PPPS in the planning system during 2021, including finalising sub-precinct master plans. These plans have informed updated planning controls for key and metro sites that ensure growth and change balances character, heritage and amenity. An infrastructure delivery framework and design guidance support this work.

This section of the report details the work completed this year, including:

- sub-precinct master planning that provides further guidance on the important place, movement, land use, infrastructure and design considerations for future development
- refinement of the number of 'sites capable of change'
- key sites master planning processes to inform proposed built form controls and public benefit outcomes under the PPPS
- detailed built form analysis for the new Pymont metro station sites resulting in proposed built form controls
- design guidance for the Peninsula that will inform future planning proposals and/ or development applications realise the vision and directions of the PPPS
- an Infrastructure Delivery Plan, detailing how the framework of proposed State, local and key site contributions ensures infrastructure will be delivered with growth as it occurs over time
- a draft Transport Special Infrastructure Contribution to partially fund the new Pymont metro station
- affordable housing contribution feasibility analysis
- supporting technical analysis and consultation, including air quality, aviation, biodiversity, contamination, noise, non-Indigenous heritage, transport, and wind to support the sub-precinct master plan outcomes and proposed built form controls and inform subsequent planning processes.

Documents on exhibition

This exhibition discussion paper summarises the implementation work and proposed planning amendments to deliver certainty for key sites, as well as the infrastructure delivery and contributions regime. The exhibition package covers:

- Urban Design Report
- Design Guidelines
- Draft Transport Special Infrastructure Contribution (SIC)
- Infrastructure Delivery Plan (IDP)
- Affordable housing feasibility report
- Technical studies

The following material has informed the documents on exhibition and made available for reference:

- The Star master plan proposal
- UTS master plan proposal
- NSW Government State Design Review Panel advice

3.2 Sub-precinct master planning

The master plans have been developed to guide future decisions on planning amendments, development applications and infrastructure delivery by defining the future character of each sub-precinct. The sub-precinct master plans also detail the principles and outcomes that shape open space, movement networks, built form and solar access.

The development of the sub-precinct master plans was informed through a detailed review and analysis process that included:

- Feasibility testing of potential commercial and residential floorspace capacity
- Refining the height strategy and solar access controls to protect public open spaces
- Undertaking a detailed assessment of existing natural and built form features and identifying important 'character areas' within each precinct
- Collaborating with Council and other key stakeholders
- Integrating relevant findings from supporting technical studies.

The character statements and structure plans for each of the seven sub-precincts master plans are outlined in **Appendix A**. Full details can be found in the Urban Design Report exhibited with this planning report.

3.3 Sites capable of change

The sites identified for change under the PPPS (see **Figure 5**) were informed by work done by DPIE in consultation with Council, other state government agencies, landowners, and developers with land or interests in the Peninsula during 2020. This was part of the Stage 1 work of the PPPS.

Since the identification of these sites, the Government has announced the location of the new Pymont metro station, Mirvac's proposal to redevelop Harbourside has received development consent for a Stage 1 concept SSD application, INSW has released and publicly exhibited its master plan to revitalise the former Sydney Fish Market site (Blackwattle Bay), and The Star and UTS have prepared key site master plans.

As part of the sub-precinct master planning work, the sites capable of change have been reviewed using design and place priorities, leading to a reduction in the overall numbers. This does not mean other sites cannot be brought forward under the PPPS via development applications, proponent-led planning proposals or as part of Council's work in 2022 (refer **Section 6**).

Exclusions were made where:

- if future development of a site would have adverse solar impacts on existing residential development or public open space
- if the age of development on a site made any prospect of redevelopment within the 20-year timeframe unrealistic, e.g., development on site was under 10 years old and of a substantial scale
- if an approval for new uses had been granted recently
- if the size of site would mean any future development would not substantially contribute to the housing and jobs forecast.

The revised sites capable of change can be seen in **Figure 6** and are listed in **Appendix B**. Potential development and renewal on these sites will contribute towards the up to 23,000 new jobs and up to 4,000 new dwellings forecast under the PPPS.

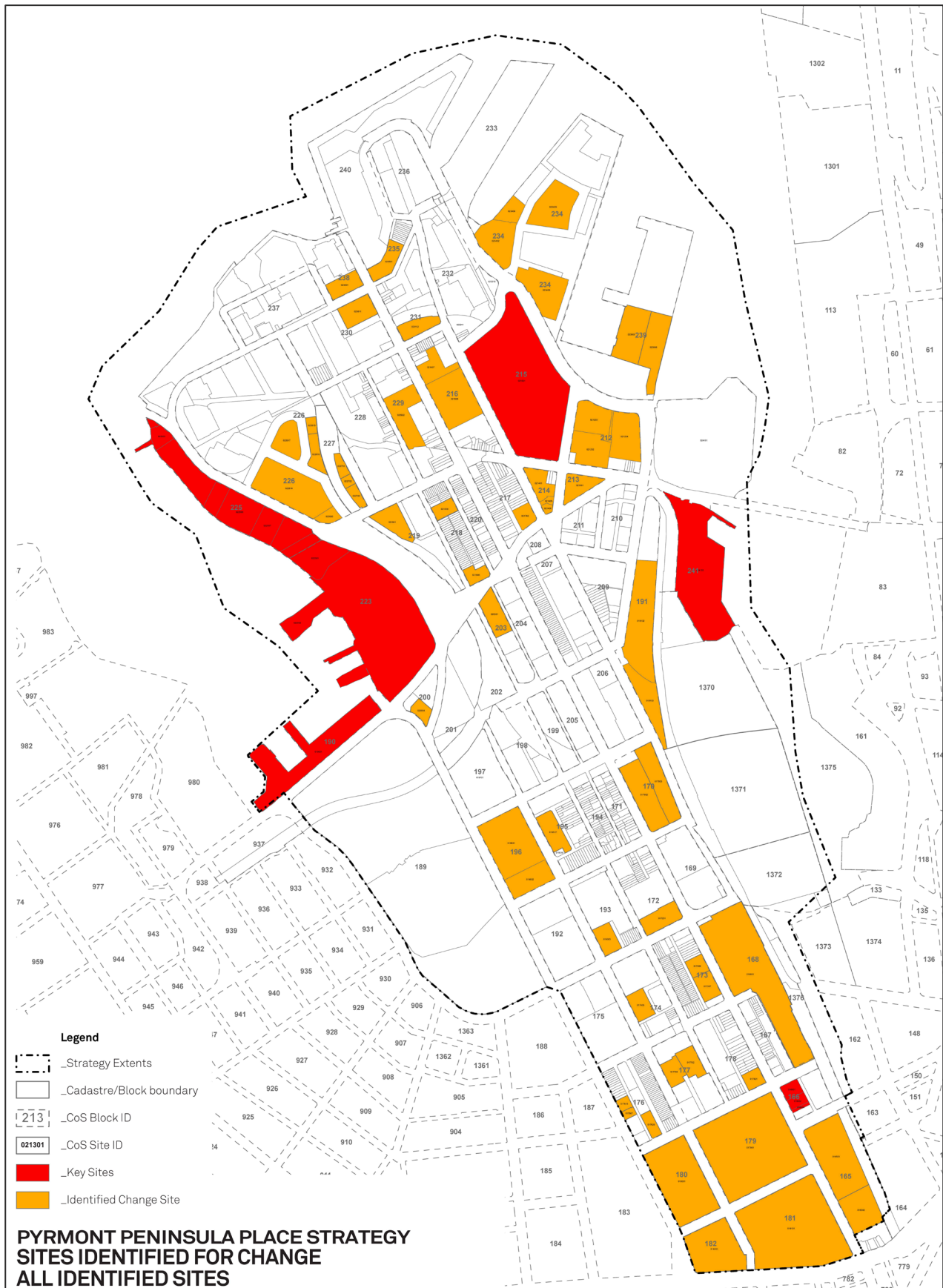


Figure 6 – Sites capable of change map
(Hassell)

Implementation of planning control amendments shared between DPIE and Council

Stage 2(a)

Amendments to planning controls on four sites have been prioritised in recognition of the strategic importance of enabling these sites to come forward under the PPPS and the NSW Government's vision for the Peninsula to be connected by Metro under Big Move 3.

The DPIE-led implementation of the PPPS proposes to amend the planning controls for:

- Metro site east (station entry and mixed-use tower development) at 37-39 Union Street
- Metro site west (station entry and infrastructure) at 26-32 Pymont Bridge Road
- The Star Casino (proposed six-star hotel) at 80 Pymont Street
- UTS site 13 -15 (proposed Indigenous residential college) at 622-632 and 644-644A Harris Street. See **Figure 7**.

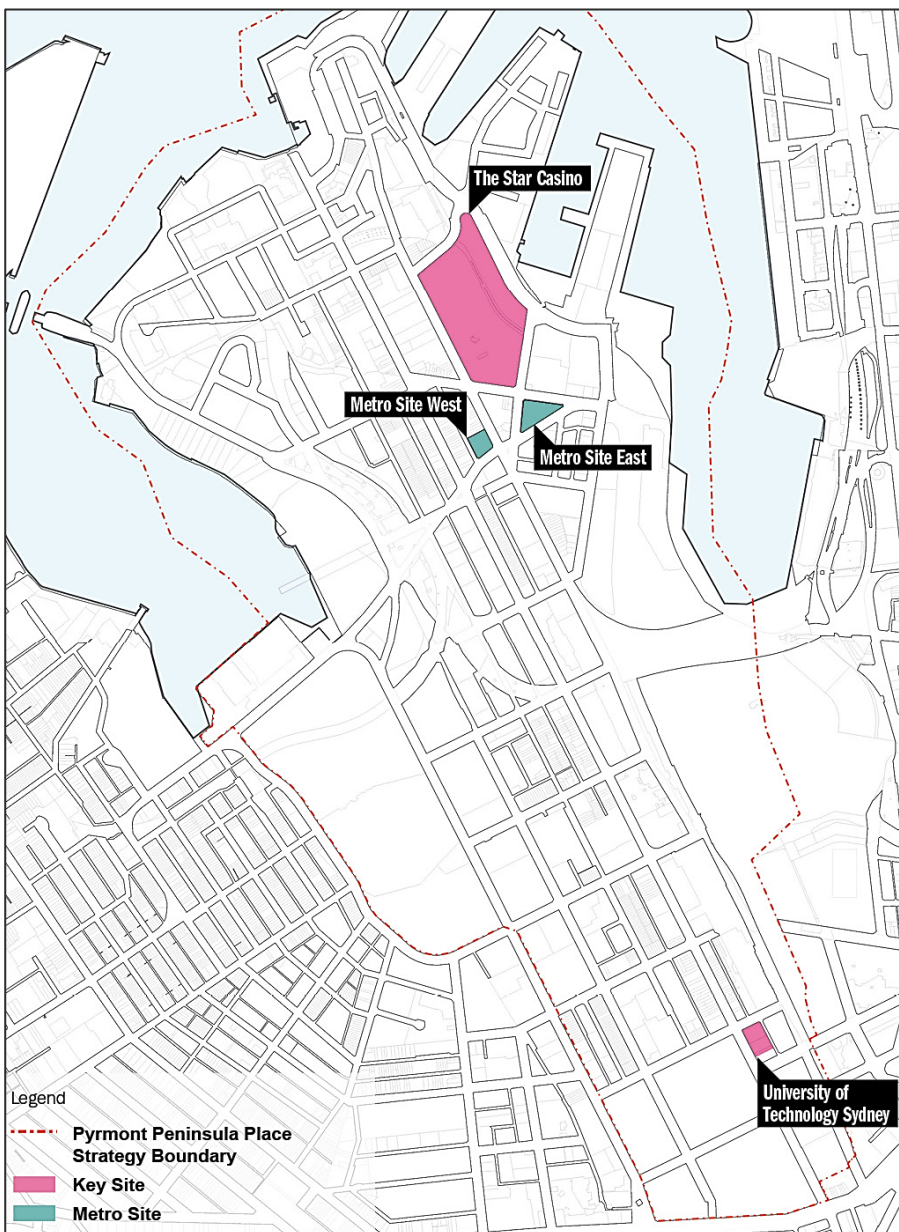


Figure 7 – Map showing sites subject of proposed planning amendments
(Design Guidelines, 2021 (Hassell))

Stages 2(b) and 3

Planning amendments for the other sites capable of change, and rationalisation of planning instruments applicable to the Peninsula will be led by Council. This is discussed further in **Section 6** of this report.

3.4 Key sites

The nominated four Key Sites (see **Figure 4**) that have the capacity to both contribute to the forecast floor space demand and deliver on key public benefits. They are:

- Mirvac's redevelopment of the Harbourside Shopping Centre
- INSW's master plan to revitalise Blackwattle Bay
- UTS' teaching and complementary space in Ultimo/Haymarket
- The Star Entertainment Group's Sydney site

Within the PPPS, the 'Framework for Key Sites' sets out a place-based approach to developing these sites in a manner that balances site-specific development opportunities with the potential to deliver on wider place and public domain infrastructure outcomes. Importantly, the delivery of public domain infrastructure must align with the PPPS and support the Peninsula more broadly.

The Harbourside key site has progressed to approval via the SSD assessment process. SSD 7874 was approved by the Independent Planning Commission on 25 June 2021. The Blackwattle Bay key site was exhibited as a SSP from 2 July – 20 August 2021.

3.5 The Star and UTS master planning process

Since early 2021, UTS and The Star have engaged with DPIE to develop their key site master plans and demonstrate how their site-specific development aspirations align with the PPPS to:

- identify how the development of the key site delivers strategic change in line with the PPPS
- describe how public benefits will be secured, and
- provide proposed planning controls to be considered by DPIE.

To assist with the development of the master plans, both proponents were provided with 'General Requirements for Key Site master plans', detailing the information required as part of the master plan submissions. This included:

- key documents and policies to be referenced
- context analysis and site response
- demonstration of the design development process and preparation of a reference scheme
- an outline of consultation and engagement plans
- a list of supporting studies to be prepared, and
- details on implementation and delivery.

The Key Site master plans were expected to demonstrate how these site-specific developments could lead to precinct-wide outcomes.

Both proponents then proceeded through the following review processes prior to exhibition:

- an alignment check against the PPPS by DPIE and Council (April 2021)
- two State Design Review Panels (SDRP) between June and August 2021
- an additional SDRP for UTS (12 August 2021).

State Design Review Panels

State Design Review Panels are led and managed by the Government Architect of NSW (GA). The Panels are set up to provide independent design advice on large projects that have or will undergo assessment by the State.

Each project is reviewed by a panel of independent, qualified design professionals that offer a mix of built environment expertise such as architecture, landscape architecture, urban design, Aboriginal and European culture and heritage and sustainability. Panellists are selected from a pre-qualified list.

The Panel sessions are organised to provide a critical review of the proposal, identify and discuss any key or emerging design issues, and offer practical solutions and best practice design advice. Proponents receive verbal advice during the session, which is then formalised in writing following the session.

SDRP Community Representatives

DPIE has sought to actively involve the Pyrmont community to ensure open and transparent processes throughout the SDRP process. As part of this commitment, it was agreed with the Government Architect NSW to include a community member as an observer at each of the SDRP sessions.

The purpose of this role was to give a representative of the community an opportunity to share their views on the proposed public benefits and public domain improvements and how these could best reflect local expectations.

Community groups that made a submission to the PPPS exhibition were invited to submit an Expression of Interest (EOI). Selection was based on their demonstration of a personal connection to Pyrmont or Ultimo, involvement in a local community group (or similar), and capacity to communicate the wider views of the community.

The EOI also required the community member to sign both a conflict-of-interest declaration, and a confidentiality agreement, under which all information shared at the SDRP sessions was bound.

Representatives for both Pyrmont and Ultimo attended all respective SDRP sessions and were invited to share their views directly to the Panel members and the Proponents.

The Star

The Star submitted a master plan for its two sites – one site being the existing casino complex at 80 Pyrmont Street and one for 37-39 Union Street (future Metro site).

The development sought by the Star includes:

1. A six-star hotel on the northern end of its existing site,
2. Additional building height and gross floor area elsewhere on the existing site, and
3. A mixed-use tower on the Union Street site (the Sydney Metro station site).

The SDRP considered the proposals at points (1) and (3) above. Point (2) was not considered by the SDRP and has not been considered by DPIE. Planning options for the Sydney Metro station site area detailed in section 3.7 of this report.

The alignment check and SDRP sessions for the Star master plan are detailed in **Appendix C**. All material submitted by the Star and the SDRP advice is also available on DPIE's webpage alongside the exhibition material.

Final master plan

The final masterplan documentation submitted by the Star in September 2021 includes a:

- Master Plan Report
- Urban Design Report
- Public Domain Landscape Report
- Draft Design Guide
- Design Excellence and Sustainability Strategies

Various technical reports have also been provided considering transport, wind, visual impact, flooding, acoustics, and the social and economic impacts of the proposal.

The masterplan submitted by The Star proposes:

- A six-star hotel on the existing site, the 'North Tower'. The North Tower is proposed at a maximum height of RL110 (105m). The proposed maximum floor space ratio is 10:1.
- Additional floor area is also proposed to be added to the existing casino buildings on the north site; the exact quantity of these additions is unclear on The Star's submitted plans.
- A second tower is proposed at 37-69 Union Street, the 'Union Street Tower'. This development proposes commercial, hotel, and residential uses. The proposed maximum height of the Union Street Tower is RL140 (120m), and the proposed floor space ratio is 12.45:1.

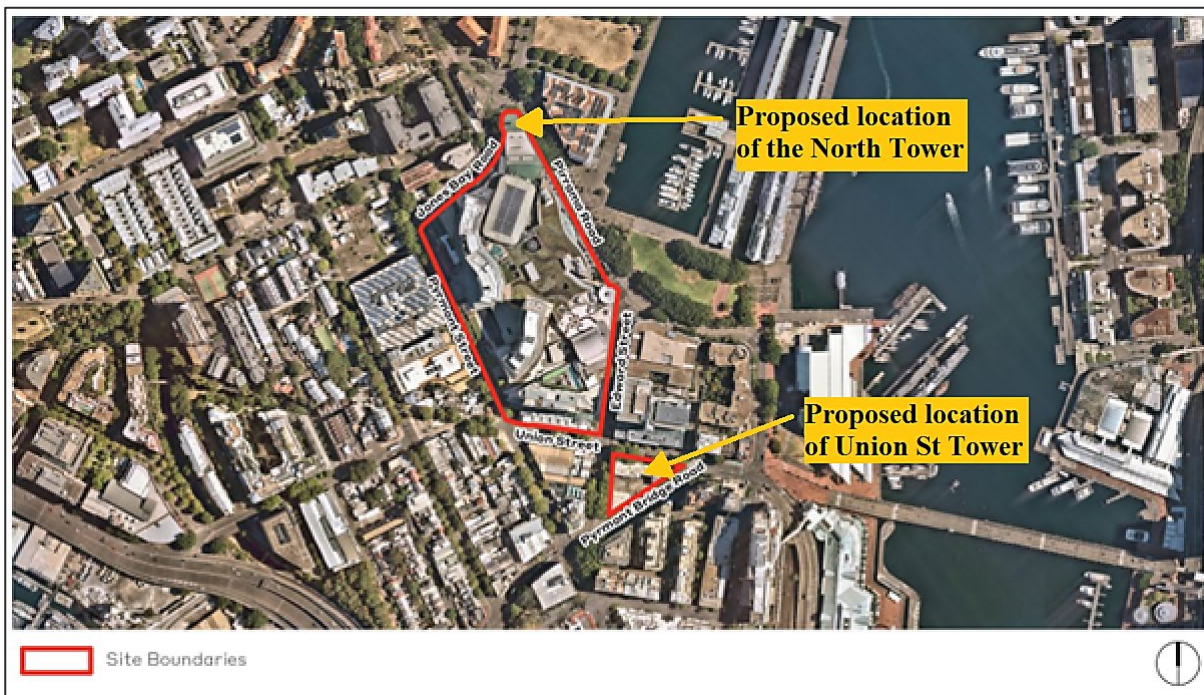


Figure 8 - The Star's proposed tower locations
(The Star Masterplan 2021)

UTS

The SDRP considered in detail the proposed Indigenous Residential College at Site 13-15, 622-632 and 644-644A Harris Street, Ultimo.

The development of this site has driven the identification of key public benefits that could include upgrades to Mary Ann St and Omnibus Lane.

Initially, Site 5 was considered as part of this master plan. Site 5 is the site of the former UTS Library in Haymarket and is proposed for a mixed-use tower, potentially including education uses, co-working and commercial spaces and student accommodation. It was removed from the SDRP process as the site is not located within the boundary of the PPPS and sufficient detail was not

3.6 The Star and UTS: proposed built form controls and public benefit outcomes

This section details the planning control amendments and public benefit outcomes as proposed by DPIE. The proposed planning controls are informed by the key site master plans, further technical studies and stakeholder feedback.

The Star

Built form controls

The proposed height and floor space ratio (FSR) controls for the proposed six-star hotel on the existing Star site are detailed in **Table 1**. Other controls such as street wall height and tower setback will be detailed in the Design Guidelines that will apply to the site (and are detailed below). See **Figure 10** for the proposed building envelope for the six-star hotel.

Table 1 – Proposed controls for the six-star hotel on the existing Star site

Control	Proposed by DPIE	Proposed by the Star
FSR*	4.2:1	10:1*
Height (metres & RL)	105m (RL 110)	105m (RL 110)
Street wall height (metres & RL)	18m (RL 27.5) – Jones Bay Road 24.9m (RL 27.5) – Pirrama Road	30.3m (RL 35.3)
Tower setback	6 - 8m (minimum and subject to appropriate wind conditions at ground level)	7m (level immediately above the podium) 3m (rest of tower)

*The Star's master plan lacks clarity on the area to which they seek to apply an FSR of 10:1. Based on indicative GFA provided by The Star for the northern tower (six-star hotel) of 26,000m² DPIE is proposing an FSR of 4.2:1 for this development **only**.

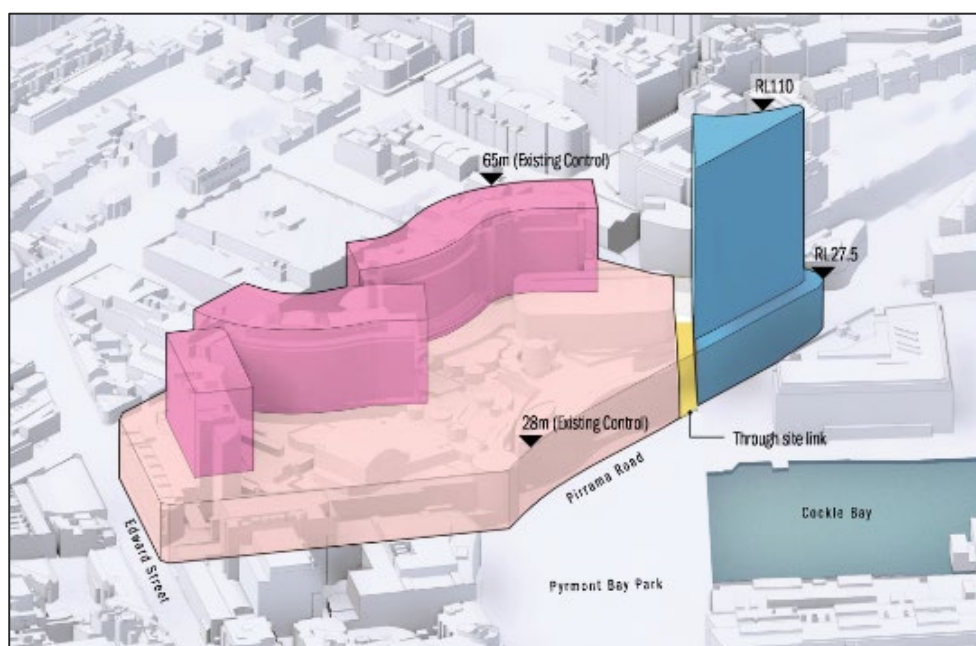


Figure 10 - Star Casino site: proposed hotel (blue) and existing building envelopes (pink and orange)
(Design Guidelines, 2021 (Hassell))

Public benefit outcomes

Development on the Star site will be required to demonstrate the delivery of public benefits, consistent with the PPPS and the height and FSR uplift. Ultimate approval for any development will require a 1% contribution to affordable housing as set out in the exhibited 'Affordable Housing Study'.

It is also proposed that development consent for the site must not be granted unless the consent authority has obtained the concurrence of the Secretary of DPIE. In deciding whether to grant concurrence, the Secretary will consider a range of aspects such as the impact of the development on existing State public infrastructure, and the need of additional State public infrastructure. Such State public infrastructure may include active transport improvements, State and regional roads, bus lanes, and embellishments or connections to regional open space.

Opportunities for additional public benefits as set out in the PPPS

The PPPS set out additional opportunities for the delivery of public benefits for the key sites. These public benefits are to be offered and explored as part of the development assessment pathway and will include staging and timing of delivery and secured via an appropriate mechanism.

They include:

- enhance and improve streetscape interfaces on all boundaries of the complex through interventions such as new retail or other active frontage uses.
- enhance and improve public domain interfaces and site permeability, including wayfinding and new 24-hour publicly accessible connections that are ideally open to the air, through the key site to break up its bulk and maximise permeability at the ground plane.
- promote active transport (cycling and walking) along Pirrama Road between the entrance to The Star's car park and the roundabout on Jones Bay Road, including lower speed limits and prioritisation for pedestrians and cyclists.
- improve the visibility of The Star light rail station and create an open promenade between the light rail and Pyrmont Bay Park.
- improved interaction with surrounding public spaces and fund upgrades in these public spaces, including works such as:
 - improved landscaping, additional greenery, including an increase in tree canopy.
 - upgrading public seating and congregation spaces.
 - outdoor fitness and active exercise equipment.
 - water features and attractions
 - barbeque facilities.
- bring together community organisations to plan the activation of these public spaces for community events such as local food markets or art exhibitions, family focussed events and other community activities.
- create an open green roof space for use as a rooftop garden and chef's nursery to allow local chefs to grow fresh produce, perform beekeeping and grow a range of other consumable garden plants.
- prepare a Complete Streets Strategy using the NSW Government's Movement and Place principles to transition Pirrama Road to a shared zone with:
 - shared access way for pedestrians, cyclists, buses, private and delivery vehicles.
 - reduced servicing and access functions.
 - reduced street parking with increased on-site provision.
 - relocated tourist bus lay overs away from Pirrama Road and onto site.
 - better integration with Pyrmont Bay Park.

- enabled weekend or event-based activity program.

UTS

Built form controls

The proposed height and FSR controls for UTS Site 13-15 are detailed in **Table 2**. A site specific clause for the site is proposed in LEP 2012 and further detail of this can be found in **Section 5**. Other controls such as street wall height and tower setback will be detailed in the Design Guidelines that will apply to the site (and are detailed below). See **Figure 11** for the proposed building envelope for building.

Table 2 - Proposed controls for UTS Site 13-15

Control	Proposed by DPIE	Proposed by UTS
FSR	5:1	5.08:1
Height (metres & RL)	65m (RL 68)	63m (RL 67.9)
Tower setback from Harris St	6m	3m

DPIE's proposed controls differ slightly to the UTS proposal. This ensures the building envelope provides flexibility for the future design competition, while maintaining appropriate built form character, enabling appropriate design in relation to the existing heritage listed former National Cash Register building on site, and enhanced solar amenity to adjacent residential buildings through a larger setback to Harris Street. Amendments have come about as a result of the SDRP sessions and via DPIE's detailed design guidelines work.

For a discussion on the heritage impacts of any built form, please refer to **Section 3.13** of this report (under the heading Non-Indigenous Heritage).

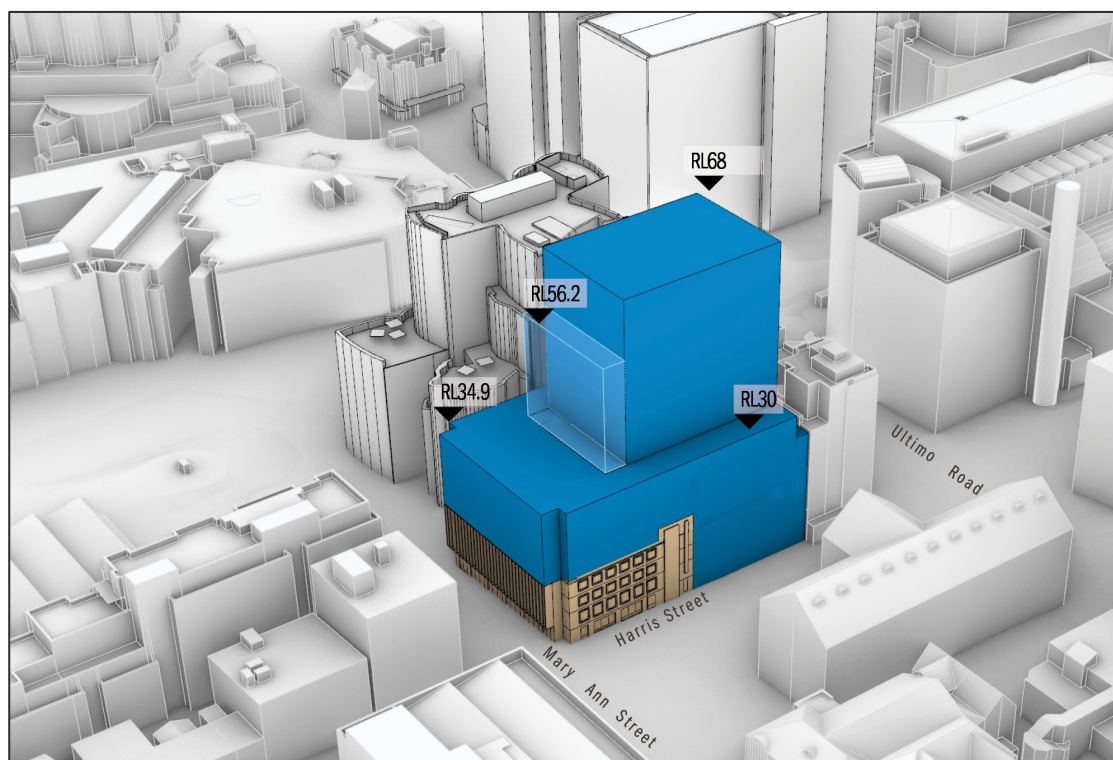


Figure 11 – Proposed building envelope for UTS residential college
(Design Guidelines, 2021 (Hassell))

It is important to note that this envelope is an area in which the building *could* be located. It does not display what the actual building would look like.

Public benefit outcomes

As part of its master plan submission UTS:

- has proposed public benefit in the form of pedestrianising local roads that would support better east-west connections through to Site 5 and future redevelopment
- has made a formal offer to Council to enter into a VPA regarding the additional public benefit offer to a value of \$3.9 million or works in kind subject to Council consideration. This includes upgrades to Omnibus Lane and Mary Ann Street.

Any works on public land would need to be agreed with Council.

3.7 Metro sites

Consistent with the intent of the PPPS, the Government has now announced the location of the Pymont Metro station. The two locations for the entry points were announced on 12 May 2021. They are 37-69 Union Street (Metro site east) and 26-32 Pymont Bridge Road (Metro site west). See **Figure 12**.

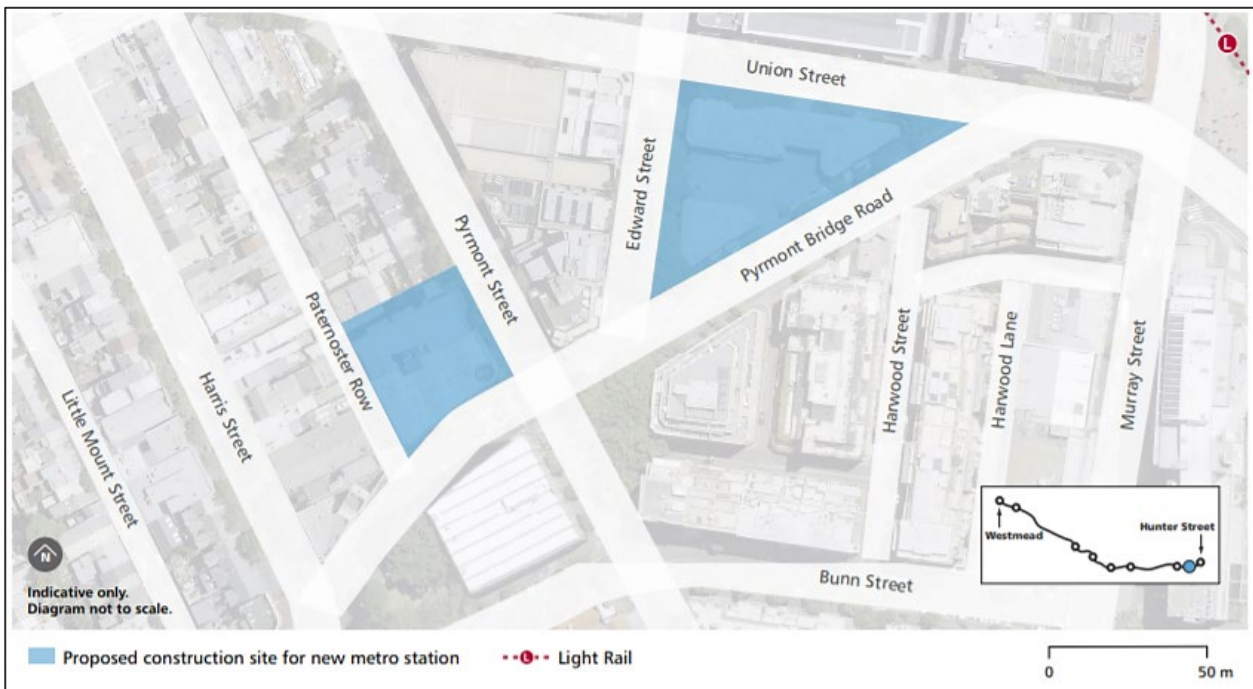


Figure 12 - locations for Sydney Metro West stations in Pymont announced in May 2021
(Sydney Metro)

Metro site east

The PPPS identified this site as a 'site capable for change', as it demonstrated the ability for uplift to contribute to the employment and housing forecasts for the Peninsula.

Due to the significance of the site, DPIE and Council have undertaken extensive analysis of the site to inform a suitable building envelope and controls for future development. Critical issues are the prominence of the site and the potential that exists for overshadowing.

Any tower development on the site could impact on nearby existing residential development and the important local public open space of Elizabeth Healey Reserve.

Multiple building envelopes for the site were tested to inform the built form controls. The considerations for both the public open space and residential buildings addressed through this review are detailed below.

Elizabeth Healey Reserve

The reserve is located approximately 150m south-west from Metro sites east, and as such, has the potential to be overshadowed by development. While the PPPS required sunlight to public and open spaces to be protected between 10 am and 2 pm during the winter solstice, it was also intended that the approach to sunlight protection was to be refined during the sub-precinct master planning process as stated under Direction 2 of the PPPS.

The urban design and capability analysis undertaken by DPIE and Council included the following:

- Confirmation of the extent of the current park boundaries to include part of the road reserve currently zoned RE1 Public Recreation, as per the PPPS, see **Figure 13** below
- A review of a range of different sunlight protection approaches, including:
 - Sun access planes at winter solstice under the PPPS, with the plane cast from the boundaries of the reserve.
 - Extension of the PPPS sun access planes to include the equinox; and another to include all days between the winter solstice and the equinox, with the planes cast from the boundary of the reserve
 - No additional overshadowing to the reserve 10 am to 2 pm at winter solstice by casting a sun access plane from the edge of existing overshadowed areas.



Key

Site ref. no.	Description
1	Existing park with grass and plantings
2	Existing park with grass and plantings
3	Existing roadway closed to traffic and currently use for outdoor dining
4	Existing roadway closed to traffic
5	Existing roadway to be retained for site servicing

Figure 13 - Elizabeth Healey Reserve
(Hassell)

As a result of the analysis:

- It was demonstrated that overshadowing impacts would be most evident at the reserve between the winter solstice (June) and the spring equinox (September)
- To ensure that solar access was protected, wider sun access planes were developed to provide solar protection between the winter and spring equinoxes - the solar access planes were revised to include an 'equinox tail'
- The new sun access planes were used to define an appropriate height and shape of the building envelope that will maintain sunlight consistent with the Directions of the PPPS, particularly Direction 2 for new development to complement and enhance the area.

Adjacent residential buildings

Metro site east is located north of adjacent residential uses (17-21 Pymont Bridge Road and 1-5 Harwood Street), and therefore has the potential to overshadow these residences. The key elements to this testing included:

- A review of sunlight access requirements under the Apartment Design Guidelines (ADG). The ADG states that 'living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter'
- Review of building elevations and plans to determine the location of private open spaces and living areas, and to determine existing compliance levels
- Manipulation of the proposed Metro site east building envelope to minimise solar amenity impacts to residences to protect, as far as possible, existing sunlight access.

Final building envelope

The building envelope adopted based on the design analysis and capability analysis has a maximum height of 110m (RL 120) and a podium that will investigate stepping down towards the Edward Street and Pymont Bridge Road intersection, see **Figure 14**. This ensures sunlight is protected to Elizabeth Healey Reserve and is investigated further with regard to nearby residential apartments. Please refer to the Design Guidelines for full details.

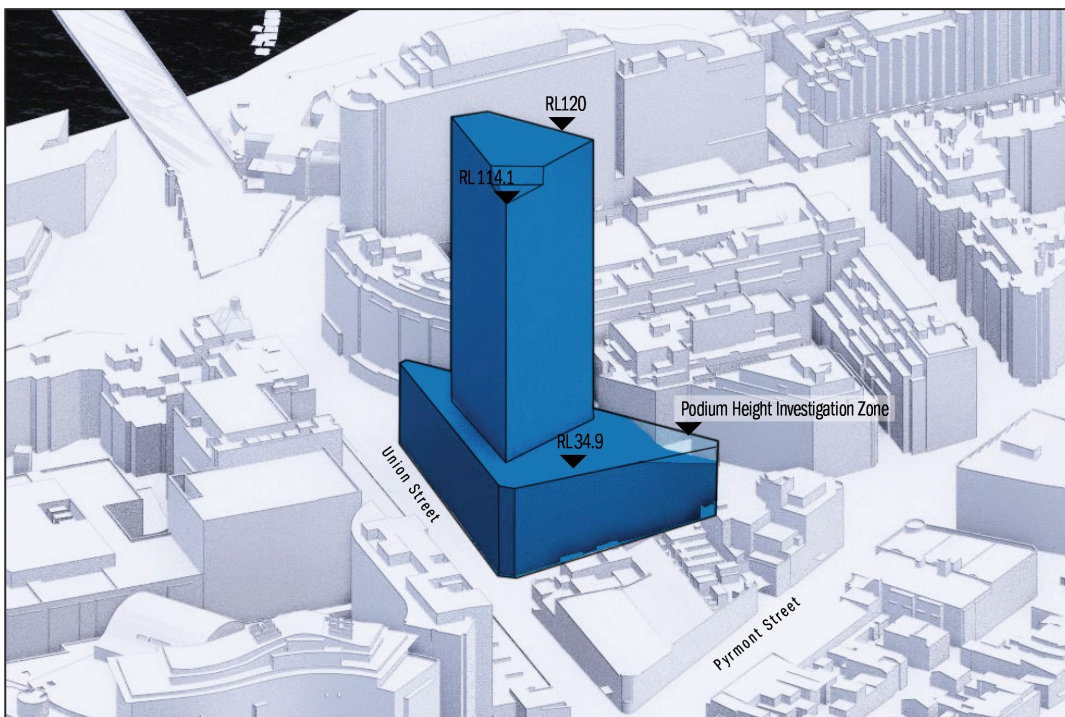


Figure 14 – Metro site east proposed building envelope
(Design Guidelines, 2021 (Hassell))

Metro site west

Metro site west has not undergone the same level of testing and analysis as Metro site east. This is because the development on the site anticipates relatively minor increases to existing building height and is not seeking a tower development above. The site will be mainly used as an entry/exit to the station and to accommodate station services. The proposed controls for this site can be found in **Table 3**. The final development will be guided by the Design Guidelines, and other matters to be considered through the development application process.

3.8 Metro sites: proposed built form controls and public benefit outcomes

Built form outcomes

The proposed height and FSR controls for the Metro sites are detailed in **Table 3**. A site specific clause for the sites is proposed in LEP 2012 and further detail of this can be found in **Section 5**.

The height of the metro west site has been proposed to accommodate the slope of the site and to ensure that floor to ceiling heights can accommodate future Metro requirements.

Table 3 - Proposed controls for the two Metro sites

Control	Metro site east	Metro site west
FSR	9:1 (excluding station infrastructure)	No change to existing (2:1)
Height (metres & RL)	110m (RL 120)	22m (RL 37.75)
Street wall height (metres & RL)	26.8m (RL 34.9) at Edward St/ Union St intersection (subject to investigation) 24.3m (RL 34.9) at Pymont Bridge Rd/ Union St intersection 20.02 (RL 34.9) at Edward St/ Pymont Bridge Rd Intersection	As per height above
Tower setback	6 & 8m (minimum and subject to appropriate wind conditions at ground level)	N/A

It should be noted that any proposed amended planning controls applicable to the site are subject to the Minister's determination and any subsequent development approval process.

Public domain outcomes

It is proposed as part of the uplift available to the sites that the preparation of a study identifying active transport routes and public domain improvements to enable passengers to travel to and from the station entrances and further afield to the Sydney CBD and Blackwattle Bay will be required.

3.9 Urban Design Report and Design Guidelines

An Urban Design Report (UD Report) and Design Guidelines (Guidelines) form part of the Implementation of the PPPS. The UD Report is proposed to be referenced in the 9.1 Direction: 7.13 Implementation of the PPPS, and both documents will be referenced in LEP 2021. This means they will both need to be considered as part of any planning proposal and/ or development application for land within the Peninsula.

Urban Design Report

With an understanding that building heights are initially restricted by the need for appropriate sun access, wind assessment and air safety requirements, and that maximum floor space is directly associated with height and other built form controls, the UD Report forms the basis of the detailed sub-precinct master planning.

The UD Report integrates consideration of solar access, wind impacts, street activation, pedestrian networks, public open spaces and any proposed built form into an urban design analysis of the sub-precincts and the sites identified for change.

It analyses the key public open spaces within the Peninsula with regard to existing and potential sun protection and informs proposed sun access planes.

The UD Report includes urban design analysis of key street sections within the sub-precincts, with a focus on street wall heights and view to sky outcomes.

The Report is a companion to the Sub-Precinct Character Statements and Place Priorities in the PPPS and also works with the Design Guidelines.

While the UD Report provides the design issues, the ability for any single development, including key site development to access the maximum, or close to the maximum potential height on a site will be subject to evaluation of relevant planning and design matters in a subsequent planning process. Considerations such as solar access, wind impacts, streetscape and public domain experience, integrated with context, alignment with land uses under the Economic Development Strategy, design excellence, sustainability and public benefits may moderate maximum building heights.

Design Guidelines

The Guidelines provide detailed planning guidance and controls for the Star, UTS and two Metro sites.

3.10 Affordable housing feasibility analysis

Affordable housing contributions in the Peninsula are levied under the Revised City West Affordable Housing Program. This is a different program to the remainder of the City of Sydney local government area (LGA).

The affordable housing scheme applicable to all other areas in the LGA is the City of Sydney Affordable Housing Program. It is the intent that this also be applied to the Pymont Peninsula. Council will make the relevant amendments to LEP 2012 as part of the later stages of the PPPS implementation work for the City of Sydney Affordable Housing Program to apply.

The Affordable Housing Study report exhibited as part of this package assesses the ability for future development to pay an affordable housing contribution as per the City of Sydney Affordable Housing Program, as well as an additional contribution for some developments proposing residential development.

Current affordable housing contributions in the Peninsula are:

- 0.8% (\$32.13/sqm) for residential uses, and
- 1.1% (\$46.16/sqm) for non-residential uses.

The contributions under the City of Sydney Affordable Housing Program are:

- 1% of the total floor area of the development that is for non-residential uses, and
- 3% of the total floor area of the development that is for residential purposes.

The Affordable Housing Study demonstrates that future development within the Peninsula will be able to pay the affordable housing rates under the City of Sydney Affordable Housing Program. Development that is achieving additional residential floorspace under site-specific planning proposals would be able to contribute up to 12% of the *additional floorspace*.

3.11 Transport analysis

Building on the Place-Based Transport Study (PBTS) supporting the PPPS, a transport assessment has been undertaken to inform the implementation stage of the PPPS.

The aim of this assessment was to:

1. Demonstrate that the proposed planning controls and resulting uplift for the Key and Metro sites can be supported by the existing and committed infrastructure; and
2. Assess the impact of the proposed transport interventions identified in the PPPS through multi-modal transport modelling and detailed traffic modelling.

Through this transport modelling, a strategic assessment of travel demand across all modes has confirmed that the proposed uplift across the four sites will not adversely affect the traffic conditions in the Peninsula, with delivery of the new Pymont Metro station factored into this analysis.

Transport investments and services that would support increased population and employment across the Peninsula (subject to Council's Stage 2(b) implementation work) include:

- The new Sydney Metro West station at Pymont
- Increased frequency of the Inner West Light Rail to 12 services per hour
- A new bus route from Rozelle to Green Square Station, via Harris Street and Regent Street, with a frequency of at least 6 services per hour
- Bus priority infrastructure to support a new proposed bus route and a contraflow bus lane on Harris Street and Regent Street between Thomas Street and Lee Street
- A cycle lane along Jones Street Between Broadway and Wentworth Park light rail stop.

These investment and service improvements would support the development of the Peninsula over the next 20 years. The Government will continue to monitor service levels to ensure the opportunities for these investments are considered at the appropriate time. As a result, they should be regarded as initiatives subject to further development, scoping, business case, investigation and investment decisions.

3.12 Other technical studies

Aboriginal Cultural Heritage

The PPPS exhibited an Indigenous Cultural Heritage Report, prepared by Kelleher Nightingale Consultants. The aim of the report was to identify and consolidate an understanding of the Aboriginal archaeological resources and cultural landscape of the Peninsula, and to advise on how Indigenous heritage values could be incorporated into the PPPS.

DPIE engaged a consultant to complete an Aboriginal cultural values assessment as part of this phase of work in May 2021. However, this work has not been able to progress due to the restrictions as a result of the most recent COVID-19 lockdown. Work will be done in the future to progress the Aboriginal cultural values assessment.

Air Quality Review

The air quality review report assessed air emissions from the Cross City Tunnel stack (CCTS), which is located approximately 50m from the boundary of the Tumbalong Park sub-precinct. It also undertook a high-level review of other emission sources within the Peninsula including Sydney Fish Markets (source of odour), White Bay (industrial), Blackwattle Bay, Darling Harbour (diesel boats and ferries), any rooftop plants, and major roads with greater than 20,000 and 40,000 vehicles per day.

The report has confirmed that none of the sites capable of change are affected by LEP 2012 Clause 7.24 (Development near Cross City Tunnel ventilation stack) and provided certainty that proposed uplift in the Peninsula will not be significantly impacted by air quality concerns. It has also outlined a range of updates to DCP 2012 that could be progressed by Council.

Aviation Assessment

The Aviation Assessment reviewed the aviation height controls and regulations that apply across the Pymont Peninsula. The area falls within the boundary of the Sydney Airport Prescribed Airspace and is therefore required to comply with regulations including the *Airports Act 1996* and the *National Airports Safeguarding Framework*.

An assessment was undertaken across a number of benchmark sites (namely, UTS and The Star Key sites) to determine clearance and/or any possible infringements. The assessment found that all the sites, as proposed at the time of review, sat below the required height limits and did not extend into any prescribed airspace.

Biodiversity Study

The study found that priority should be given to protecting and improving native vegetation, and habitats for native species. It also found that the history of development in the Peninsula means that planting and new habitats will sit within developed areas and be in small, managed public and private spaces such as roadsides, parks and landscaped areas.

High level biodiversity considerations have been built into the sub-precinct master plans (for example, through the development of a tree canopy cover network). Future updates to DCP 2012 could be progressed by Council to further reflect the suggested biodiversity controls, while practical outcomes (e.g. street tree planting, green roofs and walls) will be realised through the redevelopment of key sites and sites capable for change.

Contamination and Acid Sulfate Soil Study

This study provides advice and assistance in identifying the potential for, and management of land contamination and acid sulfate soils (ASS) within the Pymont Peninsula. It prepared a preliminary contaminated land assessment (including ASS) through a desktop review of known and potential contaminated sites, and sites affected by ASS within the Peninsula.

The preliminary study found that many of the key sites and sites capable for change across the study area may be impacted by one or more of these variables. It is likely that many of these sites will require further assessment and possible remediation work prior to development. This work will be undertaken by the landowner or developer during the development application stage.

Noise Study

The Noise Study was prepared to identify potential land-use conflicts with noise impacts within the Peninsula and included a review of the relevant legislative and policy context applicable to the area. The report identified a number of sources of conflict, including:

- Sensitive land uses near rail corridors, busy roads, and active frontages
- Landside and vessel noise associated with the harbour
- The balance between supporting the 24-Hour Economy Strategy, the intensification of mixed-use development while maintaining acoustic privacy/amenity for the residents within the Peninsula
- Acoustic privacy issues associated with the new Pymont Metro Station

There are existing state and local regulatory measures in place to reduce and mitigate these identified sources of potential conflict, including the Infrastructure State Environmental Planning Policy. These policies will continue to apply to relevant developments in the Pymont Peninsula.

Non-Indigenous Heritage

Non-Indigenous heritage has only been considered for the heritage listed former National Cash Register (NCR) building, as part of UTS Site 13-15. The item, no. I2036 is listed under LEP 2012. This review, undertaken by GML Heritage Consultants, considered the heritage significance of existing buildings on the site, the UTS Key Site Masterplan (and supporting documents) and the UTS SDRP advice.

The report identifies the NCR building as a locally significant heritage site. The area of primary heritage significance is the building's elevation along Harris and Mary Ann streets, which are graded at 1-2, or 'Exceptional' and 'High'. This elevation is therefore crucial to express and support the heritage significance of the building. Other elevations and aspects of the building are graded lower, however still contribute to the heritage importance.

The report found historical information relating to earlier designs of the NCR building, which suggested that the building was originally expected to be eight storeys, rather than the four it is currently built to.

The review assessment of the heritage impact of the UTS proposal raised several issues of concern:

- The visual impact of the proposed UTS reference design against the NCR would reduce the significance and 'reading' of the NCR against the skyline. The tower element was considered a particular concern
- No reflection of the historic block pattern in which the NCR is located, due to the aggregation of lots to facilitate the UTS proposal, and does not respond to other surrounding heritage items (such as the Sydney Technical College)
- A large internal portion of the building is identified for demolition
- The UTS proposal does not retain important street vistas.

The Design Guidelines have been informed by the heritage advice to then inform two building envelope options for the site that address the heritage significance of the site while also enabling a viable development envelope for the proposed residential college. The two options explore different combinations of tower heights and additional levels on the NCR building while maintaining the required FSR (5:1) needed to realise the UTS development. It should be noted that the final height would reduce if the built form occupied the maximum space above the NCR.

The building envelope options offer UTS an opportunity to further explore a final built form that addresses key heritage considerations (and setbacks to frontages). Final agreement on the best

heritage approach will need occur before UTS can proceed to the Design Competition stage of the approval process.

The two options include:

- A 'tower form', including one extra storey on the NCR building (DPIE option 1) (Refer **Figure 15** below), and
- A mid-rise building, including four extra storeys on the NCR building (DPIE option 2) (refer **Figure 16** below).

Both options proposed by DPIE are supported through flexible design guidelines that:

- Provide the option to explore an additional one or four storeys on top of the existing NCR building to ensure viability of the UTS proposal while also referencing the NCR's original (but unrealised) 8 storey design
- Requiring a 15-20m setback above the NCR building, depending on the eventual height of the building (for example, a lower tower form would require a lesser setback) to ensure a clear reading of the NCR building; and
- Setting an 'investigation zone' to encourage opportunities to retain the existing entry and vertical circulation, rather than rely on demolition.

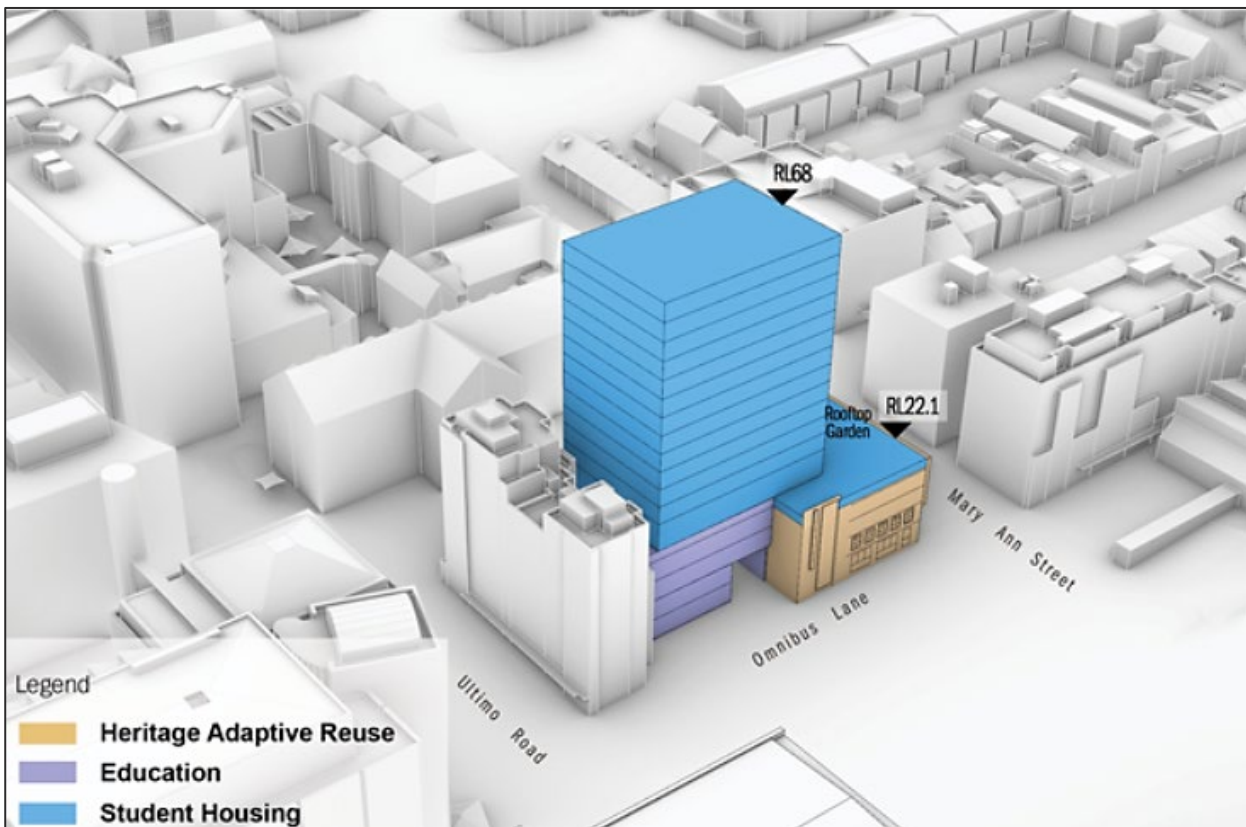


Figure 15 – DPIE 'Tower' building envelope (Option 1)
(Design Guidelines, 2021 (Hassell))

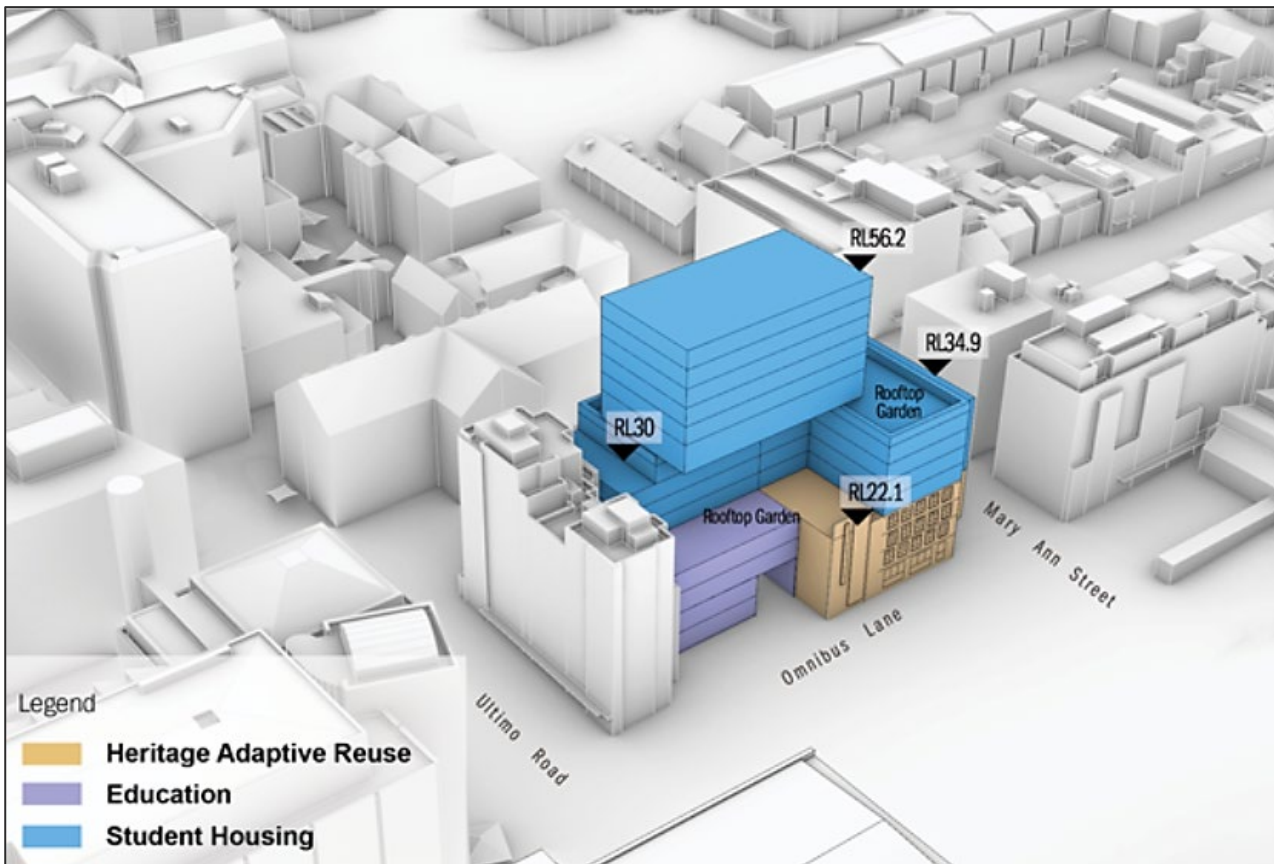


Figure 16 – DPIE ‘Mid-rise’ building envelope (Option 2)

(Design Guidelines, 2021 (Hassell))

Wind Study

The report included a local meteorological assessment, an assessment of the impact of climate change on local wind speed and direction, and a review of Council wind policies and criteria.

Key findings from the report included that ground level wind conditions across most of the Peninsula have an acceptable wind environment for sitting based activities. However, the report also noted that without mitigation measures, areas close to water surfaces have the highest potential for exposure to uncomfortable winds and/or exceedances to the wind comfort and safety criteria. This is particularly when tall buildings are clustered near the foreshore, and/or located immediately northeast of the ANZAC bridge.

The report provided a range of measures that could be employed to limit poor wind amenity outcomes and it has helped validate the height strategy (notably, stepping down heights towards the north of the peninsula). Further wind assessments prepared by landowners and developers will form part of any future rezoning and development applications for sites capable for change to inform optimal building form.

4. Infrastructure Delivery Plan – State, local and key sites contributions

Overview

As part of the PPPS implementation, an Infrastructure Delivery Plan (IDP) has been prepared. It describes how the infrastructure planning framework for the Pymont Peninsula has been reviewed and will be adjusted over time to implement the PPPS and ensure that forecast growth is supported by infrastructure delivery. The IDP includes an updated and refined infrastructure schedule, estimates of income for local infrastructure contributions scenarios, and updated information about how infrastructure works will be funded and who could be responsible for delivery.

The IDP reflects the State government's confirmation of the location of the Pymont Metro Station (announced in May 2021) and that new contribution mechanisms will be applied to certain development in parts of the Pymont Peninsula to contribute to the cost of providing the new station.

The purpose of the IDP is to:

- assist infrastructure agencies and the community in understanding the 'infrastructure task' needed to support the creation of great places in the Place Strategy area
- set out what infrastructure is needed, who could deliver it, and what mechanisms can be used to deliver it
- identify the potential for individual developments, including development on key sites, to incorporate infrastructure needed by the anticipated development
- assign priorities and an indicative staging schedule for delivery of the infrastructure
- provide a 'road map' to assist agencies to collaboratively plan, prioritise, program and deliver infrastructure in the Pymont Peninsula in an orderly and timely manner.

The IDP identifies infrastructure items for further investigation and delivery. The infrastructure items are spread across the seven sub-precincts within the Peninsula and are reflected within the sub-precinct master plans. Some infrastructure items are sub-precinct specific, some span multiple sub-precincts, some are relevant to all sub-precincts and some are specific to individual Key Sites.

The infrastructure items cover:

- Transport;
- Open Space;
- Community and Cultural Facilities;
- Green Infrastructure; and
- Affordable Housing.

The IDP sets out a range of mechanisms that are expected to be used to fund and deliver the infrastructure which include (but are not limited to):

- Proposed transport SIC – a new contribution to provide funding towards the new Metro station at Pymont. The proposed charge rates are (noting that a discounted rate will apply for the first two years before the full rate charged):
 - Non-residential rate of \$200 per square metre of Gross Floor Area; and
 - Residential rate of \$15,000 per dwelling for residential developments
- Key sites mechanism – to deliver local and/or State infrastructure
- Local infrastructure contributions – to provide funding towards local infrastructure

- Affordable housing contribution – to provide new affordable housing.

State Infrastructure

The IDP outlines that some of the largest infrastructure items could be delivered entirely and or jointly by the State Government such as the new Metro station at Pymont, other public transport items (e.g. buses, light rail and ferry works). Other items require further investigation including Glebe Island Bridge active transport link, Wentworth Park, and some local road network improvements.

The mechanisms to be used by the State to fund infrastructure include a new State Infrastructure Contribution levy and funding through the State budget.

In particular, the new Metro station is a City-shaping infrastructure item that will reshape the urban, economic and cultural elements of the Peninsula in line with the PPPS and attract further investment. In recognition of this value uplift, it is proposed a SIC will be applied to any new development within the Pymont Special Contributions Area, which benefit from being part of the station catchment.

Both residential and non-residential development (for which development consent is required), will be required to pay the SIC.

Local Infrastructure

The IDP outlines that many of the infrastructure items could be delivered entirely and/or jointly (with the State Government) at a local level by Council. These items will have a more local focus and will include many of the open space and recreation, community and cultural facilities, green infrastructure and affordable housing items.

Various mechanisms could be utilised to deliver these local infrastructure items including a new Local Infrastructure Contribution Plan (to be brought forward by Council), specific provisions within the LEP 2012, conditions of consent as part of development applications and planning agreements.

Key Sites Infrastructure

Consistent with the Key Sites Framework within the PPPS, the IDP outlines that some of the proposed infrastructure items will be specific to the Key Sites. These items include green infrastructure (e.g., multi-utility hubs, recycled water schemes, 'green street' works and the like), transport infrastructure (e.g., local road, walking and cycling path improvements near Key Sites), open space infrastructure (e.g., improvements to parks on or next to Key Sites such as a new district park at Banks St, Blackwattle Bay and the harbour foreshore link).

Within the IDP, Key Site infrastructure is also expected to include community and cultural facilities (e.g. new creative arts and cultural spaces accessible to the public) and expansion of additional affordable housing infrastructure.

The identification and delivery of key site infrastructure is related to the planning process and its timing of each key site:

- UTS has made a letter of offer to Council on the proposed key site infrastructure upgrades to the local street network to improve east-west connections and identified further consideration of other key site infrastructure as part of future work in relation to the former UTS library in Haymarket (Site 5)
- The Star Casino has not made an offer and indicated its preference to see the other exhibition material, including local and SIC infrastructure liabilities before setting out its key site infrastructure items
- The key site infrastructure outcomes envisaged under the PPPS for Infrastructure NSW's master planning in Blackwattle Bay will continue to be evaluated as part of the State

Significant Precinct process, which is progressing alongside the implementation of the PPPS work by DPIE

- Harbourside will continue through its SSD assessment process.

5. Planning Framework and Proposed Amendments

5.1 Overview

To deliver the planning outcomes for the key sites, a number of amendments to the planning controls for the Peninsula are needed. This section sets out the proposed changes and is the legal component of the exhibition to support the planning instrument amendments.

The key strategic documents that support the amendments include:

- The Greater Sydney Region Plan: A metropolis of three cities (March 2018)
- The Eastern City District Plan (March 2018)
- The City Plan 2036: Local Strategic Planning Statement, published by Council on 30 March 2020
- The Pymont Peninsula Place Strategy (PPPS) (December 2020)

See **Appendix D** for a discussion regarding consistency with the first three documents and **Section 2** regarding the PPPS.

See **Appendix E** for a consistency check between the amendments proposed in this section, and relevant State Environmental Planning Policies and Ministerial directions under section 9.1 of the EP&A Act.

The key local statutory and non-statutory documents applying to the four sites include the Sydney Local Environmental Plan 2012 (LEP 2012) and Development Control Plan 2012 (DCP 2012).

5.2 Objectives and intended outcomes of proposed amendments

It is intended to make a State Environmental Planning Policy (SEPP) to amend LEP 2012. The following sections are to be read as an explanation of the intended effect of the proposed SEPP for the purposes of section 3.30(1)(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Objectives

- To support development of the Peninsula, in a manner that is consistent with the PPPS that balances growth and change with the character, heritage and amenity of the Peninsula.
- To reinforce the Peninsula as an attractor for global investment, driven by the connectivity of the Peninsula to Sydney's CBD, and connected to Sydney via a new Metro station.
- To ensure the ongoing growth of employment floor space and residential accommodation in Sydney to meet NSW government forecasts and anticipated demand.

Intended outcomes

- Amend the Ministerial Direction under section 9.1 of the EP&A Act, '7.13 Implementation of the Pymont Peninsula Place Strategy' to reference the sub-precinct master plans. This will then require any planning proposals within the Peninsula to consider the Urban Design Report which includes the sub-precinct master plans.
- Amend LEP 2012 through a SEPP (via a self-repealing SEPP) to include site specific clauses for the four sites, and increase the height and floor space ratio (FSR) controls to enable height and FSR increases subject to certain matters.

5.3 Four sites to which the amendments will apply

The proposed SEPP will amend the planning controls on these four sites:

- The Star, located on 80 Pymont Street, Pymont (Lot 500 DP1161507, Lots 301 and 302 in DP873212, SP56913 and Lot 211 DP870336)
- UTS Sites 13-15, located on 622-632 and 644-644A Harris Street, Ultimo (Lot A DP87139, Lot 1 DP87261 and Lot 9 DP86567)
- Metro site east, located on 37-39 Union Street, Pymont (Lot 1 DP620352) and
- Metro site west, located on - 26-32 Pymont Bridge Road, Pymont (Lot 10, DP1028280).

5.4 Amending of Ministerial direction: 7.13 Implementation of the PPPS

To implement the PPPS, it is intended to amend the Ministerial direction (Direction) under section 9.1 of the EP&A Act titled '7.13 Implementation of the Pymont Peninsula Place Strategy' issued on 11 December 2020.

The Direction applies when a planning proposal authority prepares a planning proposal within land subject to the PPPS, ie the Peninsula. The Direction ensures any planning proposal must be consistent with the PPPS, including the Vision, the 10 Directions, the Structure Plan, the Big Moves and delivers on the envisaged future character of the sub-precincts.

It is proposed to reference the Urban Design Report in the Direction to ensure any planning proposal is also consistent with this document. The Urban Design Report details sub-precinct master planning in a lot greater detail than the PPPS and therefore should be specifically referenced as a document that planning proposals must comply with.

The Urban Design Report addresses the following elements (amongst others):

- sub-precinct master plans
- future character and experience
- outcomes and objectives for key character areas
- identification of key principles for the built form, aligned with the Peninsula-wide height strategy. Active frontages, movement networks, open spaces and heritage are also addressed.

5.5 Proposed amendments to Sydney LEP 2012

Zoning

It is not proposed to rezone the four sites, or amend the permitted uses, for the four sites. The current zoning of the sites, and the permitted land uses proposed on each site, are listed below:

1. The Star is zoned B3 Commercial Core - Hotel accommodation
2. UTS Sites 13-15 are zoned B4 Mixed Use – Residential accommodation (student accommodation) and education uses
3. Pymont Metro site east is zoned B4 Mixed Use - Residential accommodation/ hotel accommodation/ commercial uses/ infrastructure uses/ passenger transport facilities
4. Pymont Metro site west is zoned B4 Mixed Use – Commercial uses/infrastructure uses/passenger transport facilities.

Proposed amendments to site specific provisions

LEP 2012 contains site specific provisions for various sites within the City of Sydney LGA. These provisions are contained in Division 5 of Part 6 of LEP 2012.

The site specific provisions ensure that future development on identified sites addresses key matters that are not addressed elsewhere in LEP 2012 or other planning documents.

It is proposed that the four sites subject of this planning amendments package will be subject to site specific provisions in the LEP 2012. These provisions will increase the height and FSR controls that apply to these sites, subject to key matters being addressed to the satisfaction of the consent authority.

It should be noted the key matters that are proposed for each site are in addition to any other matters the statutory and non-statutory controls deem to apply.

Site 1: The Star - 80 Pymont Street, Pymont

The SEPP will amend LEP 2012 to insert a site specific provision for this site (as outlined in red in **Figure 17** below). The provision will increase the maximum height of any building on the site to 105m (RL 110), and increase the maximum FSR to 4.2:1. Currently, the maximum building height and FSR controls are 28m and 3.5:1, respectively.

In order to achieve this maximum building height and FSR, it is intended that development on the site should meet this criteria:

- Be for the purpose of a hotel;
- Require a 1% contribution to affordable housing as set out in the exhibited 'Affordable Housing Study';
- Not cause any adverse wind impacts on the site and adjacent sites in accordance with the Design Guidelines and DCP 2012;
- Not result in any additional overshadowing of any public open space or existing residential apartments in accordance with the Solar Access Plane assessment as per Council controls, the Urban Design Report and the Design Guidelines; and
- Consider and be consistent with the Urban Design Report and Design Guidelines. These documents consider the activation of the public domain adjacent to the site.

It is intended that, as part of the site-specific provision, development consent for the hotel must not be granted unless the consent authority has obtained the concurrence of the Secretary of DPIE. In deciding whether to grant concurrence, the Secretary will consider a range of aspects such as the impact of the development on existing designated State public infrastructure, and the need of additional designated State public infrastructure. Designated State public infrastructure may include active transport improvements, State and regional roads, bus lanes, and embellishments or connections to regional open space.

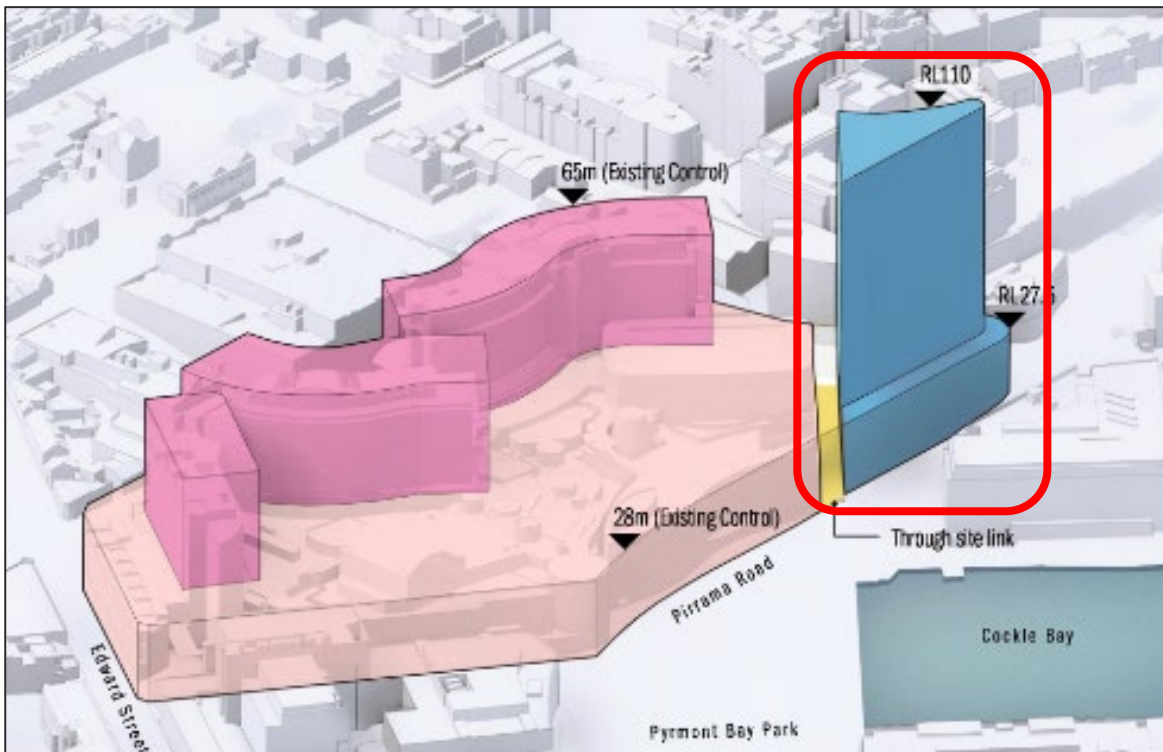


Figure 17 - Axonometric view of The Star's site, with the area identified for proposed planning control updates outlined in red

(Design Guidelines, 2021 (Hassell))

Site 2: UTS Sites 13-15 - 622-632 and 644-644A Harris Street, Ultimo

The SEPP will amend LEP 2012 to insert a site specific provision for this site. The provision will increase the maximum height of any buildings on the site to 65m (RL 68), and increase the maximum FSR to 5:1. Currently, the maximum building height and FSR controls are 42m and 27m and 5:1 and 3:1, respectively.

In order to achieve this maximum building height and FSR, it is intended that development on the site should meet this criteria:

- Be for the purpose of educational establishments and student accommodation; and
- Consider and be consistent with the Urban Design Report and Design Guidelines. These documents consider the activation of the public domain adjacent to the site.

Sites 3 and 4: Pyrmont Metro (east and west)

The SEPP will amend LEP 2012 to insert a site specific provision for both the eastern and western sites.

East - 37-39 Union Street, Pyrmont

The provision will increase the maximum height of any buildings on the site to 110m (RL 120), and increase the maximum FSR to 9.1 **exclusive** of station infrastructure. Currently, the maximum building height and FSR controls are 30m and 4.5:1, respectively. In order to achieve this maximum building height and FSR, it is intended that development on the site must:

- be for the purpose of commercial and transport infrastructure (for the podium of the building), and for any uses permitted under zone B4 Mixed Use (for the tower of the building); and
- have a setback of 6-8m metres, which can be confirmed through wind impact testing.

West - 26-32 Pymont Bridge Road

The provision will increase the maximum height of any buildings on the site to 22m (RL 37.75). The current maximum building is 15m. It will not change the maximum FSR that applies to the site.

The increased maximum building height will only be available if the development is for the purpose of transport infrastructure, and if it does not cause any overshadowing to Elizabeth Healey Reserve (located on 53 Pymont Bridge Rd, Pymont).

Applicable to both sites

It is intended for the site specific provision to include the following criteria with respect to both sites:

- Consideration of and consistency with the Urban Design Report and Design Guidelines;
- No additional overshadowing of any public open space in accordance with the Solar Access Plane assessment as per Council controls, the Urban Design Report and the Design Guidelines;
- No adverse wind impacts on the site and surrounds in accordance with the Design Guidelines and DCP 2012; and
- Preparation of a study/ report identifying active transport routes and public domain improvements to enable passengers to travel to and from the station entrances and further afield to the Sydney CBD and Blackwattle Bay.

6. Next steps

The PPPS established a three-stage process for implementation:

- Stage 1 – The PPPS was endorsed in 2020 and a Ministerial Direction applied for the Peninsula.
- Stage 2(a) - DPIE provides urban design guidance for the entire Peninsula, amended planning controls and design guidance for proposed developments across four sites. These include a six-star hotel on The Star site, the UTS Indigenous residential college and development of the Pymont Metro station across two sites.
- Stage 2(b) - will see Council develop planning controls to give effect to the remaining sites capable of change as identified in the PPPS.
- Stage 3 - will see Council review outdated planning instruments applying to the area, ensuring these integrate with PPPS objectives for possible integration into Council's current development framework.

The Stage 2 implementation involving the development of planning controls will be consistent with the objectives of 9.1 Direction: 7.13 Implementation of the PPPS and will:

- facilitate development within the Peninsula, consistent with the PPPS and the Economic Development Strategy by:
 - giving effect to the Vision of the PPPS
 - being consistent with the 10 Directions and Structure Plan
 - deliver on envisaged future character for sub-precincts, including relevant place priorities
 - support the delivery of the Big Moves where relevant.
- Align the planning framework with the Eastern City District Plan including Planning Priority E7 Growing a Stronger and More Competitive Harbour CBD, and implement other relevant actions of the Eastern City District Plan and Greater Sydney Region Plan, and
- Guide growth and change balanced with character, heritage and infrastructure considerations (amongst others) across the Peninsula under the PPPS.

Additionally, the Stage 2 implementation will align with the Infrastructure, Liveability, Productivity, Sustainability and Governance priorities and actions of City Plan 2036, including but not limited to:

- Align development and growth with supporting infrastructure
- Protect neighbourhoods and people from urban hazards
- Support the night-time economy and creative industries
- Ensure future development compliments and enhances the area's unique heritage character
- Grow social and affordable rental housing
- Prioritise employment growth and economic development to support the area's economic role
- Protect and increase canopy cover and vegetation across public and private land, and
- Collaborate with the community and relevant stakeholders.

Inputs

Documents produced by or on behalf of DPIE as part of PPPS development and implementation will form key inputs relied upon by the Council for Stage 2(b) implementation. These documents include the PPPS itself, the Pymont Economic Development Strategy, the Urban Design Report, the Infrastructure Delivery Plan and a number of technical studies.

Outputs

The Stage 2(b) will likely be implemented through the following:

- A planning proposal in accordance with the EP&A Act and relevant DPIE guidelines, that establishes the requirements and process for making a planning proposal
- A supporting amendment to DCP 2012 that details place specific development controls
- A new local infrastructure contributions plan for the Peninsula, and
- A potential update to the affordable housing program.

Timing

The timing of Stage 2(b) will follow from the finalisation of the Stage 2(a) implementation by DPIE.

Stage 2(b) work program will aim to report draft planning controls and associated documents for public exhibition within 12 months and finalisation within 18 to 24 months.

Collaboration and Consultation

Council will engage with community groups, landowners and other stakeholders as part of the next stage of work to inform updated planning controls across other sites in the Peninsula.

Stage 3

Stage 3 involves the integration of other NSW Government planning instruments that apply in and around the Peninsula into Council's planning framework. This includes the 1985 Darling Harbour Development Plan No.1 and Sydney Regional Environmental Plan No. 26 – City West. This review is likely to commence at the completion of Stage 2(b).

Appendix A - Sub-precinct master plans

Pirrama: Is an active waterfront neighbourhood which is characterised by mid to high rise development and an active foreshore connected by a series of parks and promenades.

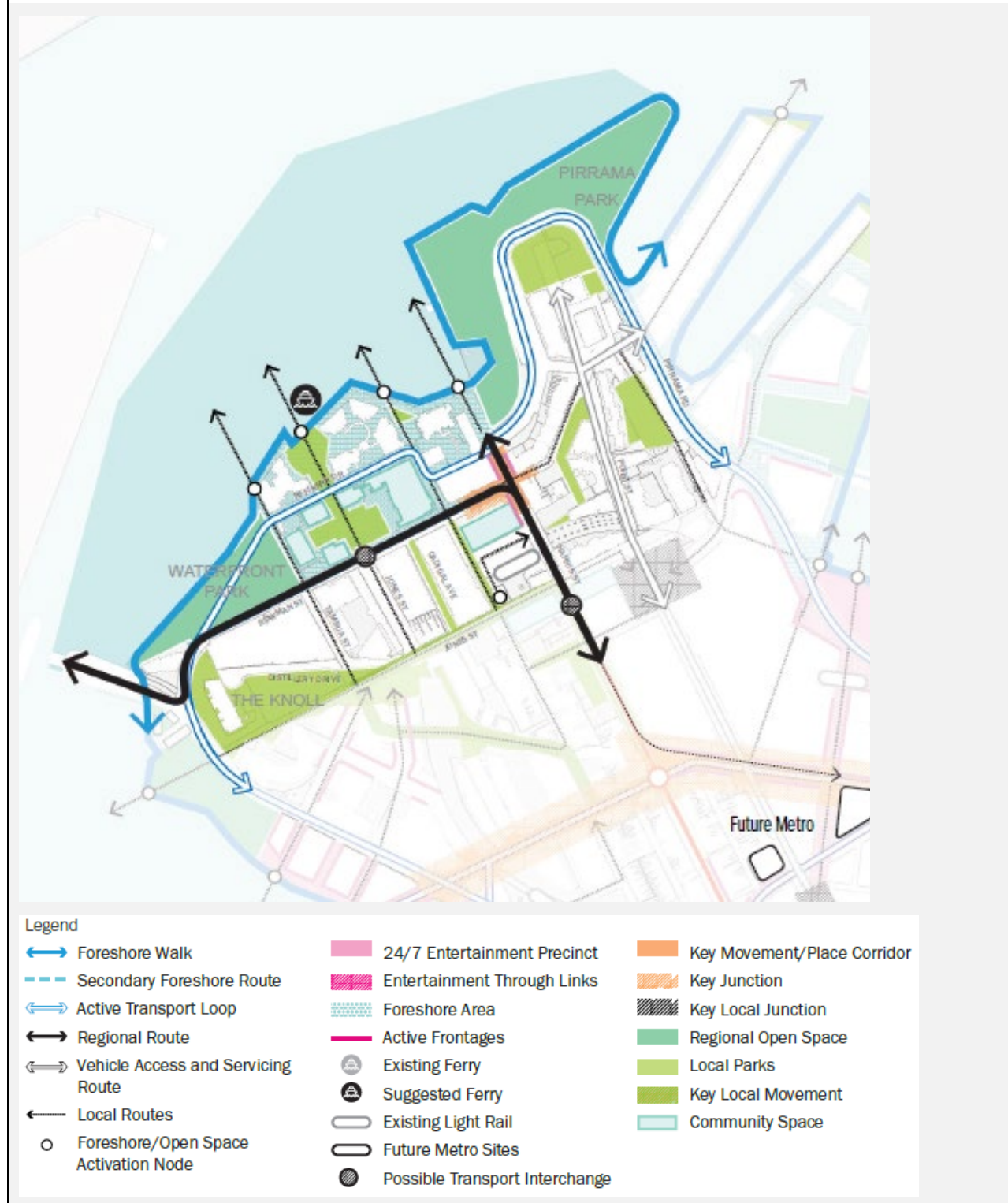


Figure 18 – Pirrama sub-precinct master plan
(Urban Design Report, 2021 (Hassell))

Darling Island: Is a mixed use recreational, cultural and entertainment destination. Future development will enhance the character, walkability and public transport access to the CBD to support increased activity.

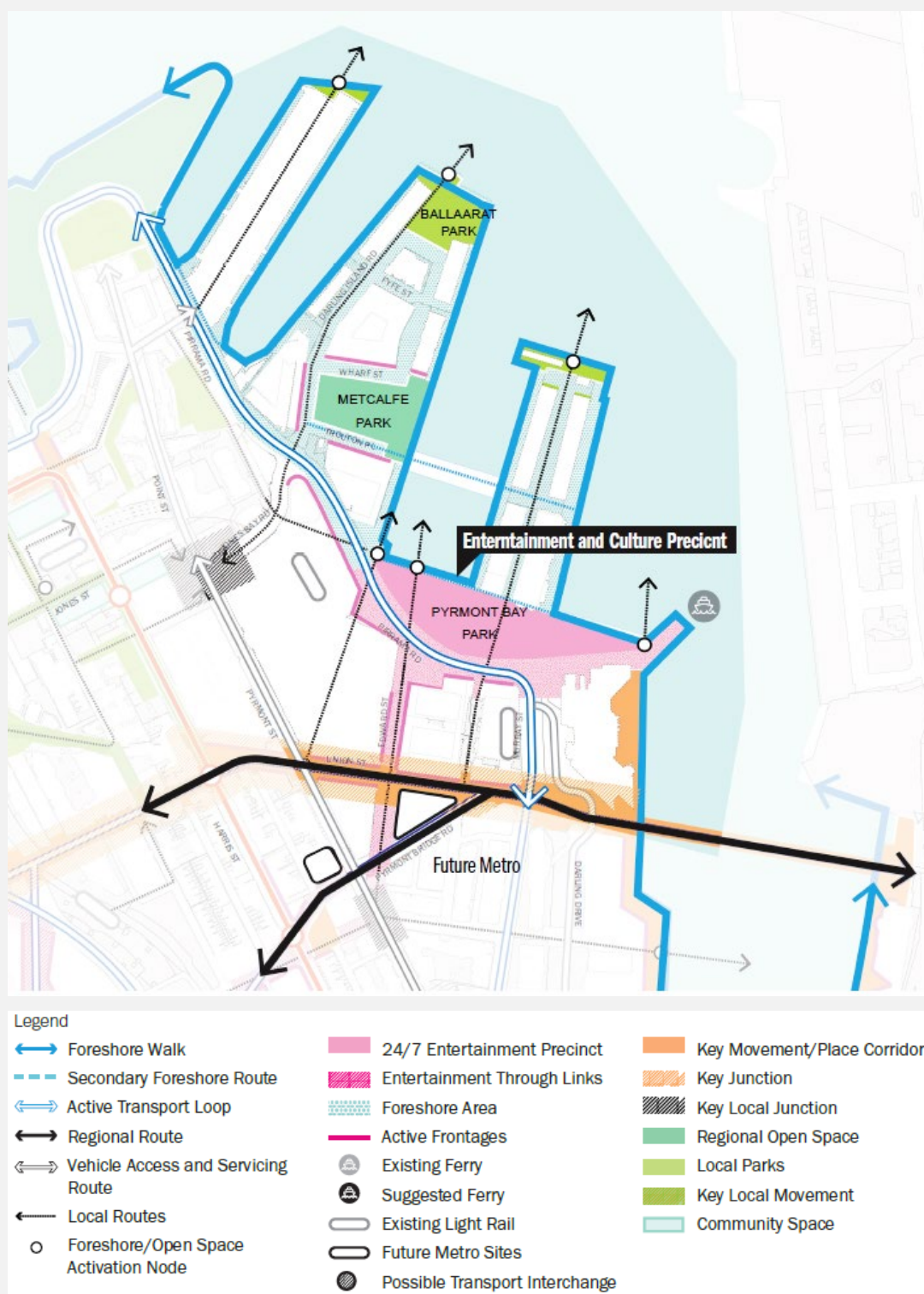


Figure 19 – Darling Island sub-precinct master plan

(Urban Design Report, 2021 (Hassell))

Ultimo: Is a centre for creativity and learning at the edge of Central Station reinvigorating the Harris Street heritage conservation zone through a series of connected campuses.

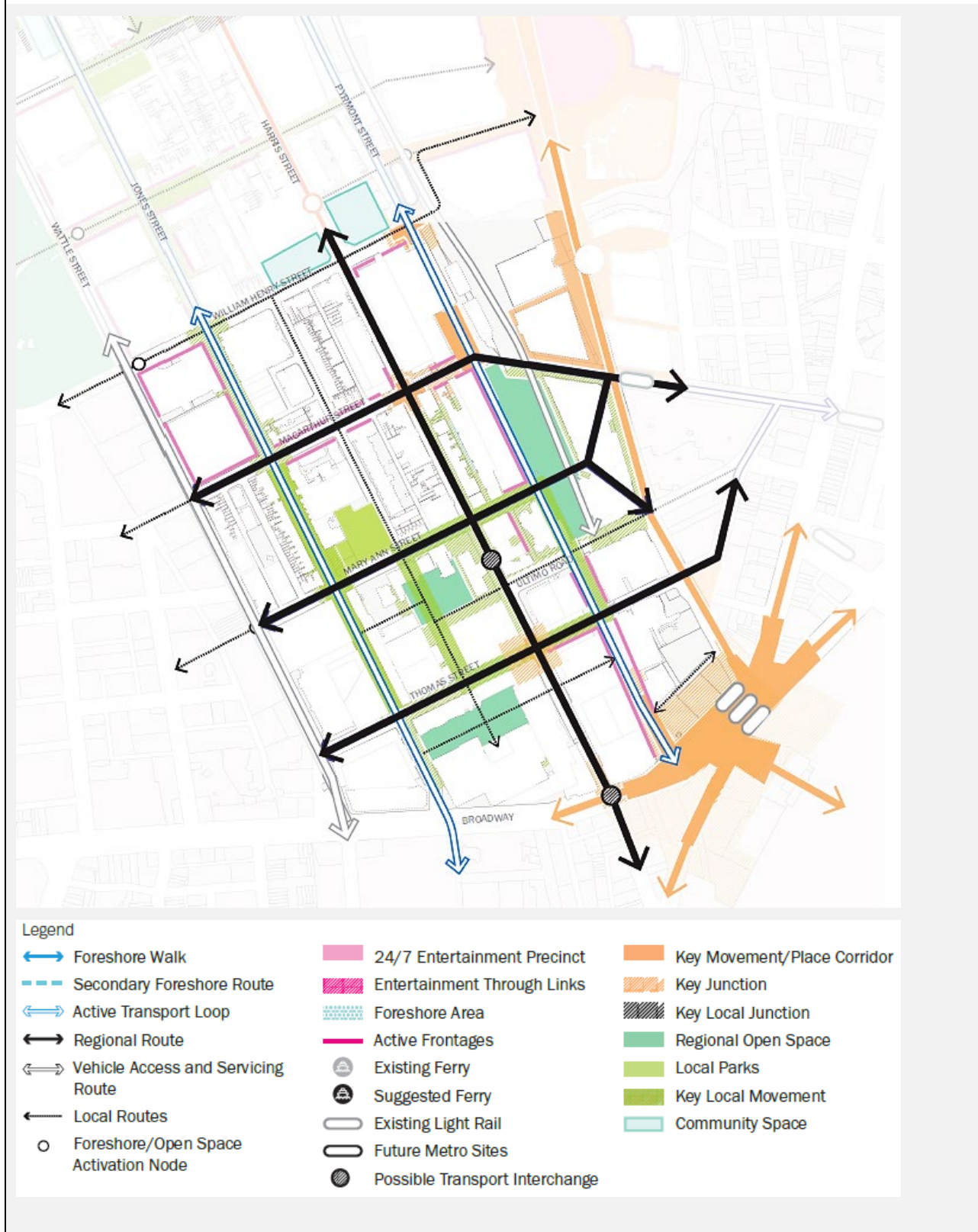


Figure 20 – Ultimo sub-precinct master plan

(Urban Design Report, 2021 (Hassell))

Tumbalong Park: Is a celebration and event space for both local community and global visitors.

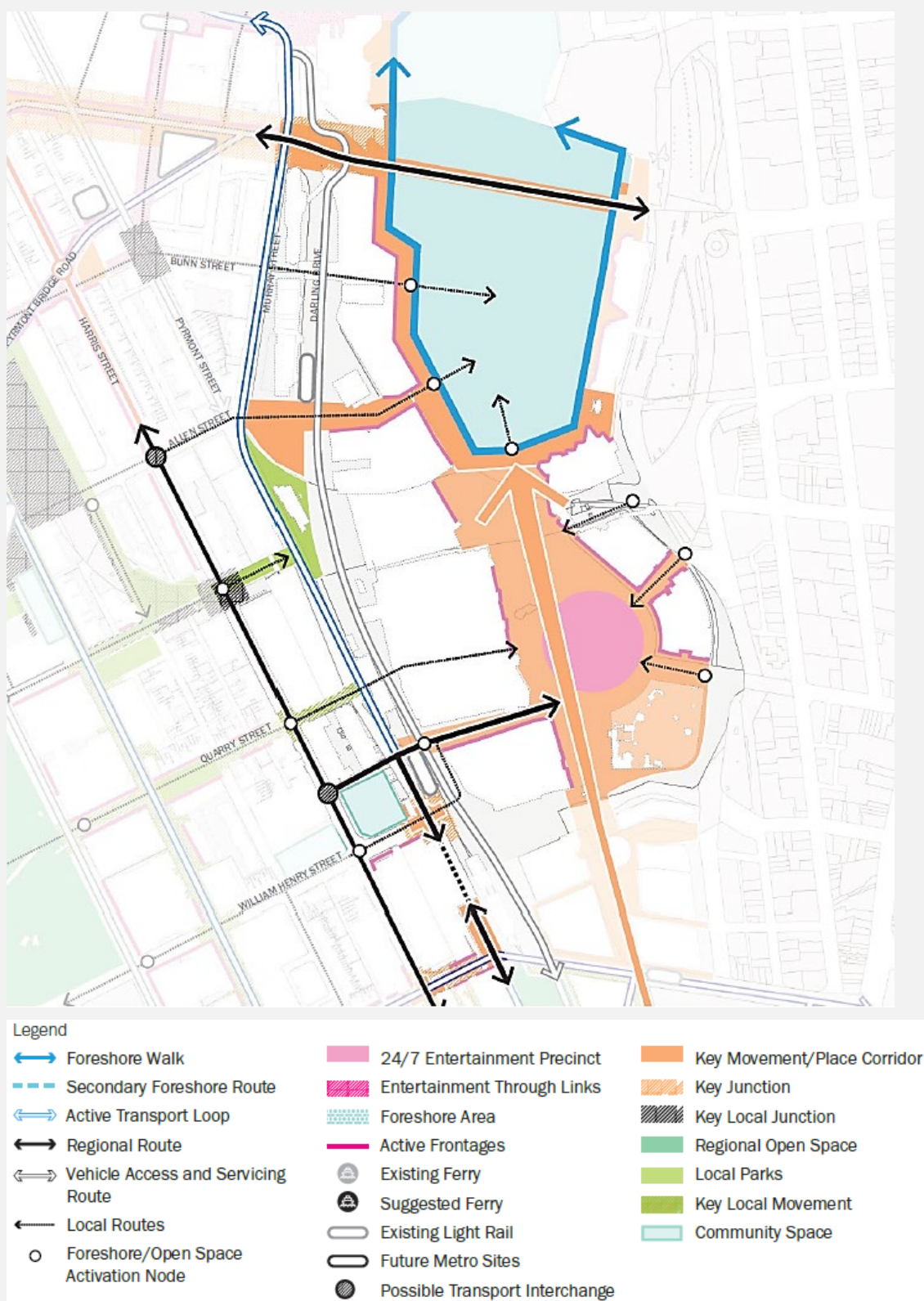


Figure 21 – Tumbalong Park sub-precinct master plan

(Urban Design Report, 2021 (Hassell))

Blackwattle Bay: Is a media hub, tourist destination and future mixed-use quarter.



Legend

<ul style="list-style-type: none"> Foreshore Walk Secondary Foreshore Route Active Transport Loop Regional Route Vehicle Access and Servicing Route Local Routes Foreshore/Open Space Activation Node 	<ul style="list-style-type: none"> 24/7 Entertainment Precinct Entertainment Through Links Foreshore Area Active Frontages Existing Ferry Suggested Ferry Existing Light Rail Future Metro Sites Possible Transport Interchange 	<ul style="list-style-type: none"> Key Movement/Place Corridor Key Junction Key Local Junction Regional Open Space Local Parks Key Local Movement Community Space
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Figure 22 – Blackwattle Bay sub-precinct master plan
(Urban Design Report, 2021 (Hassell))

Pyrmont Village: Is the fine grain ridge top neighbourhood which is key to the identity of the Peninsula through its layered heritage that has Union Square at its heart. It is key to pulling together all of the surrounding neighbourhoods and delivering the physical connectivity necessary for community and innovation success.

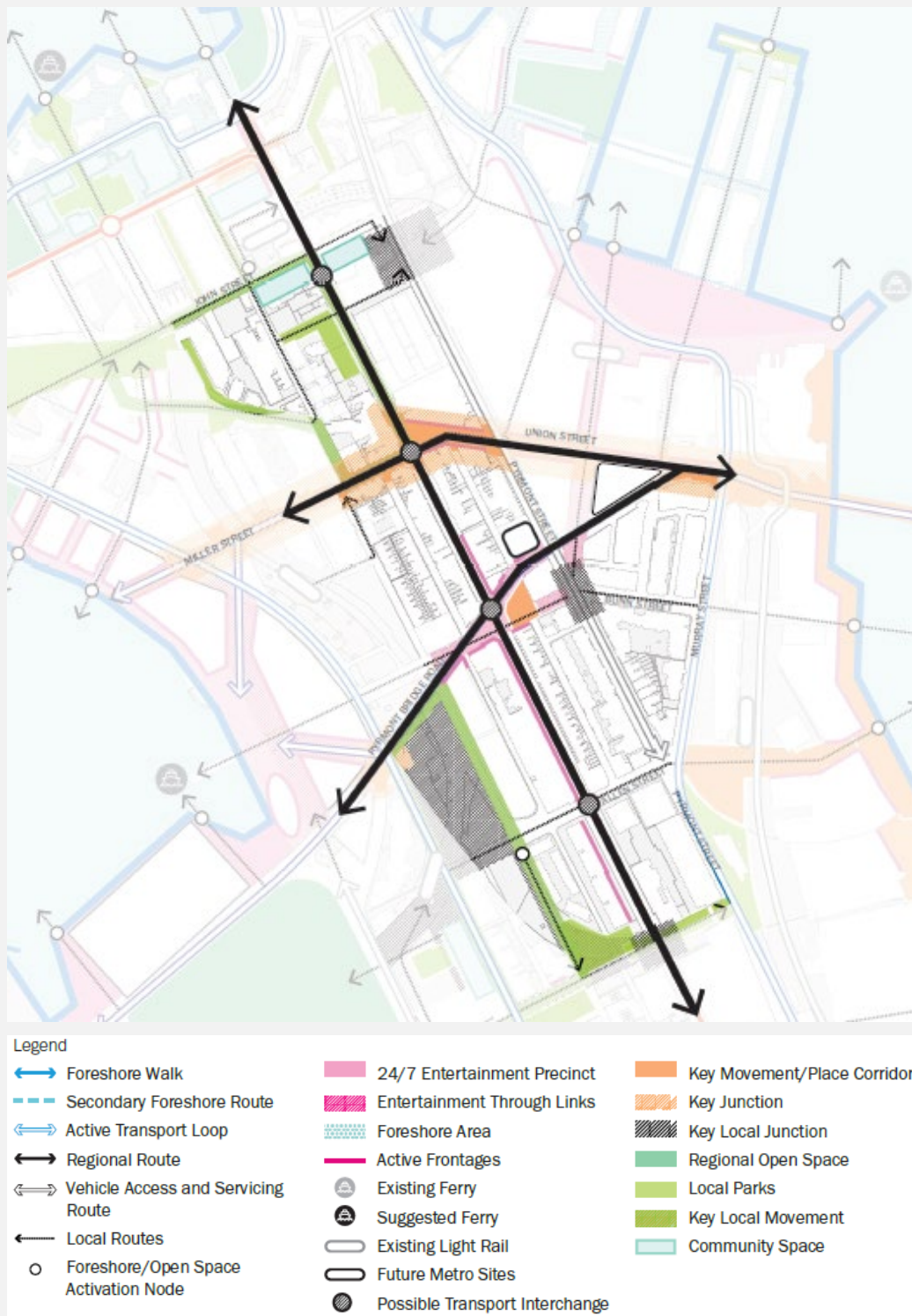


Figure 23 – Pyrmont Village sub-precinct master plan

(Urban Design Report, 2021 (Hassell))

Wentworth Park: is a park-side community of historic warehouses and terraces that builds upon the scale and experience of the Ultimo heritage conservation zone and local heart of Quarry Green.

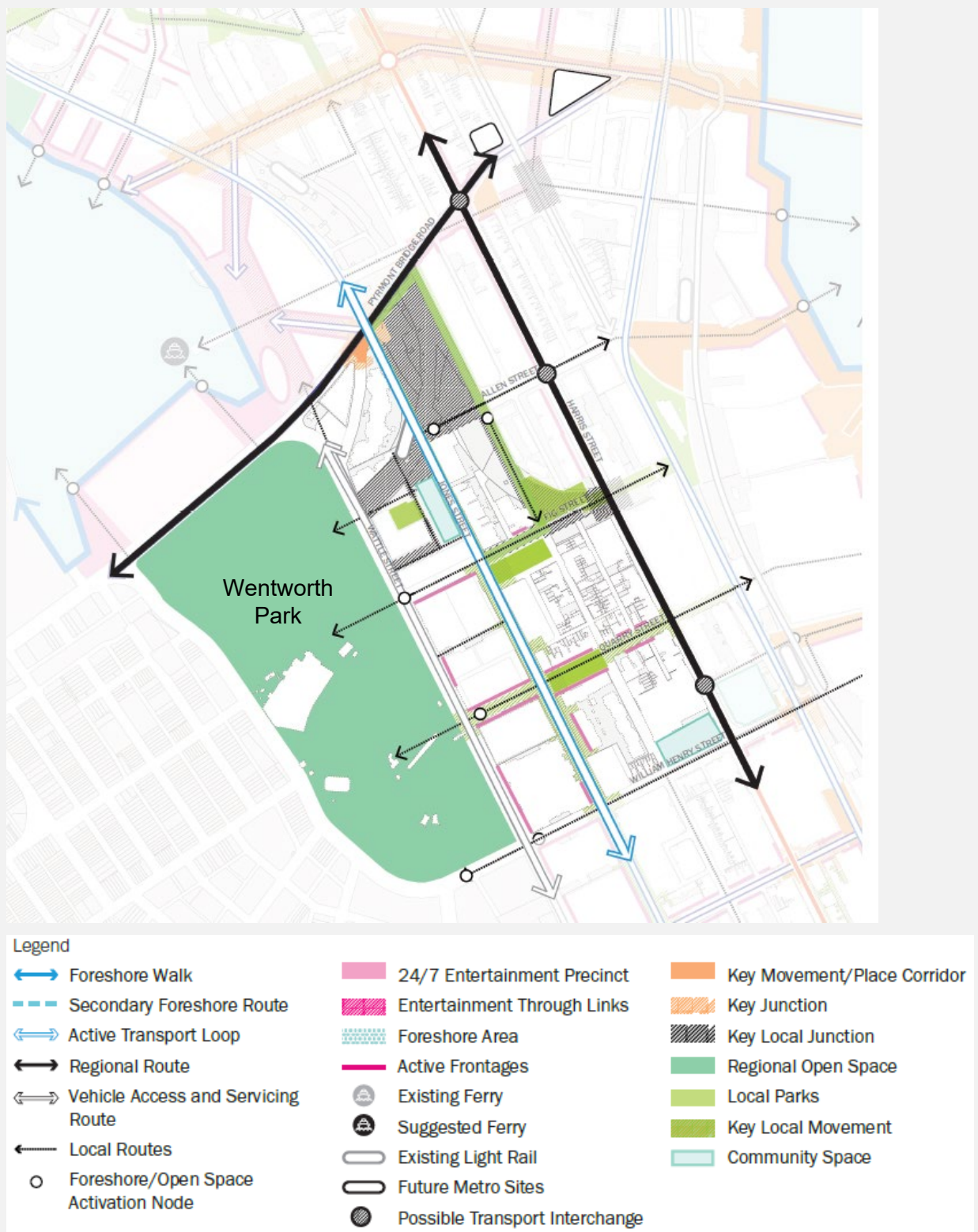


Figure 24 – Wentworth Park sub-precinct master plan

(Urban Design Report, 2021 (Hassell))

Appendix B - Sites capable of change

Table 4 – List of sites capable of change

Count	Sub-precinct	Name and/or address	Lot & DP	CoS site IDs	CoS Block ID
DPIE led					
	Blackwattle Bay INSW SSP				
1		New Sydney Fish Market site 1 Pyrmont Bridge Road, Glebe	Lots 3, 4, and 5, DP1064339	019001	190
2		Old Sydney Fish Market site 56-60 Pyrmont Bridge Road, Pyrmont	Lot 1, DP835794 Lot 1, DP734622 Lot 1, DP836351 Lot 1, DP74155 Lot 2, DP827434 Lots 1, and 2, DP125720	022301 022302	223
3		Other 41-45 Bank Street Pyrmont 1B Bank Street Pyrmont 37-39 Bank Street Pyrmont 28/6000 Western Distributor Pyrmont 31-35 Bank Street Pyrmont 21-29 Bank Street Pyrmont 17-19 Bank Street Pyrmont 5 Bank Street Pyrmont 11 Bank Street Pyrmont 9 Bank Street Pyrmont 7 Bank Street Pyrmont 1-3 Bank Street Pyrmont 1A Bank Street Pyrmont	Lot 100, DP836204 Lot 2, DP1064339 Lots 24, 25, and 28 DP815847 Lots 20, 21, 22 and 23, DP811844 Lots 7, 8, 9, 10, and 11, DP803160 Lots 5, and 6, DP803160 Lot 20, DP803159 Lot 22, DP803159 Lot 21, DP803159 Lot 19, DP803159 Lots 1, and 2, DP1089643 Lot 1, DP85206 Lot 1, DP188671	022503 022506 022507	225
	Darling Island				
4		Pyrmont Metro East 37-39 Union St	Lot 1, DP620352	021301	213
5		Star City Casino 20-80 Pyrmont Street Pyrmont 55 Pirrama Road Pyrmont 5 Edward Street Pyrmont 80B Pyrmont Street Pyrmont	Lot 500, DP1161507 Lot 301, and 302 DP873212 SP56913 Lot 211, DP870336	021501	215
	Pyrmont Village				

Count	Sub-precinct	Name and/or address	Lot & DP	CoS site IDs	CoS Block ID
6		Pymont Metro West 26-32 Pymont Bridge Road	Lot 10, DP1028280	021762	217
	Tumbalong Park				
7		Mirvac Harbourside 2-10 Darling Drive Sydney	Lot 1, DP776815	024103	241
	Ultimo				
8		UTS Sites 13 & 15 622-632 Harris Street Ultimo	Lot A, DP87139 Lot 1, DP87261	016601 016602 016603	166
		644-644A Harris Street Ultimo	Lot 9, DP86567		
City of Sydney Council led					
	Blackwattle Bay				
9		55 Miller Street Pymont	SP77975	021901	219
		55A Miller Street Pymont	Lot 1024, DP1104364		
10		Vision People Media 26-38 Saunders Street Pymont 7, 9, 11, 13, 15, 17, and 25 Quarry Master Drive Pymont	SP61725	022615 022616	226
11		Nova 96.9, 2GB, Thrive Early Learning, Network Ten 1-33 Saunders Street Pymont	Lot 102, DP853704	022617	226
12		Goodman 140-148 Bank Street Pymont	Lot 1, DP82057	022619 022620	226
13		14A Quarry Master Drive Pymont	Lot 99, DP1013159	022701 022702 022703	227
		14 Quarry Master Drive Pymont 14, 40, and 42 Saunders Street Pymont	SP70798		
		13 Jones Street Pymont	Lots 1, and 2, DP860048		
		17 Jones Street Pymont	Lot 98, DP878232		
	Darling Island				
14		60 Union Street Pymont	Lot 2004, DP1103434	021202 021203	212
		2 Edward Street Pymont 65 Pirrama Road Pymont	Lot 21, DP1000905		
		1-27 Murray Street Pymont	SP60306		
15		Light Rail	SP60306	021204	212
16		13A-29 Union Street Pymont	Lot 1, DP119654	021401 021402	214

Count	Sub-precinct	Name and/or address	Lot & DP	CoS site IDs	CoS Block ID
		102 Pymont Street Pymont	Lot 1, DP1076300	021403	
		104 Pymont Street Pymont	SP73043	021404	
		69-71 Edward Street Pymont	Lot 2, DP1076300	021405	
				021406	
17		Google 1 Darling Island Road Pymont	Lot 5, DP1093225	023402	234
		6 Darling Island Road Pymont	Lot 2, DP1196610	023403	
		42 Pirrama Road Pymont	Lot 1, DP1196610	023408	
		48 Pirrama Road Pymont	Lot 1012, DP1145894	023409	
		48B Pirrama Road Pymont	Lot 1013, DP1145894		
18		Maritime Heritage Centre		023905	239
		52 Pirrama Road Pymont	Lots 3, and 5, DP876763	023906	
		58 Pirrama Road Pymont	Lots 1, 8, and 9, DP876763		
19		Australian National Maritime Museum 2 Murray Street Sydney	Lot 11, DP1082970	024101	241
	Pirrama				
20		19A, 21, and 23 Harris Street Pymont 2, 4, 6, 8, 10, 12, and 14 Harvey Street Pymont 83 Bowman Street Pymont 12 Mount Street Walk Pymont	Lot 11, DP270215	023011	230
21		56 Harris Street Pymont 88 John Street Pymont	Lot 22, DP878273	023112	231
22		86, 88, 90, and 92 Bowman Street Pymont 36, and 38 Harris Street Pymont	Lot 1, DP880116	023501	235
		94-100 Bowman Street Pymont	Lot 2, DP880116		
		102-110 Bowman Street Pymont	Lot 3, DP880116		
		112-118 Bowman Street Pymont	Lot 4, DP880116		
		36A, and 40 Harris Street Pymont	Lot 5, DP880116		
23		19 Harris Street Pymont	Lot 13, DP270215	023801	238
	Pymont Village				
24		55 Pymont Bridge Road Pymont	Lots 2, 3, 4, and 5, DP3199	020301	203
25		Vacant site WeWork 86-92 Harris Street Pymont	Lot 1, DP791724	021607	216
		100 Harris Street Pymont	Lot 100, DP1219280	021608	

Count	Sub-precinct	Name and/or address	Lot & DP	CoS site IDs	CoS Block ID
26		20-28 Bulwara Road Pymont	Lot 1, DP433177	021818 021846	218
		46-48 Pymont Bridge Road Pymont	Lot 1, DP800148		
27		Maybanke Centre/ LAHC 30-52 Mount Street Pymont 73-85 Harris Street Pymont	Lot 1, DP633390	022922	229
	Tumbalong Park				
28		Global Switch 273 Pymont Street Ultimo	Lot 1, DP1189030	017002 017003	170
		105 Fig Street Ultimo	Lot 11, DP840467		
		1/5120 Western Distributor Ultimo	Lot 12, DP840467		
		390-422 Harris Street Ultimo	Lot 1, DP109652		
29		Novotel 80 Murray Street + Murrumbidgee Street ramp	Lot 1, DP836419	019102 019103	191
		50 Murray Street Sydney	SP49259		
	Wentworth Park				
30		Ultimo Community Centre 40 William Henry Street Ultimo	Lot 1, DP1016113	017231	172
31		Kennards Storage 14-18 William Henry Street Ultimo 444-458 Jones Street Ultimo	Lot 1, DP82697	019303	193
32		336-368 Jones Street Ultimo 1-7 Henry Avenue Ultimo	Lot 1, DP829164	019517	195
33		Toga 28-48 Wattle Street Ultimo 39 Jones Street Ultimo	Lot 1, DP571484 Lot 1, DP62297	019601 019602	196
34		6-10 Wattle Street Pymont	Lot 2. DP1012251	020004	200
	Ultimo				
35		ABC 654-700 Harris Street Ultimo	Lot 1, DP839399	016501	165
		UTS (DAB/ student housing) 702-730 Harris Street Ultimo	Lot 11, DP835246	016502	
36		Powerhouse Museum 500 Harris Street Ultimo	Lot 1, and 3, DP631345 Lot 1, DP781732 Lot 37, DP822345 Lot 3, DP216854	016801	168
37		549-559 Harris Street Ultimo	Lot 1, DP79179	017386	173
38		561-577 Harris Street Ultimo	Lot 1, DP631356	017387	173
39		Kennards 492-516 Jones Street Ultimo	Lot 1, DP624161	017403	174
40		458-468 Wattle Street Ultimo 470 Wattle Street Ultimo 28 Wattle Lane Ultimo	SP65741 Lot 1, DP209558	017615 017667	176

Count	Sub-precinct	Name and/or address	Lot & DP	CoS site IDs	CoS Block ID
41		2-10 Mary Ann Street Ultimo	Lot 15, DP1099104 Lot 1, DP88221	017620	176
42		Metro Aspire 383-389 Bulwara Road Ultimo	Lot 1, DP773656	017702	177
43		528-532 Jones Street Ultimo	Lot 205, DP623678	017705	177
44		Regus 645-657 Harris Street Ultimo	Lot 1, and 2, DP84821	017821	178
45		Ultimo TAFE College 19 Mary Ann Street Ultimo 1-17 Mary Ann Street Ultimo 1A Mary Ann Street Ultimo	Lot 1, DP594621 Lot 1, DP544256	017901 018001	179 & 180
46		UTS City Campus Ultimo 9-73 Broadway Ultimo 67 Thomas Street Ultimo	Lot 2012, DP1183894	018101	181
47		UTS Buildings 10 & 11 81-117 Broadway Ultimo	Lot 2012, DP1190337	018201	182

Appendix C - The Star and UTS master plan process

The Star

Alignment check

The draft masterplan provided a broad overview of:

- An initial assessment of the strategic context of the area and current planning controls
- A preliminary demonstration of the project's alignment with the PPPS.
- An outline of the key built form elements to the master plan, including indicative architectural drawings for the master plan, including the following:
 - height and massing for a six-star hotel tower on the existing site at RL110 (105m)
 - height and massing for the Union St tower at RL140 (120m)
 - an outline of areas to be upgraded, including the existing Astral buildings and other locations on the existing site.

DPIE feedback

- The master plan requires the development of a long-term vision that identifies how its property and operations can help deliver on the PPPS and contribute to sub-precinct-wide place and public domain improvements
- Sufficient information is required in the master plan to demonstrate alignment with the PPPS, including the delivery of place improvements and public domain outcomes.
- As per the PPPS, the height of Union Street tower must ensure sunlight access to public open space, and the submitted tower concept (RL140) must be reviewed to ensure that it does not breach the sun access planes. While this site is not identified as part of The Star key site in the PPPS, it can included in the master plan if alignment with the PPPS can be demonstrated.
- Technical reports and supporting analysis to justify the master plan are to be submitted.
- The master plan should encompass any open space in full (rather than cut across parts of public open spaces).

SDRP #1 (3 June, 2021)

The updated draft master plan built on the information submitted for the Alignment check and included:

- A detailed site analysis, including identification of key contextual considerations such as landscape, built form, street tree cover, heritage etc.
- A description of 6 urban design principles informing the master plan
- An outline of the key built form elements to the master plan, including indicative architectural drawings (as submitted for the Alignment Check)
- Initial solar testing and assessment of the proposal on public open spaces, massing models and indicative visual impact analysis.

Summary of SDRP feedback

- There should be a clear commitment to delivering public benefits for the wider precinct, as per the PPPS.

- The proposal requires further work to activate the ground floor and ensure a clear definition of public and private spaces.
- Any removal of mature trees should be avoided, and the proposal should deliver on deep soil and tree canopy targets.
- Further clarification is needed on how site permeability can be achieved to enable pedestrians to navigate through the sub-precinct (not just The Star's site). This should include consideration of an 'open to the sky' pedestrian link.
- The proposal should include a comprehensive traffic study to identify traffic impacts and streamline traffic access to the site. It should also outline strategies to improve walkability and active transport.
- Any overshadowing impacts to residential areas or public open spaces should ensure adherence to solar access criteria.
- The proposal should deliver on ambitious sustainability targets, both on the site and sub-precinct wide.

SDRP #2 (12 August 2021)

An updated package of information was presented to the Panel, following on from feedback from the first session. The information included an outline of public benefit and public domain contributions (including proposed upgrades to the Edward St light rail crossing, public park and foreshore walk upgrades). It also addressed transport and road upgrades including walking and cycling opportunities, car parking and bus and taxi movements, and proposed approaches to sustainability.

The master plan documents provided additional solar access analysis addressing residences to the south of the Union St tower. It also included massing diagrams that maintained the previously proposed heights for each tower, however had been updated to respond to solar and wind analyses. The massing diagrams outlined the following envelope for each tower:

- Existing site tower:
 - height RL110(105m)
 - Varying tower (podium) setbacks between 1.5m and 15m, according to wind advice.
- Union St tower
 - height RL140(120m)
 - 5m tower (podium) setback

Summary of SDRP feedback

- Streetscape improvements, interfaces with street corners and entry points to The Star should be further developed.
- Continued work is required to progress the pedestrian link between Jones Bay and Pirrama Roads to ensure it delivers an accessible public thoroughfare and is open to the sky.
- The built form should be of a high architectural standard, be accessible from the street and contribute to a vibrant street life.
- Overshadowing impacts to residences and open spaces should include existing built forms, and all built form impacts should be based on cumulative development outcomes for the sub-precinct.
- The proposal should promote the health and wellbeing of Country in partnership with local traditional custodians or other qualified advisors, align with the PPPS sustainability targets, and provide further detail on the proposed sustainability measures.
- Public benefit contributions cannot be provided in lieu of established contributions for the area and will need to be negotiated with Council.

UTS

Alignment check

Preliminary information provided to DPIE in April 2021 included:

- a draft master plan document: a vision, implementation timeline from 2021- 2029, site context and analysis, structure plan, movement and connection opportunities across the UTS campus, open space and public domain improvements, and alignment with the PPPS
- supporting documentation, including a landscaping and public realm strategy and a heritage study, and
- scenario testing for both Site 5 and Site 13-15, indicative reference schemes and building envelopes.

DPIE feedback

- Development of a long-term vision for UTS in Ultimo and Haymarket that addresses each site and its role under the PPPS is required.
- More information on the Site 5 proposal, including the planning pathway is needed.
- Improved response to public domain upgrades to respond to the broader needs of the Ultimo sub-precinct and its connection with Haymarket is required.
- Provision of technical reports and supporting analysis to justify the design approach for Sites 5, 13 and 15 is required.

SDRP #1 (3 June 2021)

The SDRP was provided with a draft master plan, and all work progressed for Site 13-15. This included a description of the connection to country principles driving the development, identification of site constraints, heritage considerations, and the building envelope scenarios for the site.

The proposed building envelope included:

- Maximum building height of RL79 (74m)
- 3m setback to Harris Street
- 6m setback to residential apartments to the south
- 16m setback to Omnibus Lane
- 18m setback to Mary Ann Street

SDRP feedback

- Ensure the Indigenous perspective and landscape integration continue to form an integral part of the project.
- Greater consideration to building in Country-led thinking and sustainability across the campus
- Additional consideration of public benefits and the public domain, including liaison with key stakeholders and landowners in the area, and further demonstration of how successful public domain outcomes could be achieved.
- Improve detail on the built form, including the envelope and façade articulation,
- Better demonstrate how the building responds to the surrounding context (including heritage elements and solar access).
- Greater clarity and direction on internal design elements to be included in the competition design brief.

SDRP #2 (15 July 2021)

Building on advice from the first panel session, the updated master plan included: additional refinement of the plans for Site 13-15, solar access investigations for the site's communal open space (the 'precinct heart') and adjacent residential buildings, and a summary of floor area and building efficiencies.

Also included were details on guiding sustainability principles in line with UTS sustainability goals, an update on ongoing work on an infrastructure and contributions framework, and future intentions to prepare a planning agreement with Council to facilitate public domain works.

The updated building envelope submitted was:

- maximum building height of RL79 (74m)
- 3m setback to Harris Street
- 3m setback to residential apartments to the south
- 15m setback to Omnibus Lane
- 16m setback to Mary Ann Street

Summary of SDRP feedback

- Sustainability considerations including the definition of a climate change scenario to be used for the design, responses to support urban heat resilience and promotion of an embedded carbon footprint to increase overall sustainability, including establishing a target.
- Building envelope should provide a clearer logic and rationale, better respond to neighbouring buildings, and ensure Apartment Design Guide (ADG) compliance. It should also be flexible to enable appropriate responses to the future design brief.
- Confirm the planning pathway for Site 13-15 and clarify whether the ten percent design excellence bonus is sought in addition to or as part of the proposed envelope.
- Consider the design competition process, including defining which aspects of the reference design are fixed or negotiable, alternative methods for briefing competitors, and consider including a SDRP member on any competition jury.

SDRP #3 (12 August 2021)

The SDRP was provided with a final update to the master plan, which included further information on how the Indigenous perspectives, leadership and consultation would be maintained throughout the project and details of the sustainability principles behind the proposal. Further testing and solar access investigation of residential uses to the south of the site was also carried out, and further justification for proposed treatment of the heritage building was provided.

The updated building envelope submitted was:

- Maximum building height of RL64.7 (59.7m)
- 3m setback to Harris Street
- 6m setback to residential apartment to the south
- 15m setback to Omnibus Lane
- 16m setback to Mary Ann Street.

Summary of SDRP feedback

- A larger planning envelope will allow more flexibility and give the competition participants greater scope to develop genuine alternative options and innovative design strategies during the competition process. This might include
 - An additional floor to the heritage building

- An additional floor to the current proposed tower
 - Increase to the envelope setback from Harris Street
 - Further reduce/eliminate the impacts of the development on the building to the south
- Develop the future competition brief to ensure that all designs are reflective of the physical and cultural context of the site, and develops the building as a marker of Indigenous space that will form part of a broader narrative of Indigenous spaces across the city.
- Limitations in current sustainability rating tools should be addressed to ensure that specific sustainability outcomes that go beyond standard requirements are detailed in the brief.
- Identify a hierarchy of communal and garden spaces and explain their rationale and purpose, and the intended size of gatherings to be accommodated. Consideration could also be given to designating a portion of the tower rooftop to be a communal open space (although not as a replacement for any other communal open spaces).
- Consider a long-term strategy to progressively replace the plane trees with native species, even if only for the frontage between Mary Ann Street and Ultimo Road.

Appendix D - Consistency with strategic planning framework

Greater Sydney Region Plan: A metropolis of three cities

A Metropolis of Three Cities – the Greater Sydney Region Plan is the NSW Government's overarching strategic plan for growth and change in Sydney. The 20 year plan with a 40 year vision seeks to transform Greater Sydney into a metropolis of three cities being the: Western Parkland City, the Central River City, and the Eastern Harbour City. The Region Plan identifies key challenges facing Sydney including a population increase of 3.3 million by 2056, 817,000 new jobs by 2036 and a requirement for 725,000 new homes over the next 20 years.

The plan sets out four goals:

- Infrastructure and collaboration – securing 'a city supported by infrastructure' and 'a collaborative city'
- Liveability – achieving 'a city for people', 'housing the city' and 'a city of green places'
- Productivity – creating 'a well-connected city' and 'jobs and skills for the city'
- Sustainability – delivering 'a city in its landscape', 'an efficient city' and 'a resilient city'.

Eastern City District Plan

There are plans for each of the five districts that comprise the Greater Sydney area. The Pymont Peninsula falls within the Eastern City District.

The District Plan sets out how the Greater Sydney Region Plan will apply to the area. It influences the delivery of housing supply, informs and influences planning for business and jobs growth, particularly in strategic centres and informs the decision making for infrastructure planning.

The District Plan, identifies 22 planning priorities and associated actions that are important to achieving a liveable, productive and sustainable future for the area, including the alignment of infrastructure with growth.

Key priorities are addressed below:

Planning Priority E1 Planning for a city supported by infrastructure

Action 3. Align forecast growth with infrastructure

Action 4. Sequence infrastructure provision using a place-based approach

The identification of sites capable of change and the proposed changes to building height and floor space on four sites have been prepared in response to the economic forecasts outlined in the EDS which took into account a future Metro station.

The sub-precinct master plans are part of the detailed place-based planning undertaken for the Peninsula and the sites capable of change also support the forecast growth in commercial and residential floor space.

Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage

Action 18. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places

The preparation of the PPPS and the detailed sub-precinct master plans represents a place-based approach to the planning of the Peninsula. They have been prepared with early identification of the environmental heritage values of the Peninsula.

The proposed changes to building height and floor space have been prepared based upon the detailed analysis within the sub-precinct master plans.

The master plans also balance the aim of maintaining and enhancing a people-friendly public realm and of the area being a dynamic and desirable place to live, with the aim of expanding the Peninsula's capacity for employment based around public transport and its position within the Innovation Corridor.

Planning Priority E7. Growing a stronger and more competitive Harbour CBD

Action 24. Strengthen the international competitiveness of the Harbour CBD and grow its vibrancy by:

- a) further growing an internationally competitive commercial sector to support an innovation economy*
- b) providing residential development without compromising commercial development*
- c) providing a wide range of cultural, entertainment, arts and leisure activities*

The proposed changes to implement the PPPS will enable up to an additional 800,000 square metres of office space which could equate to up to 23,000 jobs.

Planning Priority E8 Growing and investing in health and education precincts and the Innovation Corridor

The proposed changes to implement the PPPS will enable and encourage education providers such as UTS and TAFE to continue to have an important role in the Peninsula.

Planning Priority E10 Delivering integrated land use and transport planning and a 30-minute city

Action 36. Plan for urban development, new centres, better places and employment uses that are integrated with, and optimise opportunities of, the public value and use of Sydney Metro City & South West, CBD and South East Light Rail, and Westconnex as well as other city shaping projects.

The identification of sites capable of change and the proposed changes to building height and floor space on four sites have been prepared in response to the economic forecasts outlined in the EDS which took into account a future Metro station.

The sub-precinct master plans are part of the detailed place-based planning undertaken for the Peninsula and the sites capable of change also support the forecast growth in commercial and residential floor space.

Planning Priority E11. Growing investment, business opportunities and jobs in strategic centres

Action 38. Provide access to jobs, goods and services in centres

The focus of the proposed changes is to promote employment land uses and some additional residential in the Peninsula in order to maintain and enhance the Harbour CBD's substantial contribution to economic growth within the Global Economic Corridor.

The proposed controls are strongly aligned to State Government objectives to redevelop planned centres within the Global Economic Corridor, including those in close proximity to Central Sydney such the Peninsula and the Innovation Corridor.

City Plan 2036: Local Strategic Planning Statement

This Local Strategic Planning Statement (LSPS) reinforces the links between the NSW Government's strategic plans and Council's community strategic plan, Sustainable Sydney 2030, and the planning controls that guide development in the city.

The LSPS sets out the:

- 20-year vision for land use planning in the city
- basis or context for planning
- planning priorities and actions needed to achieve the vision
- governance and monitoring of the priorities and actions.

The LSPS will guide future changes to the planning controls in the Council's LEP 2012 and DCP 2012. The LSPS may also inform other planning tools, such as contribution plans to ensure that local infrastructure is provided as the community's needs change.

The planning amendments for the Peninsula are consistent with the following planning priorities and actions of the LSPS:

Priority P2 - Developing innovative and diverse business clusters in City Fringe

P2.5 Strengthen the economic and productive role of the Innovation Corridor by:

- a) prioritising and safeguarding space for specialised and knowledge-based clusters and businesses, including, health, education, creative industries, professional services and information media*
- b) identifying and supporting opportunities to appropriately increase capacity for commercial and other enterprise uses particularly those contributing to specialised and knowledge-based clusters, in mixed use (B2 and B4) zoned areas, ...*
- c) continuing our collaboration with NSW Government, ...TAFE NSW, ..., University of Technology Sydney,... and other relevant stakeholders to ensure that productivity and industry cluster growth outcomes are prioritised in the Camperdown-Ultimo Health and Education precinct and ...*

Appendix E - Consistency with applicable SEPPs and 9.1 Directions

Table 5 - Applicable SEPPs

SEPP	Comment
SEPP No 1—Development Standards	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP No 19—Bushland in Urban Areas	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP No 55—Remediation of Land	Consistent – the proposed amendments do not propose any land use changes and the proposed amendments will not contradict or hinder application of this SEPP.
SEPP No 64—Advertising and Signage	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Affordable Rental Housing) 2009	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Coastal Management) 2018	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Concurrences) 2018	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (Infrastructure) 2007	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.

SEPP	Comment
SEPP (Miscellaneous Consent Provisions) 2007	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (State and Regional Development) 2011	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
SEPP (State Significant Precincts) 2005	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
Sydney REP No 16 – Walsh Bay	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.
Sydney REP (Sydney Harbour Catchment) 2005	Consistent – the proposed amendments will not contradict or hinder application of this SEPP.

Table 6 - Applicable 9.1 Directions

No.	Title	Comment	Consistent
1. Employment and Resources			
1.1	Business and Industrial Zones	<p>The objectives of section 9.1 direction 1.1 are to encourage employment growth, protect employment land, and support the viability of strategic centres.</p> <p>The planning amendments are consistent with this direction because they align with the following relevant requirements of provision 1.1(4) of the direction:</p> <ul style="list-style-type: none"> • give effect to the objectives of this direction; • retain the areas and locations of existing business zones; • will not reduce the total potential floor space area for employment uses and related public services in business zones. 	Yes
2. Environment and Heritage			
2.3	Heritage Conservation	<p>The objective this direction is to conserve items, areas, objects and places of environmental heritage significance and Indigenous heritage significance.</p> <p>The planning amendments do not contain any provisions that specifically or directly facilitate heritage conservation as required by provision 2.3(4) of this direction.</p> <p>Notwithstanding, the environmental or Indigenous heritage significance of Ultimo-Pyrmont is conserved by existing or draft environmental planning</p>	Yes

No.	Title	Comment	Consistent
		<p>instruments, legislation, or regulations that apply to Ultimo-Pyrmont.</p> <p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p>	
2.6	Remediation of Contaminated Land	<p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p> <p>The objective of s9.1 direction 2.6 is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>While the provisions in this planning amendments may result in some intensification of land uses in the Peninsula, the proposal does not involve the rezoning of sites or a change of the zoning of sites that would allow more sensitive uses of the land.</p> <p>Specific responses to the presence of any contamination, on any site can be addressed through the development application process.</p>	Yes
4. Hazard and Risk			
4.1	Acid Sulfate Soils	<p>The planning amendments do not contain provisions that contradict or would hinder application of this direction.</p> <p>The objective of s9.1 direction 4.1 is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Specific responses to the presence of acid sulfate soils can be addressed site by site through the development application process.</p>	Yes
4.3	Flood Prone Land	<p>The planning amendments will increase development potential (in terms of floor space) currently achievable under the LEP 2012 in Ultimo - Pyrmont. The intensification of development in this area is an intended outcome on this proposal.</p> <p>In August 2016, Council adopted a floodplain risk management plan, risk management study and flood study for the entire local government area. These documents are a comprehensive suite of flood management measures for Central Sydney flood catchments. The documents have been prepared in line with the NSW Government's</p>	Yes

No.	Title	Comment	Consistent
		<p>Floodprone Land Policy and Floodplain Development Manual (2005).</p> <p>It is noted that Clause 7.15 of the LEP 2012 already includes provisions to minimise flood hazards.</p> <p>The planning amendments make no amendments to the flood planning clause in the LEP 2012. Future development applications will continue to be required to address flooding risks.</p>	
5. Regional Planning			
5.10	Implementation of Regional Plans	The planning amendments are consistent with the relevant aims, objectives and provisions of the Region Plan.	Yes
6. Local Plan Making			
6.1	Approval and Referral Requirements	The planning amendments do not include concurrence, consultation or referral provisions or identify any developments as designated development.	Yes
7. Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	The planning amendments are consistent with the relevant aims, objectives and provisions of the Region Plan.	Yes
7.13	Implementation of the Pymont Peninsula Place Strategy	<p>This Direction is directly applicable to the amendment package. It is consistent with the PPPS as it seeks to give effect to the objectives of this Direction and the Vision (Part 5) of the PPPS.</p> <p>It is consistent with the 10 Directions (Part 6) and Structure Plan (Part 8) in the PPPS.</p> <p>It is supported by the final draft sub-precinct master plans, with the proposed amendments to LEP 2012 responding directly to the envisaged future character for each sub-precinct as set out in Part 9 of the PPPS and within the sub-precinct master plans.</p> <p>The proposed amendments to LEP 2012 outlined in this report support the delivery of the Big Moves (Part 7) in the PPPS.</p>	Yes