

Post Exhibition - Planning Proposal - Sydney Local Environmental Plan and Development Control Plan - Policy and Housekeeping Amendments (LEP/DCP Update)

File No: X039444

Summary

The City of Sydney (the City) has publicly exhibited an update to its planning framework, proposing changes to Sydney Local Environmental Plan 2012, the Green Square Town Centre Sydney Local Environmental Plans, Sydney Development Control Plan 2012, and to the City's Competitive Design Policy, Waste Management Guidelines and Landscape Code (collectively the LEP/DCP Update). This report recommends approval of the LEP/DCP Update with amendments following exhibition and referral to government agencies.

The City's planning statement City Plan 2036 is a 20-year vision to balance the need for additional housing and economic activities while protecting and enhancing individual character, heritage and public space and improving the sustainability of our area. Since 2020, the City has been implementing changes to its planning controls in line with the priorities and action of its local strategic planning statement.

The LEP/DCP Update gathers a series of smaller planning control changes related to housing, parking, greening, amenity, sustainability and design excellence to implement priorities of the planning statement as well as housekeeping changes to improve the operation of controls.

The LEP/DCP Update was placed on public exhibition for 12 weeks from 17 December 2024 to 14 March 2025. A total of 85 submissions were received, with the majority generally supportive of the proposals. Submissions supported the proposal to require new dwellings to install electric indoor appliances in preference to gas. Some submissions objected to aspects of the proposals including changes to require more accessible housing, more apartments suitable for families with children, and reduced parking for serviced apartments in Central Sydney.

Some changes have been made in response to submissions from the community and government agencies. A summary of submissions and the City's response is at Attachment A, along with a summary of changes made following exhibition at Attachment H.

This report recommends approval of the LEP/DCP Update as amended and recommends that Council take the next steps to have the Planning Proposal finalised as a local environmental plan, noting the draft Development Control Plan, Competitive Design Policy and Landscape Code will come into effect when the local environmental plan is published.

Recommendation

It is resolved that:

- (A) Council note the matters raised in submissions to the public exhibition of Planning Proposal - Sydney Local Environmental Plans Policy and Housekeeping Amendments 2023, Sydney Development Control Plan 2012 Policy and Housekeeping Amendments 2023, City of Sydney Competitive Design Policy, Guidelines for Waste Management in New Developments and Landscape Code as shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal - Sydney Local Environmental Plans Policy and Housekeeping Amendments 2023, as amended following public exhibition and shown at Attachment B to the subject report, to be submitted to the Department of Planning, Housing and Industry to be made as local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve Draft Sydney Development Control Plan 2012 - Policy and Housekeeping Amendments 2023, as amended following public exhibition and shown at Attachment C to the subject report, noting the draft development control plan will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 20 of the Environmental Planning and Assessment Regulation;
- (D) Council approve City of Sydney Competitive Design Policy and Landscape Code as shown at Attachments D and E respectively, noting they will come into effect at the same time as the draft development control plan;
- (E) Council, at the time the draft Development Control Plan comes into effect:
 - (i) adopt Section 3.7 "Water and Flood Management Policy" of the Sydney Development Control Plan 2012 as the Council's flood policy for the entire local government area, noting that the application of this section will be identified on the City's website;
 - (ii) rescind the Interim Floodplain Management Policy
- (F) Council note that proposed amendments to the City of Sydney Waste Guidelines in New Developments and the proposed amendments to the Waste Management provisions in Draft Sydney Development Control Plan Policy and Housekeeping Amendments 2023 will not proceed at this time, pending a fuller review of the waste management provisions; and
- (G) authority be delegated to the Chief Executive Officer to make minor variations to the documents in Attachments B to E to correct minor errors and to maintain consistency with the Local Environmental Plan as published.

Attachments

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| Attachment A. | Summary of Submissions |
| Attachment B. | Planning Proposal - Sydney Local Environmental Plan - Policy and Housekeeping Amendments and Appendices |
| Attachment C. | Sydney Development Control Plan 2012 - Policy and Housekeeping Amendments |
| Attachment C1. | Sydney Development Control Plan Map Book |
| Attachment D. | City of Sydney Competitive Design Policy - as amended |
| Attachment E. | Landscape Code - as amended |
| Attachment F. | Gateway Determination - dated 23 February 2024 |
| Attachment G. | Gateway Determination - dated 8 October 2024 |
| Attachment H. | Summary of Post Exhibition Amendments |

Background

1. This report follows consideration of submissions made to the public exhibition of updates to Council's planning framework (LEP/DCP Update). The LEP/DCP Update is described in detail in the pre-exhibition report to the Council which can be found at <https://city.sydney/c2q> (Item 9.7). It includes Planning Proposal - Sydney Local Environmental Plans Policy and Housekeeping Amendments 2023, Sydney Development Control Plan 2012 Policy and Housekeeping Amendments 2023, City of Sydney Competitive Design Policy, Guidelines for Waste Management in New Developments and Landscape Code.
2. The LEP/DCP Update amends the City's planning controls to implement priorities and actions in the City's local strategic planning statement City Plan 2036. The amendments bring together a series of smaller changes related to housing, parking, greening, amenity, sustainability and design excellence.
3. This report recommends Council approve as amended the Planning Proposal, Draft Development Control Plan, Competitive Design Policy and Landscape Code. The report notes that the amendments to the Waste Guidelines in New Development are not proceeding at this time pending a fuller review of the Development Control Plan (DCP) Waste Management provisions and the Guidelines.
4. This report also recommends that when the draft DCP comes into effect, Council rescind the existing Interim Floodplain Management Policy and adopt the relevant section of the DCP as the flood policy for the local government area. By adopting this section as a specific policy, it will enable Council to require applicants to have regard to the provisions in all parts of the local government area, including areas and developments where the DCP does not apply. It is critical that local knowledge and consistent approaches to flooding are applied across the entire local government area. The application of this section to all land will be communicated via the City's website. The contents of the Interim Policy have been transferred to the draft DCP and updated.

Gateway determinations

5. On 7 December and 11 December 2023, the Central Sydney Planning Committee and Council respectively approved Planning Proposal – Policy and Housekeeping Amendments to be submitted to the Minister of Planning and Public Spaces with a request for Gateway Determination and public exhibition.
6. On 23 February 2024, the Department of Planning, Housing and Infrastructure issued the Gateway determination at Attachment F dated 23 February 2024, requiring the Planning Proposal to be revised to separate the proposed amendment for build-to-rent and co-living housing into its own Planning Proposal. The build-to-rent and co-living planning proposal was adopted by Council on 24 June 2024 and came into force on 13 December 2024.
7. On 8 October 2024, the Department issued the Gateway Determination at Attachment G approving the Planning Proposal for public exhibition and agency consultation. This Gateway Determination included conditions requiring changes to the Planning Proposal prior to public exhibition.

8. Most of the requested changes to the Planning Proposal were to provide additional clarification or justification in support of the proposed amendments. Others required specific changes to the Planning Proposal as outlined below:

- (a) LEP Amendment 1 – Deep soil

This amendment proposed a new stand-alone LEP clause requiring consideration of deep soil to encourage greater tree planting and canopy coverage. Feedback from the Department did not support the proposed provision as it duplicates proposed design excellence considerations and DCP controls and required the stand-alone clause be removed from the Planning Proposal.

- (b) LEP Amendment 2 – Structures associated with Green roofs

This amendment encourages green roofs and communal spaces on rooftops by allowing associated structures to exceed the height control. In response to the Gateway condition, some detailed design requirements have been removed from the proposed LEP provisions and placed in the DCP amendment.

- (c) LEP Amendment 15 – Use of existing non-residential buildings that were shops or pubs

This amendment sought to resolve ambiguity with the permissibility food and drinks premises in the R1 General Residential zone. In assessment, the Department regarded the proposed change unnecessarily restrictive as these uses are permitted throughout the zone. To address the Gateway condition, the amendment was removed from the Planning Proposal and other amendments renumbered accordingly.

- (d) LEP Amendment 18 – Integration of planning controls

The planning proposal initially recommended planning controls for the areas to be integrated into Sydney LEP 2012 that matched development as approved or built. In response to the Gateway Determination, these controls were revised to use the NSW Government's standard mapping approach wherever possible. The revised controls limit additional development potential as much as practical and are detailed in 2 new tables in the Planning Proposal at Attachment B to this report.

9. Minor amendments to the Planning Proposal, draft Development Control Plan, Competitive Design Policy and Guidelines for Waste Management in New Development were made to correct minor errors and support the Planning Proposal changes requested by the Gateway Determination. These were notified to the Department to allow public exhibition to proceed.

Public exhibition

10. The Planning Proposal, draft Development Control Plan, draft Competitive Design Policy and updated development guidelines were on public exhibition for an extended period of more than 12 weeks from 17 December 2024 to 14 March 2025. This period exceeds the 30 working days requested in the Gateway Determination.

11. The following activities were undertaken to support the public exhibition:
- (a) A webpage and survey were created for people to view the planning proposal, policy updates and other documentation, and provide their feedback.
 - (b) Notification letters were sent to affected property owners. In total, 5,011 letters were sent to property owners who were directly subject to changes included in the following LEP amendments:
 - (i) Amendment 4 – Protection of sun access to Gunyama and Cook and Phillip Parks
 - (ii) Amendment 11 – Removal of Opportunity floor space
 - (iii) Amendment 12 – Heritage floor space
 - (iv) Amendment 15 – 257 Sussex Street, Sydney
 - (v) Amendment 18 – Integration Areas
 - (c) A notification letter was sent to directly affected property owners and occupiers, informing them of the proposed changes to some late-night trading precincts included in DCP Amendment 13 – Late night trading.
 - (d) The project was included in the December 2024 edition of the Sydney Your Say eNews.
 - (e) The planning proposal was referred to the following agencies:
 - (i) NSW Department of Creative Industries, Tourism, Hospitality and Sport
 - (ii) NSW Environment Protection Authority
 - (iii) Placemaking NSW
 - (iv) Transport for NSW
 - (v) Government Architect NSW
 - (vi) NSW Land and Housing Corporation
 - (vii) Heritage NSW
 - (viii) Sydney Airport Corporation
 - (ix) Department of Infrastructure, Transport, Regional Development, Communications and the Arts
 - (x) Civil Aviation Safety Authority
 - (f) Community groups and other key stakeholders, including community housing providers and Asthma Australia, were directly advised of the public consultation by email.

12. In total 85 submissions were received in response to the exhibition. 16 responses were via the online survey and 68 by email, and 7 government agencies responded. Of the responses, 14 were received from the development industry and related groups, 16 submissions were provided from stakeholder and community groups, and 55 submissions were received from individuals, including responses to the online survey, email and by proforma email.
13. A summary of and response to all themes and issues raised in submissions is available at Attachment A. Below are the most significant themes raised in submissions. A complete list of changes made following public exhibition is included at Attachment H.

Indoor air quality and electrification of new residential development

Issues

14. The Draft DCP proposed a new provision to restrict indoor gas appliances, including cooktops, ovens, and space heaters, to promote healthier homes through electrification of new residential developments. These controls were informed by research highlighting the health risks of indoor gas use, including its links to respiratory conditions and other long-term health issues.
15. 45 submissions were received in response, including 35 pro forma submissions. Generally, submissions were very supportive of the proposal. The submissions suggested that the provisions should go further and restrict all gas use including domestic hot water appliances. Others suggested it should be extended to existing residential development and other types of development including commercial buildings and hotels, and other fuel types such as wood-burning stoves.
16. A submission from the development industry objected to the proposal on the grounds that they were unnecessarily restrictive and would reduce consumer choice. They also indicated the proposal would include substantial additional cost and design challenges in integrating new substations.

Response

17. Following Council resolution of August 2023, the City exhibited the All-electric New Development Discussion paper. The outcomes of that exhibition are addressed in a separate report also to be considered at Council's June meeting. That report proposes a more comprehensive change in the draft All-Electric Development DCP for new residential and large commercial development to be all-electric and not be serviced by fossil fuel gas. The recommendation is for the public exhibition of that more comprehensive change and, if supported by Council, there would be further opportunity for comment on the proposed amendments.
18. In response to submissions to the Discussion Paper, the draft All-Electric Development DCP proposes that the new provisions would, if adopted, commence applying to development applications lodged from January 2027. This transitional period will give the development industry time to prepare and build capacity to implement the new controls. It is proposed that the indoor air quality controls in the draft Policy and Housekeeping DCP are also amended to commence from 1 January 2027.
19. In relation to the current proposed amendments, the draft DCP has been amended with a re-wording of the provision and its objective to focus on the provision's objective to improve health outcomes.

Livable apartments - adaptability and accessibility

Issues raised

20. The draft DCP proposes changes to promote more accessible dwellings, allowing dwellings to be more suitable to a greater proportion of the population. It proposed that all new dwellings are built to a minimum Livable Housing Australia's (LHA's) Livable Housing Guideline Silver Standard. For larger developments, it proposes that 15% are also provided at the Livable Housing Guidelines Platinum Standard. This is equivalent to the current DCP requirement for 15% of dwellings to be delivered to the Australian Standard for Adaptable Housing.
22. Submissions acknowledged the need for greater accessible and adaptable housing. Submissions from the development industry objected to the new provisions on the grounds that it would add cost to residential development and reduce the dwelling yield in development due to increased space requirements for accessible design. These submissions noted that developments already provided accessible dwellings to the National Construction Code (NCC), NSW Apartment Design Guide (ADG) and Sydney DCP requirements.
21. Specifically, the Urban Taskforce's submission suggested an additional cost of 10-15% or \$65,000 to \$97,000 per apartment, largely due to increased size of carpark and the need for extra basements to accommodate additional parking requirements. Submissions note that these changes are not supported by cost-benefit analysis and that they should be delayed pending the outcome of the NSW Building Commissioner's enquiry into Livable Housing standards in NSW.
22. The Property Council Australia (NSW) suggest that development incentives be considered for livable housing. City West Housing note that LHA's Livable Housing Guidelines have been adapted by the Australian Building Codes Board (ABCB) as the Livable Housing Design Standard, and that this would be a better standard to be referenced in the DCP. City West also ask Council to consider not using the Platinum Standard to replace the Adaptable Dwelling Standard as they require more space, do not allow for future adaptation to support accessibility and are more expensive to deliver.

Response

23. In 2022 the National Construction Code introduced livable housing standards for all new dwellings throughout Australia, equivalent to the LHA's silver standard. The silver standard requires step-free access and shower recess, slightly wider doors and hallways for ease of access with mobility aids, slightly more space in bathrooms, and bathroom walls that are strong enough to install grab rails. NSW and WA opted not to adopt the standard, but they have been in use in all other jurisdictions for at least 12 months.

24. The NSW Building Commissioner prepared a Discussion Paper to support its recent enquiry into livable housing, which has not yet handed down its findings. The Discussion Paper found that requiring apartments to be designed to silver level standards would increase the cost of delivery by 0.8%. This is considerably short of the estimate of 10-15% quoted in the Urban Taskforce submission. The Urban Taskforce cited increased costs of parking provision for accessible parking spaces as a major factor, however the draft DCP does not propose additional parking requirements for silver or platinum standard apartments, either in terms of number of spaces or the design of those spaces. With good design the internal space requirements for silver apartments can generally be adequately accommodated within a NSW Apartment Design Guide-compliant residential flat building.
25. Since this draft DCP was put forward, Livable Housing Australia have decided to wind-up operations and will no longer exist as an organisation after June 30, 2025. As a result, the Livable Housing Guidelines will not be updated or maintained. This introduces an element of uncertainty for the currency of the guidelines into the future.
26. Given that uncertainty, the City agrees with City West Housing that the ABCB Livable Housing Design Standard is a more appropriate standard to reference consistent with the NCC approach. The draft DCP will be changed to reference this standard. The proposal to adopt the Platinum Standard instead of the Australian Standard for Adaptable Housing will also not proceed. The current practice of requiring 15% of all apartments in larger developments as adaptable apartments consistent with the Australian Standard will remain. Family-friendly apartments - Dwelling mix

Issues raised

27. To encourage the provision of larger apartments more suited to families with children, the draft DCP proposes changes to increase the minimum number of 3-bed apartments in larger developments from 10% of the total, to 20%.
28. Submissions from the development industry objected to the proposal. They either said that the current mix is sufficient and should be maintained, or that dwelling mix requirements should not be included in the DCP and that the market should decide. Urban Taskforce suggests that it is appropriate that families with children move to other areas as their children get older. City West Housing have asked that the requirements are not applied to Community Housing Providers (CHP), who tailor apartment mix to the anticipated needs of residents. Submissions also noted that the proposed mix controls are inflexible and allowing dwelling types to be delivered within a percentage range was preferred.
29. An increase in 3-bed apartments is important to encourage more families with children to choose apartment living, and to remain in apartments as the children age. Currently our local area sees an exodus of families from apartments as children age. Having more family-friendly 3-bed apartments would enable more families to choose City apartment living and allow them to stay here longer. Almost all new dwellings in our local area are apartments, and it is critical that they can appeal to families to allow a wide cross-section of the community to have the opportunity to live here. Forcing families to move elsewhere to find suitable housing has social and economic impacts and there will be fewer opportunities for stand-alone housing in other parts of Sydney as NSW Government's Transport Orientated Development and Low and Mid Rise housing reforms target medium to high density housing in well located areas. No change is proposed.

30. The City West Housing submission is noted; however, Community Housing Providers are already exempt from this provision in the DCP, and the provisions would not apply to CHP development. The dwelling mix, while expressed as a minimum or maximum in effect operates as a range, and this will be clarified in the draft DCP.

Family friendly apartments - location and additional design features

Issues raised

31. The Draft DCP proposes that all apartments on the ground-floor and on the same floor as communal open space, should be 3 bed apartments suitable for families with children. It also proposes that these apartments should have 2 of the 3 bedrooms at a larger size, being 12 square metres. Current requirements are for 1 larger bedroom with other bedrooms at least 9 square meters in size.
32. Submissions from the development industry objected on the basis that this would make ground floor layouts difficult to plan and inefficient and would reduce apartment yield. It would also reduce choice for residents by mandating only one type of apartment on the ground floor. The same submissions objected to the requirement for an additional larger bedroom as it would also reduce yield and was counter to the NSW Apartment Design Guide standards.

Response

33. On consideration of the submissions, the City agrees that the requirement for all ground-floor units to be 3-beds could cause layout difficulties for ground floors of apartment buildings. It is proposed that the requirement be amended to require at least 50% of apartments on the ground floor and the same floor as communal open space to be 3-beds. In tandem with the overall number of 3-bed apartments, this change will maintain flexibility to locate a greater variety of apartment types at these locations, while encouraging a greater number of apartments suitable for families with children.
34. The larger additional bedroom does not require the apartment size to be increased and can be accommodated with good design of the internal apartment spaces. The size of the additional bedroom has been amended to 10 square metres excluding wardrobe, consistent with the NSW Apartment Design Guide. There is no other change proposed to that part of the Draft DCP.

Family friendly apartments - play space for children

Issues raised

35. The Draft DCP proposes a new requirement to incorporate play space for children in new apartment buildings. The requirement includes space for younger children of 0-5 years in smaller buildings, and also for 6-10 years in larger developments. It is included as part of communal open space requirements, rather than being an additional requirement.
36. Submissions from the development industry have objected to the proposal on the basis that it will add cost and complexity to design and maintenance and could pose legal liabilities.

Response

37. Play space is an important factor in making apartment buildings more suitable for families, and it is proposed that this provision is largely retained. Play space for children can be provided through design of the communal open space, with only a small proportion of the communal open space required to accommodate play space. Play space can be managed as part of the overall maintenance for the communal open space. A small amendment is proposed to remove the requirement for buildings with less than 20 apartments.

Family-friendly apartments - exclusions for specific types of residential development.

Issues raised

38. The submission from the Property Council Australia (NSW) asked that certain development types be excluded from the family-friendly apartment requirements, where they are not expected to accommodate a significant number of families with children.

Response

39. The City agrees and will not apply dwelling mix, apartment location and play space requirements to specific development types. These are build-to-rent housing, affordable housing provided by a CHP, social housing, seniors housing, co-living housing and boarding houses.

Parking in new developments

Issues raised

40. Generally, submissions were supportive of the reduced parking rates for new residential development. However, some submissions from the development industry questioned the basis and research for the reductions, questioned whether parking provision can be linked to peak hour congestion and requested release of economic and traffic modelling. Impacts cited the loss of consumer choice from having fewer small apartments with parking, impacts on families who wish to live in apartments as an affordable housing option, potential impacts on street parking from having fewer on-site spaces and impacts on development feasibility. They also suggested reductions are inappropriate in peripheral areas not near metro and train stations.
41. Submissions from the development industry also objected to the reduction in parking for hotels and serviced apartments, especially for serviced apartments in Central Sydney. The submissions note that parking drives higher room rates and occupancy and that the proposed reductions will impact feasibility especially for serviced apartments in Central Sydney. Meriton and Urban Taskforce submissions also objected to including pick-up/set-down spots for childcare centres within the LEP maximum rate, when previously these provisions had been applied as additional to that rate, noting that there is often insufficient on-street space available.

Response

42. The City's residential parking rates are established using census data to track closely with household car ownership. They reflect the actual choices that households make when making decisions about car ownership. Reductions are only proposed where the current LEP parking rate is higher than actual household car ownership rates for dwelling types. Larger 3 bed apartments will continue to be allowed at least one car spot to support families with children to live in apartments.

43. For serviced apartments in Central Sydney, the City notes the points made in submissions and considers that a smaller reduction would be a better outcome. We are proposing a post-exhibition change where serviced apartments in Central Sydney will have a rate of 1 space per 5 rooms, rather than 1 per 10 rooms as originally proposed. The rate for serviced apartments would still be lower than for residential apartments, which is a comparable development type. The rate for hotels will remain as exhibited.
44. For child-care centres the City has considered the points made and will not proceed with the proposed change. Pick-up and set-down parking will remain in addition to the LEP maximum parking rate, which is intended for the use of centre staff.

Design excellence

45. While submissions were generally supportive of the changes to streamline the design excellence process, introduce flexibility and reduce the number of competitions overall, submissions from Meriton and Urban Taskforce asked that the changes go further, either eliminating or greatly reducing the requirement for design competitions and not extending them to significant refurbishment of buildings. They both ask for a mechanism to allow developers to change architects where that architect is delaying a project. The Property Council Australia (NSW) supported the proposed changes, including the extension to refurbishments, but proposed that more development feasibility experience be required on competitive process selection panels.

Response

46. The proposed changes to competitive design processes are intended to reduce the overall number of competitions, streamline the development approval process and offer floorspace and height flexibility for new buildings. Design competitions allow for the exploration and testing of multiple opportunities to improve design outcomes. They are accompanied by a 10% bonus increase in floor space and height. Removing requirements for design competitions would remove the opportunity for the 10% cent additional floor space and height and reduce overall floor space for housing development.
47. A mechanism to change underperforming architects already exists in the standard conditions for development. With respect to selection panel composition, proponents are able to nominate panellists with a range of complementary experiences that can include development feasibility within their skillset. No changes are proposed to this proposal.

The proposal was referred to Government agencies

48. The proposal was referred to 9 government agencies for comment, summarised in Attachment A. In general, the agency referrals were either supportive of the City's proposals or made no specific comment. Government Architect NSW (GANSW) asked for a clarification in the draft Competitive Design Policy.
49. The City of Sydney first introduced required competitive design processes for larger building types in 1998. The City has now streamlined some processes in response to the current development conditions. GANSW were generally very supportive of the amendments to support a streamlined and flexible approach to competitive design processes. The submission notes that for State Significant Development (SSD) in the City of Sydney, the current practice is for GANSW to endorse the Design Excellence Strategy, Brief, and Jury, not the City of Sydney. The City agrees and the draft Competitive Design Policy at Attachment D has been amended to make that distinction.

50. The Environmental Protection Agency (EPA) and Placemaking NSW did not support the proposal to remove the requirement for an Air Quality Assessment Report for development in the vicinity of the Cross City Tunnel ventilation stack. Since the requirement was first introduced there have been significant changes to development patterns near the stack, to the emission profile of vehicles and to criteria for air pollution. The requirement of an air quality assessment report will remain in the LEP. The City will work with the Environmental Protection Agency NSW, Placemaking NSW and the Department of Planning, Housing and Industry to re-examine the process for assessing air quality impacts and update it to reflect the current context.

Other issues raised

Haymarket and Chinatown locality statement

51. A submission asked that the locality statement for the Haymarket and Chinatown locality be amended to better reflect the significance of Haymarket. This change is supported, and changes have been made to the Locality Statement to better recognise the significance of Haymarket and distinguish particular aspects from Chinatown while acknowledging that shared history. Another change will correct a misspelling of Christ Church St Laurence on George Street.

Setback for 90-100 Hay Street, Haymarket

52. A submission requested an amendment to the setback for a building at 96-100 Hay Street within the Haymarket/Chinatown special character area in Sydney DCP. The amendment would amend the existing requirements for an above-street frontage setback of 8 metres to Hay Street and instead allow it to be considered on merit. While much of Chinatown is fine-grained, Hay Street itself is a wide street, carrying light rail. The submission notes the building's more restrictive setback to the much narrower Dixon Street would remain. This change for this location is supported.
53. 90-94 Hay Street was constructed on the other side of Kimber Lane as a part of a pair of buildings with 96-100 Hay Street. Both buildings have recently been proposed as heritage items, and the heritage assessment recommends that any future changes should encourage the buildings to be understood as a pair. To encourage this, the 8 metre setback to Hay Street for 90-94 Hay Street will also be amended to allow it to be considered on merit.

Heritage floor space

54. The planning proposal introduces floor space flexibility for buildings using the Heritage Floor Space scheme, with a flexibility of 200 square metres or 5%, whichever is the lowest. One submission from a heritage building owner proposed increasing the flexibility from 200 square metres to 300 square metres, to allow for reasonable upgrades to larger heritage buildings. For larger buildings, 200 square metres is often not enough to provide meaningful change such as for new end-of journey facilities, which are a key feature of a high-quality office-building. This change to 300 square metres is supported. Smaller buildings will continue to be capped by the proposed 5% lower limit.

Assessing amenity impacts on existing residential development in Central Sydney

55. A submission raised the issue that solar access requirements for older residential development in Central Sydney unduly restricts the development of new employment-generating uses. Much of this older residential stock was approved before the NSW Apartment Design Guide, and often the buildings were not designed to be capable of satisfying the solar access requirements of the ADG and by extension, Sydney DCP 2012. The submission asks that clarity be given in the DCP so that solar access considerations for older residential buildings does not unduly restrict the development of new employment-generating uses in Central Sydney.
56. The Central Sydney Planning Strategy and Framework was adopted by Council in December 2020. It seeks to prioritise income earning employment-generating uses in Australia's most productive and strategically important employment centre. An aim of the Strategy and an objective of Sydney DCP 2012 is ensuring the development of new employment-generating land uses is not unreasonably impeded by existing residential buildings. Provision 5.1.2(6) of Sydney DCP and the associated objective 5.1.2(e), were drafted to achieve that intent. However, the drafting of the provision could be clearer, particularly as it makes reference to compliance with other parts of the DCP before considering amenity impacts. This is unnecessary as compliance with other parts of the DCP is required in any case, but not as a prerequisite.
57. To clarify the provision and allow it to operate as intended it is proposed to amend 5.1.2 (6) by removing the unnecessary references to other provisions of the DCP. The effect will be to make it clear that for new employment-generating developments in Central Sydney, amenity impacts on existing residential development will be considered reasonable. Compliance with Sydney LEP and the other parts of Sydney DCP in relation to the form of development continue to be assessed as standard practice.
58. New residential development will continue to be assessed under the ADG provisions as required by the Housing SEPP (2021), to minimise loss of solar access for existing residential development.

Environmental noise and entertainment sound

59. Merivale raised concerns with the concurrent exhibition of the LEP/DCP Update which contains Environmental Noise provisions, and the Entertainment Sound DCP, raising the potential for crossover and incompatibility. The 2 amendments have been considered together by the same staff members and have been checked to ensure there is no incompatibility. The environmental noise and entertainment sound DCP provisions will be together in the same section of the updated Sydney DCP, to allow easier understanding of how they work together.
60. The entertainment sound section includes specific sound criteria for new or substantially changed venues, and for residential development in mapped locations that may be affected by entertainment sound. The environmental noise section lists a wide range of noise sensitive and noise generating development. These may include construction noise, mechanical plant, waste disposal and other noise sources. The sound criteria in the environmental noise section is for new residential development that may be subject to this wide range of environmental noise sources, including road noise.

Savings provisions for Waterloo Estate (South)

61. Stockland and Homes NSW have raised concerns that the LEP/DCP Update, if applied to the proposed redevelopment of the Waterloo Estate, may introduce new considerations, including reduced parking and new urban design considerations, which could undermine the feasibility of the project, on which contracts have been signed. The Planning Proposal has been updated to include a savings provision to acknowledge the parking rates at the level in the Sydney LEP at December 2023. Similarly, Sydney DCP Section 5.12 Waterloo Estate (South) site-specific provisions will be updated to ensure the provisions apply as of December 2023. This will allow development to proceed as contracted and approved.
62. Attachment A provides a full summary of all issues raised in submissions along with the City's response.

Other changes to the exhibited documents

O'Riordan Street road rezoning

63. The proposal to rezone parts of O'Riordan Street for the construction of a road linking Green Square Town Centre and the Ashmore Estate will not proceed. The road has now been completed, and the rezoning is no longer necessary.

Waste management guidelines

64. Proposed changes to the Waste Management Guidelines and related provisions in the DCP will not proceed at this time pending a broader review of the waste management provisions including the size of trucks required to enter residential buildings.

Integration of planning controls

65. In transferring planning controls from the former Redfern Waterloo Authority sites to Sydney LEP and DCP, an existing area at Redfern West, identified in Sydney Late Night Trading DCP 2007, was omitted. This will be brought into Sydney DCP 2012, allowing the 2007 DCP to be rescinded. There is no change to the extent or operation of the late night trading area.

Shelter in place guidelines

66. The draft DCP Amendment 10 Water and Flood Management has been updated to include appropriate references to the NSW Government recently released Shelter-in-Place Guidelines for flash flooding.
67. Attachment H includes a summary of all the post exhibition changes.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

68. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This planning proposal is aligned with the following strategic directions and objectives:
- (a) Direction 1 - Responsible governance and stewardship - this planning proposal will ensure that the City of Sydney's planning control framework is up to date and reflects current policies and strategies.
 - (b) Direction 2 - A leading environmental performer - provisions will help deliver on sustainability goals of reducing carbon emissions and increasing tree canopy and vegetation coverage.
 - (c) Direction 3 - Public places for all - this planning proposal will extend solar access protections to more public places, so they remain inviting, comfortable and usable spaces year-round.
 - (d) Direction 4 - Design excellence and sustainable development - design excellence amendments will help update and streamline the process to deliver new buildings centres around good design and sustainability.
 - (e) Direction 5 - A city for walking, cycling and public transport - revised car parking rates and provisions to streamline EV chargers and bicycle racks will help reduce private vehicle use and provide a city designed for walking, cycling and public and zero-carbon transport.
 - (f) Direction 6 - An equitable and inclusive city - this planning proposal will increase tree canopy, protect and improve new parks and encourage less vehicle use.
 - (g) Direction 7 - Resilient and diverse communities - this proposal includes provisions that will support and strengthen our community through greener, more resilient suburbs and greener less carbon-intensive development.
 - (h) Direction 9 - A transformed and innovative economy - changes continue to support Central Sydney as a global business centre and implement actions for the revitalisation of Chinatown and Haymarket.
 - (i) Direction 10 - Housing for all - affordable housing contributions will be further clarified ensuring greater consistency with how contributions are applied leading to the delivery of new and diverse rental housing.

Risks

69. City staff have considered potential risks and mitigation measures. Progressing the planning proposal, draft DCP and policy updates is within the City's risk appetite.

70. Proceeding with the LEP/DCP Update is within the City's risk appetite for reputation and image. There is a risk some stakeholders may disagree with the proposed development controls. However, we aim to strike a balance between achieving our strategic objectives, implementing change and embracing innovation, and protecting our reputation. The project aligns with our appetite to tolerate complaints when implementing agreed actions within the Community Strategic Plan and minor complaints relating to action which has long-term community benefit.
71. Development consistent with the LEP/DCP Update will be capable of complying with relevant environmental and planning laws, regulations and standards and is within the City's minimal appetite for non-compliance.
72. Proceeding with the LEP/DCP Update will meet the City's minimal appetite for disruption to our regulatory functions as decisions will be within the timeframes set in the NSW Government's Statement of Expectations Order 2024.

Relevant Legislation

73. Environmental Planning and Assessment Act 1979.
74. Environmental Planning and Assessment Regulation 2021.
75. Environmental and Assessment (Statement of Expectations) Order 2024.

Critical Dates / Time Frames

76. The Gateway Determination requires the amendments to the Sydney local environmental plans be completed by 28 November 2025.
77. The Gateway determined Council would not be the local plan-making authority to finalise the local environmental plan amendments. If the planning proposal is approved, the proposal will be forwarded to the Department to be finalised. City staff will work with the Department in drafting the provisions.
78. The amendment to the Sydney Local Environmental Plan 2012 will come into effect when published on the NSW Legislation website.
79. If approved by Council, the draft DCP, Competitive Design Policy and Landscape Code will come into effect on the same day as the amendment to the Sydney LEP 2012.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

David Fitzpatrick, Senior Planner

Jarrood Booth, Specialist Planner

Daniel Thorpe, Specialist Planner

Attachment A

Summary of Submissions

Summary of submissions – Planning proposal – Policy and housekeeping amendments



Activities to support the consultation

On 7 and 11 December 2023, the Central Sydney Planning Committee and Council respectively, approved Planning Proposal – Policy and housekeeping amendments for public authority consultation and public exhibition.

The consultation period ran from 17 December 2024 to 14 March 2025. The following activities were undertaken to support the consultation:

- A webpage and survey were created for people to review the planning proposal and supporting documentation and provide their feedback. The webpage can be accessed at <https://www.cityofsydney.nsw.gov.au/policy-planning-changes/your-say-updates-planning-controls-related-greening-amenity-parking-design-excellence>.

The survey was open for feedback from 17 December to 14 March 2025. There were 2,500 unique page views during this period.

- The project was included in the December edition of the Sydney Your Say eNews sent to subscribers. This provided a link to the webpage and survey. An image of the post can be found at Appendix A.
- Notification letters were sent to affected property owners. In total, 5,011 letters were sent, examples are shown at Appendix A. Letters were sent to property owners who were subject to changes included in the following amendments:
 - Amendment 4 – Protection of sun access to Gunyama and Cook and Phillip Parks
 - Amendment 11 – Removal of Opportunity floor space
 - Amendment 12 – Heritage floor space
 - Amendment 15 – 257 Sussex Street, Sydney
 - Amendment 18 – Integration Areas

A notification letter was sent to property owners and occupiers, informing them of the proposed changes to some late night trading precincts, proposed in the following amendment:

- Amendment 13 – Late night trading
- Social media posts were featured on the City's Facebook and Linked In profile, dated 6 February 2025 linking to the consultation page. An example can be found at Appendix C.
- The Planning Proposal was referred to the following agencies for consultation and comment:
 - NSW Department of Creative Industries, Tourism, Hospitality and Sport;
 - NSW Environment Protection Authority;
 - Placemaking NSW;
 - Transport for NSW;
 - Government Architect NSW;
 - NSW Land and Housing Corporation;
 - Heritage NSW;
 - Sydney Airport Corporation; Department of Infrastructure, Transport, Regional Development, Communications and the Arts; and
 - Civil Aviation Safety Authority
- Community groups and other key stakeholders, including community housing providers and Asthma Australia were directly advised of the public consultation by email.

What the community told us

We received a total of 85 responses. 16 responses via the online survey and 69 by email, and 7 government agency responses.

Of the responses, 14 submissions were received from the development industry and related groups; 16 submissions were provided from not-for profit and stakeholder organisations, as well as local resident groups; and 55 submissions were received from individuals, including responses to the online survey, email and by proforma email.

The majority of submissions provided comment and feedback on the proposed amendments, highlighting particular issues. Of the submissions received, the issue that received the most responses was that for DCP Amendment 8A – Indoor air quality, which received 35 proforma submissions and 10 responses from individuals and stakeholder organisations.

Issues raised in submissions have been summarised in this report to which the City has prepared a response to address it. Submissions have been categorised differently depending on who it was received from and whether it was raised several times.

The submissions have been categorised as follows:

- Issues raised by public authorities and government agencies;
- issues raised by more than one submitter, grouped by the issue.

Where an issue has been raised by more than one submitter, it is discussed in Table 2, grouped by the issue. Whereas if an issue has only been raised by one submitter, it is included in Table 3, where it has been raised by an individual member of the public, a stakeholder organisation, or a community group. Table 4 details submissions received from industry groups and organisations.

Issues raised in submissions are summarised into the following tables:

Table 1 – Issues raised in submissions

Table 2 – Individual, stakeholder and community group submissions

Table 3 – Responses from industry groups and organisations.

Table 4 – Responses from government agencies

Table 1: Main themes raised in submissions

Submitter	Submission	Response
<u>Indoor air quality – DCP Amendment – 8A</u>		
Healthy Futures	The amendment for electric indoor appliances is supported. However, hot water systems must be included– the most gas-intensive appliance, that contributes to air pollution and health problems.	Broad support for the draft controls is acknowledged. Submissions emphasise the importance of improving indoor air quality by removing pollution sources like gas cooktops, ovens, and heaters.
	By excluding hot water systems, the chance to make new homes healthy and safe is missed. Fully electric homes are cheaper; help reduce emissions; make the City a climate change leader.	It is noted that the submissions generally request the City go further, including to ban outdoor gas heaters, and extend to require existing dwellings to electrify.
Asthma Australia	We strongly support the proposal. Electrification contributes to a healthy home by removing an air pollution source. We also recommend:	The draft controls form the first part of the City's broader investigation into electrification. They are supported by established research and community consensus on the health impacts of gas use for cooking and space heating.
	– prohibit wood heaters in all new dwellings – expand scope to include existing dwellings	The NSW Productivity and Equality Commission's March 2025 paper "Decarbonising buildings, industry and waste" found that eliminating most gas use in buildings is essential to achieving net zero. It supports the use of local planning tools, such as development control plans, to limit new gas connections. The Commission highlights the private and public benefits of electrification, including lower energy bills, better health, and improved equity outcomes for low-income households. It also notes the high cost of future retrofits and the long-term burden of allowing new gas connections.
Friends of Erskineville	Support gas ban in new buildings given health and cost saving benefits. This should extend to assist existing buildings transition to electric through the City's Smart Green Apartments program. Many renters would benefit from this switch.	<u>Discussion paper – All Electric New Development</u> As part of the broader investigation, the City sought feedback on a discussion paper from 31 March 2025 – 5 May 2025, which explored extending the controls to gas-free hot water systems and other types of development. That Discussion Paper is the subject of a concurrent report to Council, along with additional draft DCP controls for public exhibition which extend to gas-free hot water systems in residential development and all systems in certain non-residential buildings.
350org; Better renting; CAHA; Doctors for the Environment; Glebe society; Rewiring Australia	Pleased to see leadership to ensure new builds will reduce greenhouse emissions. The changes must be extended to gas hot water systems.	<u>Existing buildings</u> The Discussion Paper considers electrification in existing buildings. The City cannot mandate changes to existing buildings, as the planning framework regulates new development and alterations only. Once a building is established, appliances fall outside of the scope of our planning controls.
Newtown Climate	Energy bills would be cut, important given recent cost of living and the proportion of vulnerable households in the LGA. Given the evidence supporting all-electric homes, it is not clear why hot water appliances were excluded.	The City continues to develop and enhance locally focused programs, grants and initiatives to assist residents, businesses and strata bodies in electrifying, such as our Smart Green Apartments Program and CitySwitch.
	Developer choices' impacts residents– exposure to gas, financial stress and climate impacts. Many renters prefer electric appliances over gas. Other LGAs have banned gas appliances in new buildings, the City should do the same. We look forward to controls that ensure electric appliances for new builds and renovations.	<u>Wood heaters</u> The Discussion Paper focuses on gas use. Wood heaters present different challenges and are not part of this investigation.
NSW & ACT Royal Aust. College of General Practitioners	We support the amendment, with environmental and health benefits. We note hot water heating is excluded, which will result in reduced energy affordability and increased emissions. Climate change is already having widespread impacts on the health of individuals and communities across.	<u>Impacts on development plans</u> Stakeholders, including the Property Council of Australia, acknowledged the importance of
	Support the provisions which ensure appropriate power supply and appliances are installed at construction.	
Green Building Council	Not extending the provisions to communal and external gas appliances and permitting households to install their own new gas appliances in future is a missed opportunity.	
	The Green Building Council encourages the City of Sydney to develop policies for full electrification of new and existing homes and buildings.	

Submitter	Submission	Response
Urban Taskforce	The disallowance of gas ovens and heating has significant ramifications to development feasibility and may require additional substation requirements with a corresponding loss of frontage and yield. This is not supported.	electrification for achieving net zero emissions but emphasised the need for transitional arrangements. <u>Recommended amendments</u> To enable projects to plan and deliver suitable energy systems upfront the City is proposing a delayed commencement of 1 January 2027 to the indoor air quality controls for new residential development. This is consistent with the outcomes of the Discussion Paper consultation and the draft DCP controls which are part of the concurrent report to Council.
Meriton	The amendments are essentially a blanket ban on gas for all new residential development in the City. We strongly object to the tightening of planning controls beyond State and National standards without incentives or compensation, as well as the removal of flexibility. We request that the City not proceed with amendments which will make it more difficult and costly to deliver housing in the LGA.	A revision to the objectives of the draft controls is proposed to focus on improving health outcomes by reducing exposure to these pollutants.
<u>Heritage floor space scheme – LEP Amendment 12</u>		
Memocorp	This amendment is supported, as it provides flexibility for upgrades to services, while ensuring vital heritage values are preserved. Important for the upkeep and heritage value of Railway House.	The HFS Scheme has operated since the 1970s to incentivise conservation of heritage buildings in Central Sydney. One requirement to benefit from this scheme is for a covenant on title to prevent increase to the existing GFA and height of the building.
Arcadia	<u>Gross floor area flexibility</u> Support for the changes, particularly the proposed Gross Floor Area flexibility. The building's Heritage Floor Space deed limits its ability to improve its commercial viability. As part of planned building upgrades a new end of journey facility is proposed, supporting the City's sustainability and active transport goals. To serve the reasonable needs of the building occupants it will exceed the 200m ² limit of the amendments. The submission notes that in many circumstances 200m ² will not be enough flexibility to allow adaptive re-use while encouraging conservation. Request that the proposal is amended to allow for a maximum of 5 percent, or 300m ² , whichever is the lesser.	<u>Gross floor area flexibility</u> The exhibited amendment proposed to allow an additional 5 percent or 200m ² of GFA, whichever is the lesser, for buildings with HFS awards to enable minor works to support adaptive re-use, as long as this does not adversely impact the building's heritage significance or increase building height. The requested change to a maximum of 5 percent or 300m ² , whichever is the lesser, is supported. Research shows commercial tenants are demanding quality office spaces with better facilities, known as 'flight to quality'. The change will help larger heritage buildings meet tenant's needs and maintain Central Sydney's competitive advantage, while protecting the heritage significance of our buildings.
Heritage building owner	<u>Heritage floor space award before conservation works</u> The changes fail to address promotion of conservation works where the owner does not have funds available. This should be changed where it can be shown that funds are required to preserve the heritage site. Our building needs substantial conservation work and there is no large commercial owner. Council can only grant transferable floor space for heritage sites after works have been completed. We submit the solution to allow Heritage Floor Space to be awarded prior to conservation works have been undertaken to fund the necessary works.	For larger heritage buildings, 200m ² is a very small proportion of a building's GFA, as shown in the following examples: – Qantas House – 200m ² equals 1.6 per cent of 12,124m ² gross floor area – 44 Martin Place – 200m ² equals 1.7 per cent of 11,771m ² gross floor area. 300m ² is more likely to be a meaningful quantum of additional gross floor area to support adaptive re-use of larger heritage buildings. It still remains a small proportion of a larger buildings gross floor area - around 2.5 per cent in the examples above. Any increase in building height to accommodate the additional GFA is not permitted and any proposal eligible for this increase must consider the heritage impact and be consistent with an approved conservation management plan. For smaller buildings the 5% limit will still apply.
Christ Church St Laurence	<u>HFS calculation formula</u> The changes are generally supported as they allow some realisation of the value of the site. The ability to add a small amount of floor space addresses a fundamental obstacle with the current scheme. There appears to be significant discrepancies between what the current policy sets out and how the	<u>Heritage floor space award before conservation works</u> The scheme has always required conservation works be completed before an HFS award is registered and sold. Changes to this requirement are not supported.

Submitter	Submission	Response
	City applies the policy. Greater clarity over this and calculation of HFS is needed. The amendment and LEP definition sets out that 'gross floor area' is the aggregated floor area of all floors. This differs to how the City currently applies the scheme as floor space is taken to be the 'site coverage' of heritage listed buildings, divided by 2, which excludes other levels.	Staged HFS awards are an option and allow for a percentage of conservation works to be completed, allowing for a similar percentage of the HFS award to be registered and sold. This then helps fund the remaining conservation works, which when completed, allows the remaining percentage of HFS award to be registered and sold. No change. <u>HFS calculation formula</u> This amendment does not include changes to the HFS award calculation formula. A recent amendment in March 2023 changed the formula for calculating HFS for non-rateable properties, such as churches, to be the same as rateable buildings. The formula for calculating HFS is half the site coverage of the heritage building multiplied by the mapped Floor Space Ratio for the site. No change is proposed. <u>Recommended amendments:</u> The draft provisions have been updated to amend the additional allowable GFA to 300m².
Parking – LEP Amendment 3 / DCP Amendment 4		
Property Council of Australia	<u>Residential</u> The proposed controls do not recognise the parking needs of unique development types. The current rates provide sufficient flexibility. The changes are not supported by sufficient evidence. Reductions for 2-bed units and studios will impact customer choice and therefore feasibility for new apartments. <u>Hotels and serviced apartments</u> For hotels, there is 50 percent and 33 percent reduction in parking for Central Sydney and LGA, respectively. Key concerns: – demand patterns for different hotel types; – increased competition for off-site parking; – conventions, and business travel; and – disruptions to local streets and traffic flow as other parking alternatives are sought.	<u>Residential</u> The revised residential parking rates are informed by analysis of car ownership patterns in the 2016 Census and mapped Land Use and Transport Integration (LUTI) category. This ensures harmonisation of parking with actual demand, minimising overprovision and associated impacts. The objectives of the maximum parking controls and this update extend beyond peak hour traffic generation. Higher levels of car ownership and use have many negative externalities. Only where the current parking rates are higher than average car ownership, have the new rates been revised. This ensures rates meet demand for car ownership and parking.
	<u>Residential</u> The reduced parking rates are not supported, as the City already has one of the lowest rates in NSW. Low rates may be appropriate where transport is good, however onsite parking must cater to resident's needs and some destinations require car use. <u>Hotels and serviced apartments</u> Reductions to hotel/serviced apartment parking rates will have adverse economic impacts as many guests to the area require parking. <u>Child-care centres</u> Existing provisions for childcare centres permits pick up and set down spaces on top of other spaces which are for staff. The additional pick up and set down spaces are essential to minimise adverse amenity impacts and should not be changed.	<u>Hotel and Serviced apartments</u> The existing parking rates for hotels and serviced apartments are the same for the entire local government area. Unlike other parking rates, they do not change depending on accessibility. The revised rates introduce location based criteria, using the PTAL maps to determine public transport accessibility. The revised rates are slightly more restrictive for the medium and high tier of accessibility, and slightly less restrictive for the lowest tier of accessibility, compared to the current rates. The revised rates were informed by a review into recent approvals of hotels and serviced apartments in the City. This review found that hotels in the Central Sydney area typically do not provide any on-site parking. Therefore, the revised rates introduced a new Central Sydney category with a more restrictive rate.
Urban Taskforce	<u>Residential</u> The parking reductions are not supported. Applying them to peripheral suburbs with low transport access does not meet residents' needs. Parking does not	However, this review did not distinguish between hotels and serviced apartments. On further review, serviced apartments in Central Sydney typically do

Submitter	Submission	Response
	influence commuting choices or increase peak-hour traffic, as many shift-based roles require a vehicle. Limiting parking forces entire cohorts of residents from the LGA. Developers would avoid providing parking if they could, yet demand remains strong. <u>Hotels and serviced apartments</u> Reducing hotel and serviced apartment rates is economically damaging and may affect tourism, making Sydney less competitive. Parking drives higher occupancy and room rates and provides an additional revenue stream for hotels and serviced apartments. It supports the feasibility of these projects. A balanced approach should be adopted to help meet the needs of residents and economic realities of the accommodation sector.	provide some level of parking. This aligns with the different offering, as serviced apartments offer longer term stays to a different market segment than typical hotels. Therefore, a post-exhibition amendment is to apply the Central Sydney specific rate only to hotels and motels, while serviced apartments would be subject to the highest accessibility PTAL rate. <u>Childcare Centres</u> The current parking controls for childcare centres are separated between staff parking in the LEP, and pick up and drop off parking in the DCP. The amendment as exhibited would have removed the extra pick up and drop off parking available under the DCP. This was not intended and would result in an unjustifiable reduction in parking at childcare centres. Therefore, the amendment has been removed and the existing parking controls in the LEP and DCP will remain as they are currently in force.
City West Housing	The parking rate reduction is supported, aligns with sustainable urban planning principles and supports affordability. <u>Visitor parking and accessible spaces</u> Clarification is needed on the changes to visitor parking and the minimum ratio for accessible parking spaces. The changes could be read as requiring all visitor spaces to be accessible. <u>Bicycle parking</u> We request a merit-based approach to bike parking. Our observations indicate these areas are under-utilised and do not suit other forms of wheeled transport. Bike parking clashes with locations that could support more active uses if a merits-based approach was applied.	<u>Visitor Parking and accessible spaces</u> The amendment to visitor parking does not require all visitor spaces to be accessible parking. No change to accessible parking provisions is proposed, however the ambiguous wording is noted and has been amended. <u>Bicycle parking</u> The proposed amendment supports flexible spaces for various active transport and mobility devices. It also allows a more efficient distribution of bike parking spaces with less space requirement for the same number of spaces. No change to the draft provisions is proposed.
Design excellence – LEP Amendment 8 / DCP Amendment 11 / draft Competitive Design Policy		
Property Council of Australia	Support the simplified and clarified competitive design process. Extending the bonuses to height and FSR incentivises innovation and provides flexibility. We recommend that the juror's obligation to consider internal functionality or development feasibility is included. <u>Less onerous competitive design processes</u> Opportunities for bespoke processes should be explored, including single competitions for larger projects and design review panels.	Support for simplification, raising of the competition trigger to 35 metres outside Central Sydney, and increased flexibility for height and FSR is noted. <u>Less onerous competitive design processes</u> These amendments do make the process less onerous. They streamline the approval process, reducing the number of competitive design processes and concept applications; and applies the bonus to both additional floor space and building height. This offers flexibility for a greater range of design solutions and offsets design competition costs. As part of this review, the City has included a bespoke process for Community Housing Providers.
Meriton	Support for the raising of the trigger for a competitive process and for the flexibility to be awarded 10 percent additional height and FSR. <u>Less onerous competitive design processes</u> Removing the design alternatives process requires all qualifying developments do a full competition and will increase costs and delays. Reforms should focus on streamlining approvals to improve certainty. However the City's multi-stage planning process makes the delivery of housing inefficient and uncertain and should be scaled back We recommend:	<u>Remove or reduce competitive design requirements</u> Design competitions allow for the exploration and testing of multiple opportunities to improve design outcomes. Supported by experts, they can provide solutions efficiently and effectively. They are accompanied by a 10 per cent increase in floor space and height. Removing requirements for design competitions would remove the opportunity for the 10 percent additional floor space and height and reduce overall floor space for housing development.

Submitter	Submission	Response
	– design competitions should be removed per Productivity Commission's advice– or a trial period without competitions to drive housing; – no design competitions for Tier 1 developers using qualified and experienced architects; – the competitive design process should be further relaxed; – allow developers to change architects should they not meet requested timeframes; – raise height trigger outside of Central Sydney to 45m and include rooftop elements; – do not extend competitive design processes to existing building refurbishments; and – remove expert requirements for sustainability and landscaping on design competition juries.	<u>Other recommendations:</u> <u>Competition juries and internal functionality of projects</u> The Competitive Design Policy requires all jurors have expertise and experience in design and construction, as well as urban design and architecture credentials, to expertly assess proposals against planning, design and commercial criteria set in the competition brief. Proponents can nominate jurors with experience in construction and design feasibility as part of that skillset. <u>Removing the design competition architect</u> The winning architect is required to be retained to ensure the design integrity of a winning scheme is protected through to the completion of the project. Development consents include a mechanism to allow changing of a competition architect in situations of underperformance. No change to this requirement is proposed.
Urban Taskforce	<u>Make competitive design processes less onerous</u> The process should be less onerous. Making all qualifying developments do a full competition by removing the design alternatives process will increase costs and delays. <u>Remove or reduce competitive design requirements</u> Reforms should focus on streamlining approvals to improve certainty. We recommend the following: – restructure competitions to be a less onerous; – remove competitions for Tier 1 developers and experienced architects (i.e. TOD sites); – provisions to flag architects delaying housing supply through a swift mechanism; and – do not extend processes to redevelopment of existing buildings.	<u>Raising competition height threshold further</u> The competition height threshold outside of Central Sydney is being increased from 25m to 35m– measured at the top-most point of the building in accordance with the definition of height in Sydney LEP 2012, inclusive of communal rooftop elements proposed in this proposal. Raising to 45 meters outside of Central Sydney has not been explored by this proposal and is not supported at this time. No further change proposed. <u>Building refurbishments</u> Refurbishment of large buildings can have significant impacts, of the same scale as new buildings. The competitive design process offers a process to explore and test multiple opportunities to improve design outcomes. This only applies to buildings which also meet the other height, floor space, site size and CIV triggers in Sydney LEP.
City West Housing	The amendments will help fast track the planning process. The alternative design process for CHPs is supported, ensuring design quality and helping the efficient delivery of affordable housing. <u>Affordable housing alternative process - in perpetuity</u> We request clause 17.1 of the City's draft Competitive Design Policy is amended to remove 'in perpetuity' as it further restricts an already highly legislated organisation. It creates complications when revaluating asset portfolio.	<u>Affordable housing alternatives process – in perpetuity</u> Updates to the Competitive Design Policy include an optional alternative design review process, in lieu of a design competition for eligible social and affordable housing. To be eligible for the alternative process projects need to be by a Community Housing Provider and be genuine long-term affordable housing, rather than for a limited period before reverting to market housing. For this reason the draft Competitive Design Policy included the qualifier that the affordable housing had to be provided 'in perpetuity'.
Memocorp	These amendments are supported. Many of our buildings undergo refurbishments, and allowing for design excellence as an option will encourage design which benefits both the public and tenants.	On consideration the City agrees that 'in perpetuity' is not required in this circumstance. To achieve a similar effect, the requirement will be amended to require an eligible Community Housing Provider to be a not-for-profit organisation. <u>Recommended change</u> – replace the requirement for the affordable housing to be provided 'in perpetuity', with a requirement that it is developed by a not-for-profit Community Housing Provider.

Submitter	Submission	Response
<u>Flexible and adaptable dwellings – Livable Housing guidelines – DCP Amendment 2</u>		
Property Council of Australia	The additional regulatory burden will have a negative impact on housing supply. We recommend further consultation to develop policy to incentivise liveable housing. Floor space incentives could be used to encourage livable housing.	<u>Additional cost of construction</u> The Discussion Paper prepared by the NSW Building Commissioner in support of its review of Livable Housing requirements found that requiring apartments to be designed to Livable Housing Design Silver Standard would increase the cost of delivery by 0.8 percent. This is considerably short of the estimate of 10 to 15 per cent quoted by the Urban Taskforce in their submission.
Meriton	Meriton consistently delivers 20% of apartments at the Silver Level design under the Livable Housing Design Guidelines, exceeding current DCP and NCC requirements. The proposed increased requirements to 100% Silver Level and up 15% Platinum Level will see significant increased cost and reduced yield in apartment developments. It is recommended any additional controls are delayed allowing NSW to review its overall requirements for LHD Guidelines under the NCC	The Urban Taskforce cite increased costs of parking provision to accommodate accessible parking spaces as a major factor, however the draft DCP does not propose additional parking requirements for Silver and Platinum standard apartments, either in number of spaces per apartment, or the design of those spaces. <u>Yield reductions due to increased space requirements</u> The internal space requirements of Silver standard apartments is capable of being adequately accommodated within an ADG-compliant apartment through good design.
Urban Taskforce	This is a dramatic and excessive change and is not warranted to meet future aging demographics. There appears to be no demographic or cost-benefit analysis to support the amendment. We note that while apartment conversions are rare, many members deliver stock at the Silver or Gold Levels, in line with the NCC and ADG. This change will increase apartment construction cost by 10-15 per cent (or \$65,000 to \$97,000). The main cause of this will be increased car park space requirements, fitting only two spots between structural columns instead of three, and requirements for additional parking basements. It will significantly reduce yield due to design specifications, consultation, documentation and compliance requirements. Other states may have adopted these controls however they do not have the same number of apartments for new dwelling supply as Sydney. Such standards should be limited or left to market demand to inform these decisions. But mandating such prescriptions is cost prohibitive. We recommend the Livable Housing Design guidelines are removed from the DCP, or at least no change pending the outcome of the NSW Building Commission's Discussion Paper.	The space requirements for Platinum standard are lower than those for 'Australian Standard (Adaptable Housing)', with a lesser clearance required around bathroom doors. There is no gold standard requirement as part of this proposal. <u>Supporting research and data</u> It is widely accepted that Australia's population is aging. The NSW Building Commissioner's discussion paper on livable housing standards notes that by 2061, 25 per cent of the population of NSW will be over 60, and that to future-proof NSW housing stock this cohort will require housing that meets the silver standard. The City's Inclusion Disability Action Plan and Housing For all Strategy note that more than 80% of the local area's population live in apartments, the population is aging, and that 20 per cent of the Australian population lives with disability. In its submission to the NSW Building Commissioner consultation on Livable Housing Standards, the NSW Ministerial Advisory Council on Aging provides strong support for adoption of silver standard for all dwellings.
Planning Studio	Gold and platinum have increased spatial requirements which in general require an increase in apartment sizes and work against affordability.	<u>ABCB Livable Housing Design Standard</u> City West Housing recommend referencing the ABCB Livable Housing Design Standard as a more appropriate standard for accessible dwellings. Upon review, the City agrees with this recommendation and the draft DCP has been updated to reference the ABCB Standard.
City West Housing	We support measures to improve accessibility and aging in place. Our design guides require all dwellings meet the Australian Building Codes Board Livable Housing Design Standard (ABCB). We are concerned about referencing the LHD over ABCB standards. It is our opinion 'silver level' benchmarking is not included in the DCP. The NSW	<u>Platinum or adaptable standard.</u> As exhibited, the draft DCP introduced the LHA Platinum Standard requirements to replace the existing requirement for adaptable dwellings. In their submission, City West Housing suggest this is more onerous to deliver than the Australian Standard adaptable dwellings.

Submitter	Submission	Response
	Government will likely adopt the ABCB standards, hence the LHD standards will lead to confusion. The Platinum LHD requirements to replace adaptable dwelling provisions are excessive and will result in the delivery of less housing due to significant additional space requirements. Our experience suggests 'Silver Level' is suitable in most circumstances and implore Council to reconsider the appropriateness of the standard.	Since this draft DCP was put forward, Livable Housing Australia have decided to wind-up operations and will no longer exist as an organisation after June 30 2025. As a result, the Livable Housing Guidelines will not be updated or maintained. Given the uncertainty this brings for the currency of the guidelines into the future, the proposal to adopt the Platinum Standard instead of the Australian Standard for Adaptable Housing will not proceed. The practice of requiring 15% of all apartments as adaptable apartments consistent with Australian Standard (Adaptable Housing AS 4299) in larger developments will remain.
Flexible and adaptable dwellings – Dwelling mix – DCP Amendment 2		
Property Council of Australia	We advocate for sensible housing delivery policy that ensures a diversity of dwelling types and are concerned this will impact feasibility and stifle design. The current controls work as intended without being overly prescriptive. We recommend Council focuses on flexibility given changed market conditions, noting it is in the interest of developers to respond to changing demographics and community needs.	Increasing the delivery of 3 bedroom apartments is important in ensuring families with children are provided with sufficient options to choose apartment living and remain in apartments as the children age. Currently, families in our local area tend to move from apartments as their children grow older, with some needing to move further away from jobs and other services. More family-friendly 3 bedroom apartments will encourage more families to choose apartment living in the area and allow them to stay there longer.
Meriton	The draft controls will lead to increased costs and reduce yields. The current approach is a range, which is more flexible. Removal of this flexibility is not supported. There appears to be no underlying demographic analysis to justify this substantial change. Determination of the appropriate unit mix is better left to the developers, than prescriptive controls. Delivering the right mix to meet demand is a key part of ensuring a successful feasible project. It is recommended dwelling mix controls be deleted from the DCP entirely. The controls should be relaxed, not made more rigid.	The increased minimum of 3 bedroom apartment mix of 20 per cent is not inconsistent with development outcomes, where typically 15 per cent of apartments are 3 bedrooms. These controls seek to ensure a diverse range of dwellings are delivered to support families with children in living close to centres, including Central Sydney. As such, different ranges for different areas are not proposed. No change to the revised dwelling mix is proposed. <u>Flexible range is preferred</u> While expressed in the draft DCP as a maximum for 3-bed dwellings and a minimum of 3-beds and 1-beds/studios, in effect they operate as ranges. For a minimum of 20 per cent 3-beds is actually a range of 20-100 per cent.
Urban Taskforce	Our preference is for greater flexibility in dwelling mix to allow developers to meet market demands, which allows developers to accommodate market demand without conflicting with any provisions. While it is true that families seek appropriate housing for their children's needs, the cost of additional GFA is the key factor in prohibiting most moves to a larger dwelling. That is why families typically move to an area with larger homes which are within their financial means. The City should relax the apartment mix controls to allow new stock on a site-specific, merit basis.	The draft DCP has been updated to express the dwelling mix as a range. <u>Community Housing Providers are exempt</u> The submission from City West Housing is noted. Community Housing Providers are exempt from this provision in the DCP and as such, it does not apply to new CHP developments.
Planning Studio	While dwelling diversity is supported, a minimum 15 percent requirement (down from 20 percent) for three bedroom dwellings seems more appropriate for a Central Sydney site.	
City West Housing	The draft provisions substantially increase the proportion of 2/3 bed apartments at the expense of studio and 1 bed apartments. Our resident cohort is mostly smaller households	

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	While we note affordable rental housing is not subject to proposed provisions, however we wish to express our concerns and would like to ensure that the exceptions remain in place.	
Flexible and adaptable dwellings – Dwellings suitable for families with children– DCP Amendment 2		
Meriton	Requirements for dwellings on communal open space floors to have 3 or more bedrooms, two of which to be 12m² in size conflicts with the ADG. This will increase costs, reduce yields and will force the delivery of uniform apartment types instead of supporting a variety that meet resident needs.	<u>Larger bedroom size</u> The size of the larger bedroom should be 10 square metres excluding wardrobe consistent with the NSW Apartment Design Guide, not 12 square metres as stated in draft DCP. This will be amended.
Urban Taskforce	The increase in the quantum and size of bedrooms further limits already difficult ground floor layouts. Apartment requirements should be on a site-by-site basis based on the characteristics of the streetscape. These controls are not consistent with the ADG, as follows: – imposing a one-size-fits-all requirement rather than flexible and contextual responses; and – the Housing SEPP identifies non-discretionary standards that prevent more onerous controls Residential development in NSW, is constrained by FSR, when additional square metres are mandated, yield is reduced, impacting affordability. The last thing needed in a housing supply crisis.	The larger additional bedroom requirements does not necessarily translate into a larger overall dwelling size. The change constitutes a modest increase and can be accommodated with good design of the internal apartment spaces. The Housing SEPP establishes that a DCP cannot be inconsistent with standards or controls in the Apartment Design Guide. The minimum bedroom sizes are design criteria towards an objective in the ADG, and are not standards or controls. It is acceptable to provide larger bedrooms in meeting the objectives in the ADG.
Planning Studio – 700 George St Haymarket	It is often better to co-locate smaller apartments onto communal spaces in high-density CBD developments so they can benefit from the adjacent amenity. This should be revised to ensure flexibility to locate apartments in locations to suit ADG compliance like solar and cross ventilation. Increased spatial requirements requires larger apartment sizes which works against affordability.	<u>Location of apartments for families with children</u> On review of submissions, the City agrees requirements for all ground-floor apartments, or those on the same level as communal open space, to be 3 bedroom apartments may result in difficulties for building layouts and efficiencies. The draft DCP will be amended to require 50 per cent of apartments on the ground floor, and the same floor as communal open space shall be 3 bedrooms. In tandem with the overall number of 3 bedroom apartments, this change will maintain flexibility to locate a greater variety of apartment types at these locations, while encouraging a greater number of apartments suitable for families with children. <u>Recommended amendments:</u> The controls will be amended to require 50 per cent of apartments on the ground floor and same floor as communal open space have 3 or more bedrooms. The size of the additional larger bedroom will be corrected from 12m² to 10m² excluding wardrobe, consistent with the NSW Apartment Design Guide.
Flexible and adaptable dwellings – Play space – DCP Amendment 2		
Property Council of Australia	Mandating play spaces within new developments is highly prescriptive and needs to be informed by the type of development being delivered. Clarification is sought that these provisions will not apply to– build-to-rent housing, boarding houses, co-living, seniors housing, and purpose-built student accommodation.	Play space for children is an important element in attracting families to apartment living. Play space can be designed within the requirement for communal open space, and can be managed and maintained in much the same way as other common facilities in apartment buildings. It is unlikely the provisions will impose additional cost and risk burden to buildings greater than the current provision of communal facilities.
Meriton	Introduction of requirement for play space in communal open space areas is not supported. Communal open space needs to be designed for a broad range of users. Furthermore, the maintenance	<u>Recommended amendments:</u> The draft DCP has been amended to only apply to larger developments, with more than 21 dwellings,

Summary of submissions – Planning proposal – Policy and housekeeping amendments

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	and protection of children's play areas imposes a cost and risk burden on strata owners and should not proceed.	which are likely to include apartments and other communal facilities that cater for families with children.
City West Housing	These provisions do not reflect the needs of our residents which is mostly single occupants. The mandatory inclusion of play equipment and internal common spaces will likely result in spaces that don't meet resident's needs and less dwellings due to additional cost and maintenance. Noting, our communal rooms are rarely used at present	The DCP provisions for play space will not apply to co-living and boarding houses, build-to-rent, seniors housing and student housing.
Environmental noise – DCP Amendment 7		
Meriton	The additional controls for noise-sensitive land uses goes well beyond the scope of the Transport and Infrastructure SEPP that does not apply to serviced apartments and does not preclude ground or first floor residential and serviced apartment uses fronting busy roads. Prescriptive controls do not support flexibility and limits the capacity for developers to respond to market demands. The imposition of development controls beyond the SEPP is not appropriate.	Environmental noise controls are currently listed in Section 4 of Sydney DCP 2012, which deals specifically with residential development. The draft DCP moves these controls to Section 3 for clarity and to be considered in all development. <u>Noise-sensitive uses</u> Sydney DCP Section 4.2.3.5 already includes restrictions on residential development fronting busy roads. This is not a new provision, it is simply being relocated to Section 3 of the DCP. The updates to the controls include an expanded list of noise-sensitive and noise-generating land uses to ensure appropriate consideration of noise-related issues. This includes serviced apartments, which are capable of being used in the future as residential dwellings.
City West Housing	<u>Acoustic and ventilation design requirements</u> The proposed acoustic and ventilation design solutions may impose significant costs that may impede affordable housing development. We recommend consultation to identify a performance-based approach that is practical, affordable and sustainable design solutions that balance acoustic performance with feasibility. <u>Noise criteria</u> Specifically, we note the NCC covers noise criteria and query the need for the additional provision, which would appear to exceed the amenity requirements required under the NCC.	<u>Acoustic and ventilation design requirements</u> The ventilation and acoustic design solutions are offered to help guide development in meeting the performance requirements in the DCP. In practice there are an increasing number of dwellings using plenums for ventilation, and so these have been added to the DCP guidance. <u>Noise criteria</u> The NCC includes sound insulation requirements between dwellings (and between land uses inside a mixed use development), but it does not cover noise from infrastructure and other external sources. For this reason, the existing DCP requirement dealing with sound between dwellings is proposed to be removed, while the requirements for external sound have been strengthened. The sound criteria in the DCP have been updated to reflect current understandings about the health impacts of noise and to reflect building methods available to reduce noise. The criteria are similar to those used in the Transport and Infrastructure SEPP.
Urban Design – DCP Amendment 6		
Meriton	Development yield and feasibility will be impacted by more onerous design requirements above and beyond ADG and NCC.	This amendment brings several DCP sections together into one new section for ease of use. <u>Floor-to-floor heights</u>
Urban Taskforce	The inclusion of floor-to-floor requirements for apartment buildings is excessive. These heights are	The apartment building floor-to-floor height has been increased from 3.1 metre to 3.2 metre, accounting for

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	stipulated by the ADG and as such should be removed from the DCP.	waterproofing, structure and services to facilitate an ADG compliant floor-to-ceiling height.
City West Housing	<u>Inclusion of other metrics</u> Concern with the stricter building setbacks, heights and interface guidelines. The controls are prescriptive rather than merit-based as evidenced by: – specific metric restrictions on blank walls; – riser and going metrics for common and public stairs and ramps; and – metric requirements for floor-to-floor heights	<u>Recommended amendment</u> A minor amendment to the objectives has been included to ensure ADG compliant ceiling height is achieved. The revised Urban Design controls provide guidance for developing a high quality outcome with good amenity. These sections include strong objectives that clearly communicate the intent of the proposed controls and provide sufficient flexibility. <u>Inclusion of other metrics</u> The metric for stair risers and goings already exists in the DCP and is not a new provision. The draft DCP does not include specific metrics for blank walls.
Water and flood management – DCP Amendment 9		
Meriton	Increased testing and modelling requirements for potential sea level rises will impact on feasibility and yield of projects and are not supported.	<u>Modelling for sea-level rise</u> The proposed amendments are consistent with the City's Interim Floodplain Management Policy, which already requires climate change impacts be considered, as does other NSW Government policies.
City West Housing	The definition of basement under these changes may impact flood planning levels. We seek confirmation the controls consider internal drainage patterns, and partially covered areas not classed as basement if water can self-drain to the street from the lowest point.	<u>Basement definition</u> The basement definition is based on that in the City's Interim Floodplain Management Policy and is not intended to change the areas to which basement flood planning levels apply.
Ecologically Sustainable Development – DCP Amendment 10		
Meriton	The DCP controls for embodied emissions reporting is not consistent with the SEPP and is not supported. ESD targets should not be included in a design excellence strategy.	<u>Embodied carbon reporting</u> The draft controls complement the Sustainable Buildings SEPP. Reporting of carbon emissions associated with building materials is required by the SEPP. The draft controls provide the detail on what type of information is to be provided to be consistent with those SEPP requirements.
Urban Taskforce	Sustainability targets in design excellence strategies are inappropriate as it is covered by the Sustainable Buildings SEPP. The SEPP sets clear expectations, many panels lack the expertise to assess effectively. We recommend these measures remain aligned with the SEPP.	<u>External shading</u> The draft controls seek to reduce adverse impacts from direct sunlight on unprotected glazing to manage comfort and protect from heatwaves. The external shading metrics are provided as a guide to achieving the comfort and safety objectives in the draft DCP. Proponents can chose to demonstrate comfort and safety to satisfy the objective where they cannot meet the guidance.
City West Housing	The proposed amendments do not support a merits-based assessment of a development. The external shading and reflectivity provisions include very specific metric-based measures. We request the opportunity to demonstrate comfort rather than a prescribed external solution.	<u>ESD targets for design excellence strategies</u> New development is already subject to ESD requirements in the Sustainable Buildings SEPP and Sydney LEP and DCP. The City agrees it is unnecessary to add ESD targets to Design Excellence Strategies.
Green Building Council	The updated provisions are supported. The City should introduce performance standards for non-residential developments (1000m²+) to measure, disclose and reduce their emissions. We have partnered with NABERS to develop an Embodied Carbon rating tool. We encourage the City to refine the policy's performance standards.	<u>Recommended amendment</u> The requirement for ESD targets will be removed the draft Competitive Design policy.

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Protection of sun access to Gunyama and Cook and Phillip Parks – LEP Amendment 8		
Meriton	This control is not needed as building heights for this area are approved, maintaining sun access to the Park. These provisions must also consider approved changes by the planning proposal for adjoining sites.	The sun access planes do not affect Meriton's Epsom Park site with the site-specific planning proposal. The sun access plane does not impact upon the development potential for land fronting the Park.
Urban Taskforce	A Gunyama Park solar plane is unnecessary as solar access has been carefully planned into approved developments. It fails to consider adjacent site-specific Planning Proposal. Any future adjustments to solar access controls must ensure that current and approved building heights are accurately reflected.	The tall building proposed closest to the Park has an approved building height of RL 73m, below the sun access plane– about RL 100m at this location. The proposed sun access controls will not impact future development on these sites.
Changes to Haymarket / Chinatown special character area – DCP Amendment 12		
Chinatown Action Committee	We suggest further review of street wall heights. On main streets, it can be increased to 45 metres, there is capacity to increase built form without detrimental public domain effects or amenity.	The special character area provisions seek to maintain the unique character of parts of Central Sydney, including Haymarket/Chinatown.
	Street wall heights to narrow streets and lanes can be separately addressed to provide better amenity to adjoining public domain. Street wall heights to Dixon Street could be reviewed.	For Central Sydney in general, the default street wall height control is 20-35 metres to ensure good public domain amenity including daylight to streets. A 45 metre street wall height for Chinatown would not be consistent with this approach. Higher street frontage heights would be incongruous with the area's fine grain and built form character, which is predominantly below 20 metres. No change to the street wall heights is supported. Other changes to the Height of Building and FSR controls have not been considered as part of this amendment and cannot be made at this time.
	<u>Consider development incentives</u> We also recommend further studies of the special character area, exploring incentives to encourage development such as increased building height and FSR, including reintroducing the 1.5:1 floor space bonus for new residential projects.	
	<u>Heritage buildings</u> We support contemporary activation of heritage buildings rather than leaving them in a time warp, isolated in the modern context. Council should take urgent steps to resolve the delays with the dilapidated Kwong War Chong building so it may again be an active part of Chinatown.	<u>Heritage buildings/Kwong War Chong building</u> Specific heritage considerations were not exhibited as part of this amendment and are beyond scope. The City will continue working with applicants to allow flexible adaptation of heritage listed buildings, while maintaining significance. The Kwong War Chong building has a development consent that would allow activation of the building while conserving its heritage. It is the responsibility of the building owner to activate that consent.
Soul of Chinatown	<u>Locality statement</u> The proposed changes to the locality statement are supported.	<u>Drop-off and pick-up zones</u> Drop-off/pick-up zones are not a land-use planning matter and are beyond this amendment's scope. It has however been considered as part of the Haymarket and Chinatown Public Domain Plan.
Planning Lab	We support a street wall height increase to 35 metres. Dixon Street should remain at 15 metres. Additional drop off locations must be introduced and maintained to cater for accessibility. Not everyone is able to take advantage of pedestrianisation and public transport.	<u>Variable setback to Hay Street</u> Street wall heights and setbacks are maintained for Dixon Street frontages because of the significance of the streetscape and the need to allow daylight to the street. However, due to broad nature of Hay Street and its open built form context, and to encourage investment in buildings in Haymarket, a different setback could be considered. 90-94 Hay Street was designed and constructed alongside 96-100 as part of a pair of symmetrical buildings across Kimber Lane. They have been proposed together as a local heritage item. The heritage assessment recommends that the façade form and detailing should remain symmetrical so

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		that the 90-94 and 96-100 Hay Street continue to be read as one building with a shared history. The same setback should apply to 90-94 and 96-100. The change is supported. <u>Recommended amendments:</u> Figure 5.9 has been amended to include a variable setback to 90-100 Hay Street southern frontage.
<u>Signage – DCP Amendment 14</u>		
Meriton	Controls on signage further restricts the ability to name buildings or continue commercial agreements for top of building signs	Amendments to the top of building signage controls further clarify existing provisions, ensuring signage is only allocated to the building owner or significant tenant. This is to limit the potential for these signs to be used as advertising space. The intent of the provision has not changed.
Chinatown Action Committee	It is recommended neon is not promoted over other forms of signage but building and business owners are encouraged to erect creative and quality signs of their choice. Absence of English on signage may reinforce Chinatown as a foreign enclave, work against promoting understanding in a multicultural society and deter visitations other than from tourists. We strongly recommend signage include English. We recommend a further review of the new signage policy through refining the existing policy to align with a community vision for Chinatown.	The proposed controls seek to encourage neon vertical wall signs in Chinatown following extensive community engagement. However, other forms of signage are allowed. Minor changes are proposed to emphasise quality and culturally appropriate signage. In particular, where LED neon signs are proposed, it is to have the same visual qualities as neon. Requirements for English translation on signage does not exist anywhere else in the local area. The language displayed on their signage is up to the business itself, and the DCP will not be requiring signage to be in English.
Soul of Chinatown	While LED neon signage can bring vibrancy to an area it can have a different, tackier look than traditional neon. This should be considered by the DCP. It is recommended the controls say “encourage” rather than “predominance” of neon signs, as well as encouraging traditional script and cultural symbols like dragons, etc. Daytime illumination should be considered. As well as an incentive to protect or restore traditional-style neon. We recommend incorporating the community’s history and heritage through bilingual signage utilising local calligraphers using traditional styles, like Chinese seal script, Thai decorative elements. We would like to see a signage advisory panel to guide culturally appropriate signage policies.	While the City encourages the use of local artists and calligraphers, we are unable to mandate it. However, incentives do apply to help businesses provide culturally appropriate and well-designed signs, including restoring existing neon signs. Concerns regarding the quality, form and visual appearance of signs in Chinatown are noted. The City will monitor the delivery of the controls and may take action where required. <u>Recommended amendments:</u> Minor revisions to DCP clause 3.16.12.9 – Chinatown and Thai Town signage precinct to address signage quality and materials

Table 2: Individual, stakeholder and community group submissions

Submitter	Submission	Response
Christ Church St Laurence 2 submissions	<u>Special character area boundary DCP Amendment 12</u> The boundary should be changed. It runs through the block, excising buildings at the northern and southern ends. If not seen as an entity, the block will be weakened and heritage impacted. The two buildings on this block excised from the special character area are heritage items. The area should be redefined to include them. <u>Special character area statement DCP Amendment 5</u> The parish of Christ Church St Laurence (CCSL) raises concern about the Haymarket/Chinatown special character area and how development can be managed without impacting heritage buildings. The exhibition documents misspell 'St Laurence' and not all buildings are included. The character statement supports development and focuses on Chinatown at the expense of Haymarket. It does not show enough detailed understanding of the area and does not accurately reflect current or future character. Detailed statements that consider individual streetscapes and how valued built form can be protected should be included. The submission makes a number of detailed observations on the character area statement to suggest how it could be amended to more accurately reflect historical, social, economic and other influences and context of the area, and to provide much more specific detail about the character of the area. The Christ Church St. Laurence buildings should be shown as key heritage items, giving the street a largely intact form. The character statement should reflect this and how it can be maintained. It is important the controls for surrounding sites protect the Church's heritage values. This may include controls to protect views, increased setbacks, lower street wall and building heights. Unless the controls are specific, it will be assumed there is no obligation to moderate development.	<u>Special Character area boundary</u> The inclusion of the Christ Church St Laurence group of buildings in the Haymarket/Chinatown special character area is primarily due to the George Street frontage and its strong relationship to Haymarket and surrounding streetscape. Daiken House and the former Lottery Office have frontages to Pitt Street with a stronger relationship to Central Station, which is why they are both part of the Railway Square and Central Station Special Character Area. <u>Special character area statement</u> Comments about detail are noted. The Locality statement is not intended as a detailed description of the area. It provides a broad description of the key points, development history, current and future character to provide context for consideration at the development application stage. The Locality statement has been refined to better describe the development history and context of Haymarket as distinct from that of Chinatown. Amendments to the Statement correct the spelling and better recognise the heritage significance of Christ Church St Laurence, distinctive in this area.. While change to the maximum building heights of sites is beyond the scope of this amendment, the City notes the strong desire to protect the visual setting of the Church from George Street, which is why street wall height of 15m and an 8m setback was exhibited for the adjoining sites to the north. A post-exhibition change is proposed for a 15 metre street frontage height for 806-808 George Street, which will help provide an appropriate visual setting for the Church when viewed from George Street. <u>Recommended amendments:</u> Update Haymarket Chinatown Locality statement to provide greater context, differentiate Haymarket and correct Christ Church St Laurence spelling. Amendments to Figure 5.9 for a 15m street wall height to 806-808 George Street to improve the Church's visual setting.
GoGet	<u>Parking – DCP Amendment 4</u> The reliance on the number of parking spaces in a new development to determine the provision of carshare spaces is of concern. GoGet proposes: – amendments to Section 3.11.2 to require a substantial increase in carshare spaces in residential development – an amendment to ensure that the pedestrian route to car share spaces is included in DA information – a requirement that where car share is required, an occupation certificate is not provided unless an agreement is in place with a car share operator	The DCP enables car share parking appropriate to the site's context, independent of other parking. The request to substantially increase the number of car share spaces is not supported. The request to condition occupation of a building on an agreement with a car share operator is also not supported. <u>Recommended amendments:</u> Draft DCP clause – 3.11.2 Car share scheme spaces has been updated to ensure the pedestrian route to car share spaces is included in a DA.

Submitter	Submission	Response
The Glebe Society	<u>Urban ecology – DCP Amendment 3</u> We seek to increase the abundance of native fauna and flora; promote wildlife corridors; and involve the local community in habitat creation. The Society is concerned that much of the Glebe area has been excluded from the biodiversity corridor maps and would like this to be amended. Glebe and Forest Lodge should be considered suburb-wide biodiversity corridor. Their unique location on the harbour foreshore surrounded by parks gives ample justification for consideration. Further, some parks, reserves and other locations should be identified on the biodiversity corridor maps, or as key habitat areas.	Glebe and Forest Lodge's attributes and aspirations of the Glebe Society are noted. Private land, such as dwellings with backyards have been found to already comprise most of the existing habitat connections. The draft DCP proposes new provisions to identify habitat areas and affected sites to help improve connections between the habitat areas. The habitat areas are generally the City's larger parks. It is not the intention to capture all parks and open spaces as key habitat areas. The biodiversity corridor controls apply to private development only and not to parks and open spaces. They require landscaping and habitat features, as part of development. Greening of city parks, streets and lanes is undertaken under the City's Greening Sydney strategy.
	<u>Integration areas – LEP Amendment 18</u> <u>Rachel Forster hospital site</u> The former Rachel Forster Hospital site is not a proposed as a heritage item in the Sydney LEP. We realise redevelopment impacted heritage fabric however the distinct front wall should be noted, as well as the site's strong social significance– the community bought bricks to fund its construction. <u>Eveleigh railyards</u> The City must ensure all important heritage items in the former Eveleigh Railyards are included into Sydney LEP. Heritage here has been overridden before, so due diligence is needed. We propose the Railyards are made a conservation area, as elements are on various heritage lists. Past issues with the Conservation Management Plan provide a basis for considering the site as a precinct to ensure it won't fragment any further. We are concerned about items not proposed for inclusion in Sydney LEP and State listed movable items, it's unclear what mechanism or body monitors their protection. A conservation area designation on the Railyards may assist in ensuring protection, heritage interpretation and tourism in the precinct.	<u>Rachel Forster hospital site</u> Redevelopment of the former Rachel Forster site involved demolition of most buildings on site. The site's heritage significance and integrity was too impacted to be included as a heritage item. Its inclusion in the heritage conservation area reflects its social significance and relationship to the area. <u>Eveleigh railyards</u> This planning proposal relates to the inclusion of three buildings in South Eveleigh into Sydney LEP 2012, namely– Locomotive Workshop, Works Manager's Office and New Locomotive Workshop. These were identified as separate heritage items in the SEPP (Precincts – Eastern Harbour City) 2021 The broader Eveleigh Railyards precinct is listed on the State Heritage Register and is protected under Heritage Act 1977, which provides a higher level of protection than a local heritage listing and includes the precinct's movable heritage collection. The heritage conservation area designation for the railyards under Sydney LEP 2012 would not provide greater protection to the complex than is already afforded under the current State listing.
REDWatch	<u>Integration areas – excluded sites</u> REDWatch supports amalgamation of sites into the LEP and are concerned about the South Sydney LEP sites (Waterloo North and Central, and Redfern Estate) being excluded. The submission suggests integrating and retiring South Sydney LEP. Concerned that only part of Gibbons Street Reserve is to be bought into LEP. The whole park was excluded from earlier plans due to community opposition. The whole park should be bought into the LEP and zoned RE1 Public Recreation.	This submission is noted. Simplifying the City's planning framework remains an ongoing action as noted in City Plan 2036: Local strategic planning statement. The amendment however focused on precincts where development is largely complete. The sites noted in the submission have not yet been developed and it was not possible to integrate the controls for these sites at this time. The northern part of the Gibbons Street reserve is owned by Transport for NSW who consider it part of the broader 'railway lands' at Redfern/Eveleigh and did not support its inclusion in the LEP at this time. Notwithstanding, the City regularly engages with State government agencies advocating for positive community outcomes with any proposed redevelopment of these sites.

Submitter	Submission	Response
REDWatch	<u>Integration areas – contributions plans</u> Public accounting of funds collected by the contribution plans for Redfern Waterloo should be released. They received significant large contributions from the CUB site.	Development contributions collected under the Redfern Waterloo Authority contribution plans, including affordable housing contributions from the CUB site, are managed by the NSW Department of Planning, Housing and Infrastructure. They are best-placed to answer questions on accounting for the funds.
	<u>Integration areas – late night trading areas</u> Concern about the Redfern (west) Late Night Trading area bordered by Abercrombie, Cleveland and Vine Streets and the railway corridor in the Late Night Trading Premises DCP 2007. REDWatch notes that this area was marked for commercial development which has yet to occur. This area should be reassessed and removed due to recent residential development. While late night trading along Regent Street is appropriate, REDWatch feels that marking the whole area as a continuation of the Chippendale precinct into Redfern is not sensible.	This amendment consolidated controls for the integration areas to Sydney DCP 2012. It should also have included the current Late Night Trading area noted in the submission but did not. This area is contained within the 'legacy' Late Night Trading DCP 2007. This was an unintended omission. As an interim measure, the draft Sydney DCP 2012 maps have been updated to include this area. This will allow the legacy DCP to be rescinded. The concerns raised in this submission are noted. This precinct retains a largely residential character, although is subject to a current State Significant Development application for a mixed use development of commercial, residential and retail uses. Any new premises must ensure how residential amenity is not adversely impacted. There is an ongoing review of the City's nightlife controls which will look to review the suitability of this late night trading area further. <u>Recommended amendments:</u> The DCP Late Night Trading maps updated to include the omitted area bound by Abercrombie, Cleveland and Vine Streets as a Local Centre Area.
	<u>Structures associated with green roofs</u> Will proposals adjacent to heritage conservation areas that are visible from a public area be notified for public feedback?	All proposals utilising these provisions will be subject to public exhibition in accordance with our Community Participation Plan.
Chippendale Residents Interest Group	<u>Parking in new developments</u> Parking controls for parts of Chippendale should be amended to better reflect the distance to public transport for key transport routes. Further, parking rates should be increased for smaller developments targeted towards families to attract a diverse residential population base.	The parking changes apply to new developments, reflecting public transport changes and additional capacity. No change is proposed for other areas or existing buildings. Parking for larger apartments maintains a minimum of at least 1 space per 3-bed apartment to help accommodate families.
	<u>Design Excellence</u> Further consultation on development applications is requested given future development that is likely in Chippendale, including the Central SSP.	No change is proposed to the City's engagement processes. All exhibitions will continue as per our Community Participation Plan.
	<u>Development near zone boundaries</u> Given this may impact sensitive land uses, we suggest six metres is necessary unless the application is subject to public exhibition.	This amendment aims to improve the application of the clause from its current wording. Proposals must ensure adverse amenity impacts are minimised consistent with existing LEP and DCP controls. Proposals utilising these provisions will be subject to public exhibition in accordance with our Community Participation Plan

Submitter	Submission	Response
Chippendale Residents Interest Group	<u>Exempt development – Solar energy systems</u> In Chippendale, solar panels on rear roofs in heritage conservation areas will likely be seen from some public spaces. The provisions should be extended to address such scenarios.	While the solar energy system exempt provisions have been expanded, panels may be visible from the rear. Further restrictions would be contrary to the City's work to supporting renewable energy use.
	<u>Integration areas – Building heights</u> Obstacle Limitation Surface provisions may be impacted to accommodate flight path changes for the future Western Sydney Airport	No building heights in this Proposal encroach on any Obstacle Limitation Surface. Referrals were sent to CASA and Sydney Airport, who declined to comment.
	<u>Integration areas – Central Park</u> It is recommended the integrated controls reflect the final Concept Plan. Given the number of modifications, we call for this information to be made publicly available to ensure its accuracy.	The mapped FSR and building heights include all modifications as detailed in Table 8 & 9 in Planning Proposal Appendix A. The controls accurately reflect the area's completed built form, minimising additional development capacity and protecting amenity.
	<u>Public space</u> Recent projects have seen the use of publicly accessible space (Brewery Yard) as exempt development, despite being shown as public space in the Concept Plan. Stronger controls are needed to prevent other public space being modified post approval.	<u>Public space</u> The Brewery Yard is publicly accessible private land. The new controls identify publicly owned space as zoned RE1. Sydney LEP 2012 provides additional exempt development standards for the temporary use of council land, limited to 52 days in any twelve month period, less than is permitted by the SEPP.
	<u>Central Sydney zoning</u> Documents indicate the Central Park area will be incorporated into Central Sydney zoning, as well as other areas including the Central rail yard and SSP site. Further clarification is requested as parts of Chippendale is better zoned MU1 Mixed use rather than SP5 Metropolitan centre.	<u>Central Sydney zoning</u> No change to zoning in Chippendale is proposed. No documents identify Central Park or other parts of Chippendale being incorporated into the Central Sydney zoning. The planning proposal transfers the Mixed Use zoning of Central Park from the Concept Plan into Sydney LEP 2012. Nor will the area be designated as part of Central Sydney.
	Affordable student housing comprises a large portion of Central Park, much with poor amenity. Consequently, once the existing arrangements expire, this may need to be addressed through specific provisions to ensure good outcomes.	The integration of Central Park into Sydney LEP cannot trigger review of any existing development consent. Any new development will be assessed under Sydney LEP and DCP requirements and as such acceptable amenity is to be demonstrated.
	<u>Locality statements – Objectives</u> The Locality statements should emphasise improving residential amenity and liveability, particularly due to Chippendale's high density. Many residents live in small spaces with poor amenity, liveability and acoustic treatments. There should be further consideration to improve liveability and residential amenity. This could also include greater tree canopy cover and social impact assessments for new buildings.	The new Statements contain a broad consideration of the 'character' of a place, with a different structure and more content, enabling details specific to smaller geographies to be captured. Chippendale is in the Redfern Street Village, and the primary principles seek to improve liveability, residential amenity and tree canopy cover. More guidance on how amenity can be improved is in detailed building controls elsewhere in the DCP.
	<u>Locality statements – Heritage</u> Chippendale has many key heritage buildings and a large heritage conservation area which should be recognised in the Locality statements. A unique combination of Gothic, Victorian, Federation and pre and post war buildings which was largely protected by default, as a result of a proposed freeway that did not eventuate.	The Redfern Street Village Statement highlights the heritage significance of the area, referencing the State items and heritage conservation areas (HCA) within it. Each conservation area is given weight without repeating content to limit implied preference for some heritage elements over others.
	Building 23/Brewery Yard should be included as part of these changes, heritage buildings should be retained and streetscapes strengthened.	The HCA principles provides guidance for the reuse of 'contributory' and 'neutral' buildings, which are classified in the Building contributions map. The

Submitter	Submission	Response
	Conservation areas should show 'contributory', 'neutral' and 'detracting' properties.	former Irving Street Brewery Chimney Stack is to be reinstated as a heritage item. The Building 23 complex is not included in this amendment but will be subject to a heritage review for consideration as a heritage item in future.
Chippendale Residents Interest Group	<u>Locality statements – Mixed use</u> Chippendale is classified as Mixed use despite a large proportion being residential streets. New precincts like Central Park presents a challenge in terms of liveability on low rise heritage homes, worsening poor amenity and lack of open space. Consequently, references to employment zones and industry need to better consider the needs of residents who live in Mixed use zones	Chippendale's Statement recognises the area as being residential and mixed use, reflecting area's history, continuing residential character, adaptive reuse and newer mixed use developments. To reflect the impact new development can have on established, small scale homes, the Statement references the need for a sympathetic scale and appropriate height transitions, consistent with other built form controls in the Sydney LEP and DCP.
	<u>Locality statements – Site-specific provisions</u> Chippendale is a mixture of different cubic forms: smaller terrace and warehouse homes next to larger warehouses with little separation. When reviewing the provisions for the 2012 LEP, Council decided to make site-specific controls to preserve the streetscapes and current cubic form that is quite distinct in Chippendale. To this end, the LEP provisions should continue to remain the same, and Locality Statement reflect this.	The neighbourhood statement recognises the distinctive mixed character of the area, adding that new development is to maintain the scale and heritage character of the area. Neighbourhood principles protect the fine grain subdivision pattern and require infill development to reflect the height, massing, horizontal and vertical proportions of the existing buildings and historic streetscapes. LEP provisions for Chippendale are not being changed.
	<u>Late night trading</u> The current map indicates late-night trading stop at Wellington Street reflects previous discussions with the City and State government. However, this has been extended, notably all of Central Park is now included in the late-night management area. Please clarify as this has implications for residential amenity and conflicts with the LEP objectives– minimising the conflict between different land uses.	This amendment consolidates the integration areas to Sydney DCP 2012, streamlining the controls and improving resident's certainty. Central Park is already identified as a 'local area centre' in the Late Night Trading provisions of Sydney DCP 2012. There are no changes to late night trading areas in any part of Chippendale. The concerns in this submission are noted. Inclusion in Sydney DCP 2012 will ensure any new premises will not result in adverse impacts to residential amenity.
Potts Point Preservation Group	The Macleay Street and Woolloomooloo Village concept is flawed as they are unrelated, separated by a cliff, making the designation untenable. Link Woolloomooloo with Darlinghurst, with which it has closer architectural and demographic ties. We propose the following changes, supported by Alex Greenwich, Allegra Spender and National Trust – William Street, Darlinghurst, Woolloomooloo village; and – Potts Point, Kings Cross, Elizabeth Bay and Rushcutters Bay village. We agree with some of the descriptions of the included areas but note that, as it stands, the heritage and contemporary values of the village around Macleay Street cannot be truly evaluated and recognised until Woolloomooloo is excised. The City has indicated unwillingness to review, but we continue to highlight this flawed 'Village'. It is	The City has moved to much broader appreciation of a locality's character in our Statements, moving away from a built form focus to include social, environmental and economic character as well. Historic references have also been broadened to recognise our important indigenous heritage. In doing this we recognised replicating information for the 100+ localities in the DCP would be long and repetitive. We also recognised that many areas had distinct similarities alongside their nuanced, smaller scale differences. There could be many ways to combine localities, such as by high street, or topography. We have combined smaller neighbourhoods into 9 Villages whose geographies are informed by the boundaries used for long term demographic analysis and infrastructure planning undertaken at the City. This is not an arbitrary, process-led decision, given that there are indeed many current and strategic

Submitter	Submission	Response
	wrong in its makeup and impedes assessment and appreciation of the Macleay Street village. We will keep pressing for a proper independent social history and architectural review of the area and I remain convinced this would support an area bounded by Potts Point/Kings Cross/Elizabeth Bay and Rushcutters Bay as a legitimate and important historical and contemporary 'village'.	similarities between neighbourhoods within each Village boundary. It also has the advantage that there will be direct correspondence between locality statements and future planning, population tracking and forecasting, employment and floor space surveys, capacity studies and community wellbeing indicators monitored over time by the City.
	<u>Structures associated with green roofs</u> This change will support activating roof spaces to benefit our residents, without additional cost of gaining approval for non-conformance.	Submission is noted.
	<u>Superseded sustainability targets</u> Removing outdated BASIX Energy targets is supported. This change will improve consistency in sustainability standards across NSW.	Submission is noted.
City West Housing	<u>Urban ecology – DCP amendment 1</u> City West Housing support these consolidated provisions. <u>Landscape plans</u> The landscape plan requirements are overly prescriptive and more than usually needed at application stage. Additional costs impacts our ability to maximise delivery of affordable housing. We encourage Council to consider replicating the current DCP requirements for landscape plans and to clarify that the amendments are to assist in species selection only. <u>Deep soil and canopy</u> Controls that prescribe tree numbers and doubling the minimum deep soil zone will impact dwelling numbers. This is a departure from a performance or qualitative assessment of tree canopy and does not address the primary concern, heat island effect. <u>Ecological assessments</u> The ecological assessment requirements are excessive and unwarranted. We recommend refining these provisions, including a waiver to ensure regulatory requirements are proportionate and do not impose unnecessary financial burdens on affordable housing developments.	<u>Landscape plans</u> The changes to landscape plan only apply to larger developments of over \$1 million. They seek upfront detail to demonstrate capacity to comply with the landscaping requirements as the development proceeds and to allow a more accurate assessment. The revised controls are appropriate as they ensure high quality landscaped areas can be delivered improving greening and liveability of the city. <u>Deep soil and canopy</u> The proposal amends existing tree canopy controls to express the requirements in a more certain and easily quantifiable manner, ensuring they can contribute to the City's Urban Forest Strategy and tree canopy cover target. Deep soil requirements have been established to support achieving the canopy target. Although increased, the City's review has shown that they can be accommodated with careful upfront planning. Where this cannot be accommodated, the provisions permit an appropriate performance-based substitution. <u>Ecological assessments</u> The proposed controls seek to ensure impacts to biodiversity and habitats are identified and mitigated. They are only required in limited circumstances, for buildings have been vacant for an extended period or where large buildings are being demolished.
	<u>Private open space and balconies</u> We express concern with requirements for full height adjustable screens or shutters to private open space. As with other measures, while well meaning, will come with a cost burden. We therefore request consideration be given to alternative measures that achieve the intent of the measure, improved privacy, via alternative more cost-effective means.	Previous balcony requirements in Sydney DCP that duplicate the Apartment Design Guide have been removed and replaced with controls that let residents control the usability of their private open space by adjusting privacy and shade. The exhibited DCP contains objectives to clearly detail the intent of these controls, and there is an option to demonstrate equivalent performance. This allows development the ability to address how design alternatives are capable of achieving the intent of the controls.

Summary of submissions – Planning proposal – Policy and housekeeping amendments

Submitter	Submission	Response
Support 1 submission	Strongly support controls that gets action on: – changes to maximum parking rates – making our City less personal car-centric – all vehicle queuing to be located on-site – planting everywhere possible, public/private – greater canopy coverage – improved landscape and planting requirements – habitat protection and biodiversity corridors – bird strike prevention – wildlife friendly fencing for small fauna – expand reflective facades and glare provisions – protection of sunlight access to open spaces – Powerhouse rezoning – encourage outdoor/rooftop space for active uses	This submission is noted.
Beyond scope 12 submissions	Submissions raised the following issues which are beyond the scope of this planning proposal: – continue pedestrianising Sydney – better active transport and walkable links – improvements to streets and local parks – more frequent maintenance of trees – concern regarding removal of heritage laws – lower speed limits for cars – improve public transport to major retailers – reduce street parking to highest extent – prevent registration without off street parking – parking permits for tradespeople – allocate parking to residents in terraces as upkeep is expensive for these houses – Riley Street Woolloomooloo planning proposal – amenity/ventilation provisions for upper floors – prevent approvals for outdoor artificial grass – new, but fool-proof green waste solutions – increase transport service frequency to cater to additional population – redevelopments should provide public art – reward revitalising heritage buildings – all projects must have internal space for bins – evening programs for over 55s – fewer private vehicles in Central Sydney – activate lanes without impacting residents – principles for improved health determinants – reinstate Wentworth Park as public land – improve short term rental accommodation database to improve enforcement	The matters raised in these submissions are noted. They are however beyond the scope and remit of this planning proposal. This proposal comprises a series of smaller changes to the planning controls that seek to implement some of the actions contained in City Plan 2036, the City's local strategic planning statement and housekeeping changes to improve the operation of the controls. It is noted that many of these issues are included in the City's vision Sustainable Sydney 2030-2050 Continuing the Vision. This planning proposal does not include specific projects, such as improving a particular park, or improving the road, public transport or pedestrian networks. It does include controls that are intended to improve canopy coverage in new developments, or to help reduce reliance on private vehicles. The City's other strategies and policies also details actions to deliver on many of the issues raised in these submissions, such as our Public Art Strategy, or Urban Forest Strategy that includes an updated list of species better equipped to mitigate adverse impacts from climate change.
Urban ecology 2 submissions	Submissions suggested the following changes to the urban ecology provisions: – monetary contribution in lieu of tree canopy – small sites exclusion – increased greening of urban environments to enhance biodiversity – increase canopy cover to improve environment and wellbeing outcomes – public consultation and mapping to identify sites to bridge biodiversity corridor gaps – default protection of large canopy trees – provisions for fresh water and nests for wildlife	The draft DCP provisions for Urban Ecology seek to contribute to the City's tree canopy target, which requires increased planting on private land. A monetary contribution would not achieve the same effect. The City already makes substantial investment in greening City parks, streets and lanes. The provisions include exemptions for tree plantings for sites up to 150 square metres with a substitution option to deliver similar greening, biodiversity and urban cooling effects where tree plantings are not practical. These controls help improve air quality, water runoff and liveability of the city.

Summary of submissions – Planning proposal – Policy and housekeeping amendments

Submitter	Submission	Response
	– avoid excessive lighting of trees to prevent wildlife impacts – mandate material choice to protected species – increase deep soil for more trees and green space	New maps identify habitats and biodiversity corridors typically close to small parks, schools, backyards and other open space. Improving these connections and providing new habitat features on private land will help support the viability of species. Overall, the new controls promote urban greening and biodiversity.
Basement agriculture 1 submission	A submission queried the basement agriculture provisions, regarding electricity supply to support plants and removal of vapour from the basement to prevent water damage.	This amendment removes a planning barrier for intensive basement agriculture. Considerations such as sufficient electricity and building alterations are detailed in a development application. Generally sufficient electricity is available in the City.
Ecologically sustainable development 1 submission	The following comments were raised regarding ESD considerations: – planning incentives for proposals that demolish less and reuse materials more – specify wind comfort levels for new buildings – improve solar access amenity for housing and public spaces not covered by state controls	The planning proposal and draft DCP include ESD objectives and provisions, including a requirement to report on embodied carbon, improve water efficiency, and encourage solar panels in heritage areas. Provisions in Sydney LEP and DCP address wind comfort and solar amenity.
Water & flood management 1 submission	The following comments were provided for water and flood management: – include criteria for active flood control systems – provisions encouraging rainwater harvesting and reuse – increase permeable surfaces to capture and reduce runoff and pollutant loads – concept applications to include an assessment of land and groundwater contamination	The draft DCP amendments include provisions for active flood control systems and requirements for reducing stormwater runoff and encouraging rainwater capture and reuse. They include controls for deep soil as a permeable surface in new projects. The proposed controls are not prescriptive so they may be applied to a wide range of development types and help support other DCP requirements. Developments are already required to consider contamination where previous use of the land indicates a contamination risk.
Environmental noise 1 submission	The following comments were provided for environmental noise matters: – minimise acoustic reverberant material choices – map noise-generating development, classified roads and rail corridors – extensive sound mapping across the City – new environmental noise assessment controls clearly stating requirements up front. – noise levels for all habitable rooms besides bedrooms to be 5dB less than the existing. – noise measurement methodology to use a repeatable maximum internal sound level for LAeq (1 hour) for bedrooms, and LAeq (24 hour) for all other spaces.	The draft DCP provisions include an expanded list of noise-sensitive and noise-generating land uses to ensure a wider range of noise-related issues are sufficiently considered in development assessment. These changes include a map of classified roads and railway corridors, identified as noise sources, for new development within 50 metres to undertake a detail assessment identifying design responses and mitigation measures. The provisions sets the expectations and requirements upfront to minimise uncertainty and additional delays. The provisions were not amended to recommend an extended measurement methodology. The draft DCP changes have reduced the maximum noise level measured inside dwellings by 5dB to reflect current understanding about the impacts of noise on resident's health and encourage the use of building methods to appropriately manage noise.
Locality statements 1 submission	The following comments were raised regarding the locality statements for Pyrmont: – challenge balancing development adjacent to terraces, retaining amenity and comfort – change is expected, anticipate the following from new development:	The proposed Harris Street Village and Pyrmont statements and principles in the draft DCP address these points. The need to respond to and complement the built form and scale of existing lower scale buildings is highlighted, as is excellent urban design outcomes, cohesiveness and heritage

Submitter	Submission	Response
	– to contribute to local character – protect heritage and neighbourhood history – provide a smooth transition with existing buildings and the foreshore – footpath awnings to be compatible with scale, features and heritage of building and area.	conservation. The locality statement also touches on the need for improved pedestrian amenity, connectivity and more open public space. The awning detail reads: “Provide footpath awnings to active frontages, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.”
Late night trading 1 submission	The following comments were provided addressing late night trading considerations: – Council convened working groups in priority zones – roof tops for zero alcohol activities and families – increased CCTV and external noise monitoring for entertainment venues – residents to directly contact venue owners – ‘anticlustering’ legislation to prevent side-by-side large venues, room for smaller fine-grain options – improve the complaint process for residents – design excellence requirements to include acoustic materials – external noise masking systems in hot spot locations near sensitive receivers to increase the background noise level at low frequencies. – design to consider and moderate behaviour – precinct ambassadors providing a visible and welcoming support presence – Entertainment Sound Management DCP, must include gaming machine noise – recognise and address impacts to residential amenity, including noise and safety – policies to ensure new buildings are designed with sufficient sound regulation. – Council sound recording used to forecast sound modelling and plan for sound inside a dwelling	The updates to the Late night trading controls in this amendment comprise minor changes to clarify existing policies and update references. Updates to the Late night trading maps will correct some errors and include areas not previously included. These amendments do not change the intentions of the current late night trading controls. Recently, the City adopted updates to Sydney DCP for Entertainment Sound Management, which set sound management requirements for new residential developments affected by entertainment sound; sound management requirements for new and significantly altered entertainment venues; and later trading with changes to trial periods. Submissions raised concerns regarding impacts of the night-time economy on residential amenity and the application of these provisions on existing venues. It was noted that the late-night economy is a strategic objective of the City, who remain committed to managing impacts including public domain improvements, improved night-time transport and continued engagement through liquor accords. These DCP changes were approved by Council and came in force in March 2025. The regulation of noise from licensed venues is now the responsibility of NSW Liquor and Gaming and council planning controls and conditions have no effect.
Signage 1 submission	The following considerations were raised regarding the signage provisions: – avoid bright signage causing invasive light spill – top of building signs should be for building identification and not business identification – allow painting of blank walls – increase grants to support wall art.	The draft DCP changes clarify that top of building signs must not be used for advertising and must relate to a building occupant. New illuminated signs must demonstrate they will not result in excessive glare as per current requirements and standards. The City actively supports and engages with high quality street art through a variety of approaches. Changes to signage provisions remove references to public art to prevent instances where public art and advertising signage have been conflated.

Table 3: Submissions from industry bodies and organisations
(Main themes are included in Table 1)

Submitter	Submission	Response
Memocorp	Removing the Opportunity floor space controls from the LEP adversely impact 259 George Street, Sydney as follows: - discourages urban interface improvements, including where publicly accessible open space integrates with the public domain; - future upgrades to the ground floor, food court and outside square may be impacted; - the site's unique setback podium structure demands a well-considered approach to how it integrates with the public domain and contributes to revitalisation of the urban streetscape; and - future changes to the basement carpark ramps should not be disincentivised if they improve the urban interface.	These provisions were introduced in Sydney LEP 1996 and to date, 9 of the 33 sites have been refurbished. The remaining identified sites provide publicly accessible space that would contribute to Central Sydney's street life. The City's planning controls, including Sydney DCP 2012 and Central Sydney Planning Strategy provide guidance on improved outcomes for active frontages, public space and prioritising space for pedestrians. The landowner's future upgrade plans are noted; this amendment does not prevent those plans from taking place, subject to development application. A review of previous approvals for the site suggest sufficient available FSR to accommodate any building upgrades/additions. It is recommended the landowner engage with the City to discuss their refurbishment plans and urban design considerations. This will ensure that building access can be improved while retaining the large areas of publicly accessible space.
BBC Consulting Planners on behalf of Merivale	Merivale is concerned with crossover between the Entertainment Sound DCP changes and in the Policy and Housekeeping DCP amendments. Noting parallel public exhibition of noise-related matters without explicitly cross-referencing or dealing with them together is confusing. There is a need for concurrent consideration of controls relating to residential acoustic amenity and noise-generating land uses.	Recent DCP changes came into effect 1 April 2025, establishing sound management requirements for new and altered entertainment venues, and new residential development on mapped sites which may be affected by entertainment sound. The existing environmental noise DCP controls have been updated by this Policy and Housekeeping update. The two amendments have been considered together by the same staff members and have been checked to ensure there is no crossover or incompatibility. The environmental noise and entertainment sound DCP provisions will be together in the same section of the updated DCP, to allow easier understanding of when they apply.
Willowtree on behalf of ISPT, owners of Oxford Village	Oxford Village retail centre owner supports late-night management area inclusion, as follows: - supports a broad mix of activities fostering an inclusive nighttime economy; - extended trading hours align with area's current activity levels, which will benefit retail tenants; - adjoins several late night trading premises and would not adversely adverse impact amenity; - future uses would require management plans; and - holds strong public transport connections.	This submission is noted. The subject site has potential to add to the diversity of land night uses to complement the surrounding precinct, subject to development consent. Individual premises seeking to extend trading hours are to lodge a development application and demonstrate acceptable impacts on surrounding amenity.
GYDE Consulting	The proposed DCP amendments introduce amenity standards for co-living and boarding houses for areas where the Housing SEPP does not apply. Despite this intention, it does not expressly state where it applies.	The draft DCP provisions apply the standards in the housing SEPP to boarding house and co-living development in parts of the City of Sydney where the Housing SEPP does not apply. These are noted at Clause 1.9 of Sydney LEP. It also provides minimum standards that apply throughout the City. Additional detail has been inserted in the draft DCP clarifying the intent and application of these provisions.

Submitter	Submission	Response
Willowtree on behalf of Corio Projects	Express support for amendments to remove superseded BASIX Energy standards as they relate to a site in Forest Lodge. The Sustainable Buildings SEPP establishes stricter BASIX standards which has left these site-specific provisions redundant. In light of this, we commend the City of Sydney's approach to fostering sustainable development while ensuring this project's viability. The change will help facilitate seniors housing that aligns with the latest sustainability standards.	This submission is noted. Removal of the BASIX standards from these clauses prevents added complexity for future development, while still delivering improved sustainability outcomes.
Planning Studio – 700 George St Haymarket	The amendments to the Special Character Area, are generally supported. However, there may be ambiguity about what constitutes 'variation may apply in limited circumstances on merit'. Then submission proposes a number of amendments that would apply to development parameters for 700 George Street, including specific changes to setbacks above street frontage height.	The Central Sydney section of the draft DCP was restructured to improve clarity, including relocating tower setback guidance that was previously in Schedule 12. The draft DCP provides sufficient flexibility and guidance for variations to tower setbacks including demonstrating compliance with the objectives. The amendments proposed in this submission are very specific to a desired development outcome for a particular site. This planning proposal focusses on a number of smaller policy and housekeeping amendments. Changes to site setbacks cannot be introduced without a comprehensive investigation into a development proposal.
Mecone on behalf of UOL Group	Existing older residential buildings in Central Sydney can place significant constraints on the development of new employment generating floor space. These older buildings were approved before the ADG solar access guidelines, and it is very difficult for these buildings to then subsequently achieve the solar access requirements of the ADG and Sydney DCP. They often were not designed to receive the solar access required by the ADG and DCP. The submission asks that the Central Sydney DCP is amended to avoid old residential development unduly restricting new employment-generating development in Central Sydney. The submission suggests that new employment-generating development close to existing residential apartments need only consider the relevant solar access controls at that time the residential building was approved. The amended provision would be consistent with the Central Sydney Planning Strategy, that seeks to ensure residential development does not unduly restrict new commercial development in Central Sydney, maintaining Sydney's status as a global city with a dynamic economy.	The Central Sydney Planning Strategy and Framework was adopted by Council in December 2020. It seeks to prioritise employment-generating uses in Australia's most productive and strategically important employment centre. An aim of the Strategy and an objective of Sydney DCP 2012 is ensuring the development of new employment-generating uses is not unreasonably impeded by existing residential buildings. This is the intention of provision 5.1.2(6) of Sydney DCP and the associated objective 5.1.2(e), however unclear drafting of the provision hinders that intent. The drafting makes reference to compliance with other parts of the DCP before considering amenity impacts. This is unnecessary and confusing as compliance with other parts of the DCP is required in any case. To clarify the provision and allow it to operate as intended, consistent with the objectives of the DCP, it is proposed to amend 5.1.2 (6) by removing the unnecessary references to other provisions of the DCP. The effect will be to make the operation of the clause clearer, that for new employment-generating developments in Central Sydney, amenity impacts on existing residential development will be considered reasonable. Compliance with Sydney LEP and other parts of Sydney DCP in relation to the development's form continue to be assessed as standard practice. New residential development will continue to be assessed under the ADG provisions as required by the Housing SEPP (2021), to minimise loss of solar access for existing residential development.

Table 4: Responses from government agencies

Agency	Submission	Response
NSW Environment Protection Authority	<u>Development near zone boundaries</u> There is potential for land use conflicts between incompatible land uses, increasing the regulatory burden and impacting human health. Amendments to this clause should ensure that appropriate distances are maintained between premises scheduled under the Protection of the Environment Operations Act.	This clause provides flexibility by giving affected land access to permissible uses in the adjoining zone. It is a clause from the NSW Standard Instrument LEP. It alleviates land use restrictions on SP2 Infrastructure zoned sites until future road-widening is confirmed. In order to gain approval, the consent authority must be satisfied the land use is not inconsistent with the objectives for both zones, and development is desirable, constituting a compatible land use. The current wording of the clause includes sufficient provision to protect against conflicts between incompatible land uses.
	<u>Cross-City Tunnel Ventilation Stack</u> Buildings may interfere with emission dispersal, adversely impacting sensitive receivers and can't be fully understood and mitigated without an air quality assessment. The EPA recommends the clause is maintained to ensure proximal development considers the impact on emission dispersion. By removing this clause Council is to be satisfied that new development will not impact sensitive receivers or interfere with emission dispersal.	Noted. This Amendment will be deferred from the Planning Proposal to allow time for the City to work with stakeholders on identifying a path forward to continue appropriate monitoring of air quality related to development near the Cross City Tunnel ventilation stack. <u>Recommended amendments:</u> Amendment 17 has been removed from the Planning Proposal, pending further work with the EPA and other relevant government agencies.
	<u>Cross-City Tunnel Ventilation Stack</u> It is considered necessary that new development in the vicinity of the Cross-City ventilation stack continues to monitor air quality and plume distribution.	
	<u>Urban Ecology</u> The City's approach to enhancing biodiversity and preserving urban ecology is commended. Significant portions of Placemaking NSW's area are shown as a 'future biodiversity link', which is proposed to bisect Darling Harbour.	The intent of the future biodiversity corridors is to connect with the foreshore, however as Tumbalong Park regularly supports large events and has limited tree planting, it would not be effective as a corridor. The map detailing future corridors will be updated to not cover Tumbalong Park.
Placemaking NSW	<u>Haymarket & Chinatown Revitalisation Strategy</u> The intent of the Strategy is supported and its focus on encouraging fine grain renewal. Redevelopment must not impact solar access to public space and heritage items, including Paddys Market the Chinese Garden of Friendship.	The amendments do not impact any solar planes or encroach key heritage items. Benchmarking was undertaken to ensure good amenity is maintained. No change to street wall height for Dixon Street is proposed to maintain the narrow street, significance of the streetscape and tree canopy.
	<u>Cycling Strategy</u> Continued collaboration with the City to enhance the cycle network, new infrastructure and public domain considerations is encouraged. It is recommended Placemaking NSW's Darling Harbour/Tumbalong Cycling Strategy 2025 is considered for new proposals in Darling Harbour.	The City will continue to engage Placemaking NSW on future planning projects, as we have done for this planning proposal and the Haymarket and Chinatown Revitalisation Strategy.

Agency	Submission	Response
Transport for NSW	<u>Signage</u> For information, Placemaking NSW is reviewing our signage provisions for The Rocks and will engage with the City to ensure alignment.	Submission is noted.
	It is noted the DCP amendment refers to a Travel Access Guide instead of a Green Travel Plan. It is recommended: - Green Travel Plan requirements are retained, consistent with TfNSW advice; and - Transport Access Guide wording is consistent with TfNSW advice and renamed to Travel Access Guide.	The City's low parking rates encourage the use of sustainable transport and as such preparation and implementation of a Green Travel Plan is often not required. However, the City may still require Green Travel Plan for large developments with complex travel needs, such as schools or hospitals. These would be prepared in accordance with Transport for NSW requirements.
	The proposed amendments infer a Loading Dock Management Plans is broader than a Delivery Service Plan, which is incorrect. This should be clarified to avoid any confusion.	Submission is noted. <u>Recommended amendments:</u> Section 7.9 Delivery Service Plan requirements has been amended to remove the incorrect statement.
	TfNSW supports the LEP amendments to the maximum parking rates for new developments in well serviced areas. Noting the revised parking rates better reflects recent investment in public transport infrastructure. The changes will help reduce the provision of car parking spaces in new developments, assisting in increased public transport mode share, reducing traffic congestion, inefficiency and safety impacts.	Submission is noted.
Homes NSW	Homes NSW declined to comment on the proposed amendments to the LEP and DCP, broadly.	Submission is noted.
Homes NSW	<u>Waterloo Estate (South)</u> Homes NSW and Stockland, development partners for Waterloo Estate (South) noted the following issues, to ensure redevelopment is not impacted. Contracts to redevelop the Waterloo Estate have been entered into on the basis of designs prepared to the site-specific LEP and Design Guide. <u>Car parking rates</u> The proposed reduction to the maximum parking rates impacts the Waterloo Estate (South) project, with the lowest LEP rates due to high accessibility. Traffic impact has already been assessed, there is no imperative to reduce rates further. It is requested that a savings provision be added to ensure that the LEP parking rates as of December 2023 will apply to Waterloo Estate (South) when application/s are lodged. <u>Floor-to-floor heights</u> The proposed increased apartment floor-to-floor height to a minimum 3.2m differs to the Waterloo Estate (South) project's assumption of 3.15m. It is requested DCP Section 3.4.2 does not apply to Waterloo Estate (South) to remove discrepancies	Development standards for the Waterloo Estate (South), including building height, floor space ratio and car parking rates are included in Sydney LEP 2012, with more detailed planning guidance in the Waterloo Estate (South) Design Guide– which holds statutory weight being referenced by Sydney LEP. <u>Car parking rates</u> The Waterloo Estate (South) planning proposal was approved prior to the reduced parking rates in the planning proposal. The project was supported by a transport study that found acceptable road network impacts based on proposed parking provision. It is appropriate that these rates continue to apply. This is consistent with the City's requirements for a savings provision in the LEP. The drafting has been updated to introduce a savings provision. The Waterloo Estate (South) Design Guide prevails over Sydney DCP 2012 as they relate to the redevelopment of Homes NSW land. The Design Guide provides guidance on building envelopes, public space and built form layout, including floor to floor heights. For guidance on certain aspects of the project, the Design Guide defers to the controls in Sydney DCP 2012. These sections include controls

Agency	Submission	Response
Homes NSW	with the reference scheme and Design Guide. Any change likely requires significant redesign to achieve compliance that may result in reduced social and affordable units being delivered.	relating to dwelling mix, adaptable design, managing wind impacts and transport and parking.
	<u>Flexible and adaptable dwellings</u> Homes NSW is committed to providing a range of dwelling typologies to support various needs, including evolving family structures and culturally appropriate housing.	As the design process for the Waterloo Estate (South) redevelopment has substantially commenced based in part on existing DCP provisions, it is considered appropriate that this project is exempted from the draft DCP changes.
	The revised dwelling mix, design requirements and typologies are inconsistent with the reference scheme for the Waterloo Estate (South) and would negatively impact upon feasibility and the amount of social and affordable dwellings delivered.	To reflect this the site-specific guidance in Section 5 of the DCP will be updated to advise that when the Design Guide references Sydney DCP 2012, it will be to the version that is current before these draft DCP amendments are made.
	Waterloo Estate demand will likely be driven by singles and young couples with lower demand expected from families. It is requested that Waterloo Estate (South) be excluded so that the current mix as proposed can be delivered.	A water-marked version of that version of the DCP will be hosted on the City's website, clearly stating it applies only to the Waterloo Estate (South) project. For all other development that is subject to Sydney DCP 2012, the up-to-date version will be applicable.
	<u>Loading docks and waste collection points</u> Current loading docks designs are consistent with the Waterloo Estate (South) Design Guide. These heights will not meet the new provisions and likely require significant redesign to achieve compliance resulting in reduced social and affordable units To avoid inconsistencies, it is requested this section not apply to Waterloo Estate (South). Appropriate planning of loading docks and waste collection would be comprehensively addressed within the future development application.	<u>Recommended amendments:</u> Section 5.12 Waterloo Estate (South) site-specific provisions updated to include updated guidance. A savings provision in Sydney LEP will preserve the parking rates for Waterloo South
Civil Aviation Safety Authority	CASA declined to comment.	Submission is noted.
	Advising their primary concern is impacts to Controlled Activities under the (federal) Airports (Protection of Airspace) Regulations 1996.	
Heritage NSW	The proposed changes do not disable Heritage Act 1977 requirements, which prevail over the LEP and DCP.	Submission is noted. No change proposed in this planning proposal impacts the State Heritage listing for any site.
	Where a site includes a State Heritage item, any future development application for State Heritage items may trigger the Integrated Development process and require concurrence. Heritage NSW can provide pre-lodgement advice as required.	

Agency	Submission	Response
Government Architect NSW	GANSW support the following amendments: – streamline approvals and reduce the number of competitive design processes; – raising the threshold outside of Central Sydney to 35 metres; – allow design excellence bonus of floor space and building height; – new design review process for social and affordable housing by CHPs; and – permit Council to certify a competitive design process is unreasonable or unnecessary, when determined by Council, LPP or CSPC. <u>Note:</u> for SSD, GANSW maintain the current delegation from the Minister to review and endorse competition exemptions.	Submission is noted. This intended provisions for this amendment clarifies that nothing contained in these changes seeks to curtail State government agencies ability to determine LEP matters where the City is not the consent authority. Should this planning proposal be endorsed by Council, the City will work with Parliamentary Counsels Office and the Department of Planning, Housing and Infrastructure (the Department) in drafting suitable provisions.
	<u>City of Sydney Competitive Design Policy</u> The proposed changes to the City's Competitive Design Policy for SSDs are not supported. Replacing 'consent authority' with 'the City' impacts the governance and administration of SSD design competitions. We understand this is not the intention of the City and suggest some changes. The City and GANSW have agreed the following items are carried out in accordance with the NSW Design Competition Guidelines 2023 for SSDs: 1. in accordance with a Design Excellence Strategy reviewed and endorsed by GANSW; 2. competitive design process brief is reviewed and endorsed by GANSW prior to distribution; 3. the jury will be endorsed by GANSW, with three or five member composition; and 4. all post competition design integrity processes must be in accordance with DCG. We recommend the competitive design policy be updated to provide improved clarity on GANSW's role and function for SSD processes.	The City's Competitive Design Policy has been amended to clarify that the Department and GANSW continue to be responsible for the governance and administration of competition processes for State significant development where the City is not the consent authority. For competitions of state significance where the City is not the consent authority, the City supports the adoption of the jury composition and design integrity process outlined in the GANSW Guidelines and will continue to provide feedback to DPHI/GANSW on competitions within the City of Sydney area. <u>Recommended amendments:</u> Amendments to the Competitive Design Policy to clarify responsibilities for administering the competition.
	<u>Design review process – social/affordable housing</u> The City's policy should provide additional clarity for State Significant Development. These include: 1. Design Excellence Strategy, addressing the City's policy is endorsed by GANSW; 2. the independent review panel is established by GANSW; 3. panel composition is endorsed by GANSW, with either three or panel members; 4. all panel costs are met by the Proponent; 5. secretariat services undertaken by the proponent's consultant, assisted by GANSW. The City's competitive design policy should be updated to provide improved clarity on the role and function of GANSW and the DCG for SSD undertaking the optional design review process for social and affordable housing.	The alternative pathway encourages the delivery of social and affordable housing, with administrative and advisory support being provided by the City. The pathway is currently subject to a pilot process and is supported by the community housing provider. It applies to development that is not State Significant Development. As the draft Policy changes are intended to support the alternative pathway that will be operated and administered by the City, the suggested amendments are not supported in this instance. The City's alternative pathway may be adapted by other jurisdictions into their own policies where they could include different preferences or practices.

Appendix A

Separate notification letters were issued for the amendments in this Planning Proposal and DCP updates that may impact the planning controls that would apply to a property.

Notification letters were sent to property owner, strata headers and other affected stakeholders for the following amendments:

- Amendment 4 – Protection of sun access to Gunyama and Cook and Phillip Parks
- Amendment 11 – Removal of Opportunity floor space
- Amendment 12 – Heritage floor space
- Amendment 15 – 257 Sussex Street, Sydney
- Amendment 18 - Integration Areas

A notification letter was sent to property owners, strata headers and occupiers for the proposed changes to some late night trading precincts proposed in DCP Amendment 13 – Late night trading. Examples of the notification letters are included below.



Figure 1 – Notification letter sent for Amendment 4 – Sun access protection



Figure 2 – Notification letter sent for Amendment 11 – Opportunity sites



Figure 3 – Notification letter sent for Amendment 12 – Heritage floor space



Figure 4 – Notification letter sent for Amendment 15 – 257 Sussex Street



Figure 5 – Notification letter sent for Amendment 18 – Integration areas



Figure 6 – Notification letter sent for DCP Amendment – Late night trading



Photo: Abril Felman/City of Sydney

Your say on updates to planning controls related to greening, amenity, parking and design excellence

We're prepared changes to our land use planning framework which will ensure our planning controls are up to date and reflect planning strategies.

Have your say by Friday 28 February.

[Read more](#)

Figure 7 – Sydney Your Say eNews newsletter for consultation

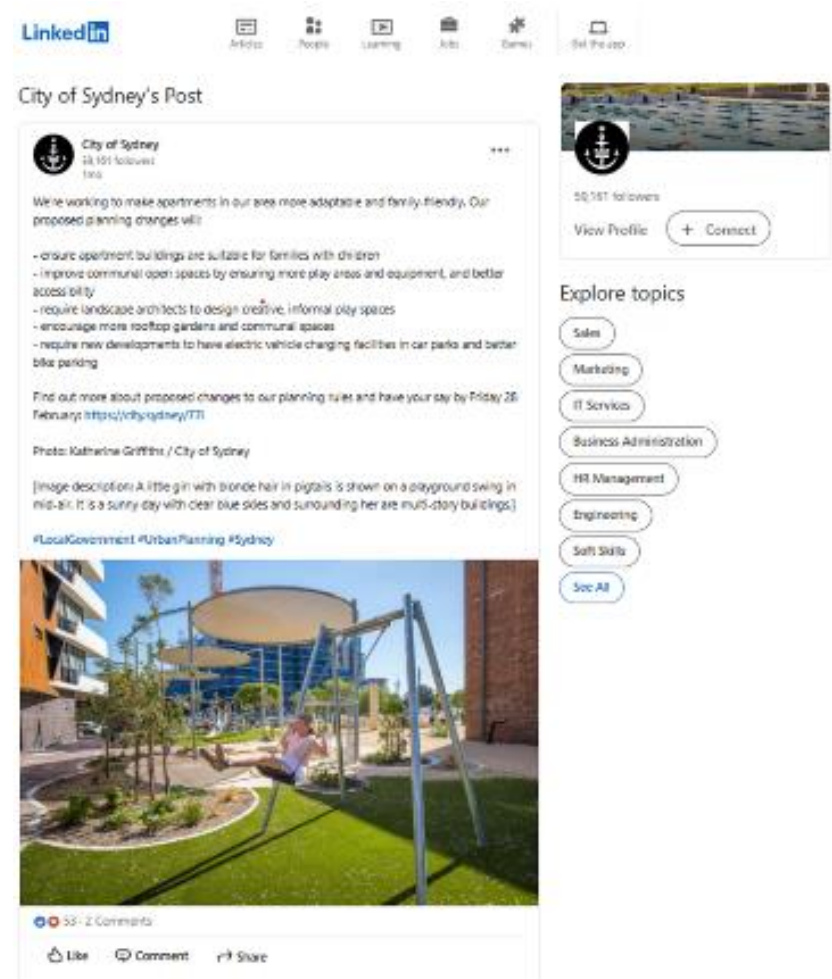


Figure 8 – Social media post inviting comment for LEP and DCP amendments

Attachment B

**Planning Proposal – Sydney
Environmental Plans – Policy and
Housekeeping Amendments**

Planning Proposal – Sydney Local Environmental Plans – Policy and Housekeeping Amendments 2023



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Executive Summary

Planning Proposal – Sydney Local Environmental Plans – Policy and Housekeeping Amendments 2023 (planning proposal) has been prepared by the City of Sydney (the City) to update its land use planning framework: Sydney Local Environmental Plan 2012 (Sydney LEP 2012) and Sydney Local Environmental Plan 2013 (Green Square Town Centre) 2013 and Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 (Green Square Town Centre LEPs).

Since 2020, the City has been implementing changes to its planning controls in line with the priorities and action of its local strategic planning statement, City Plan 2036, a 20-year vision to balance the need for additional housing and productive activities while protecting and enhancing local character, heritage and public space and improving the sustainability of our area.

This planning proposal brings together a series of smaller planning changes to implement priorities and actions from the planning statement related to housing, parking, greening, amenity, sustainability and design excellence as well as housekeeping changes to improve the operation of controls. This planning proposal comprises 20 policy and housekeeping amendments to Sydney LEP 2012 and some amendments also apply to the two Green Square Town Centre LEPs, aligning with key strategic priorities for infrastructure, liveability, productivity, sustainability and governance detailed in the City's planning statement.

Amendments in this planning proposal address housing supply challenges by further clarifying affordable housing contribution provisions ensure consistency with how they are applied are applied across the council area. Trees play a vital role in protecting our health and wellbeing, and new controls establish deep soil and landscape requirements to increase tree canopy cover and incentives will encourage more green roofs.

The City's parking rates for new development have been reviewed and approvals for bicycle parking and electric vehicle charging streamlined to encourage more active and sustainable transport use. Sunlight protection will be extended to additional named parks and new sustainability provisions will support and streamline initiatives, including broader exempt development requirements for residential solar panel systems.

Updates to the City's Competitive Design Policy will be reflected in the planning framework, streamlining the process for design competitions and clarifying where site-specific development control plans will be required. Changes to Central Sydney planning controls expand floor space incentive bonuses to more uses, maintain setback usable outdoor space in front of buildings and further incentivise the take-up of the City's Heritage Floor Space scheme.

Minor housekeeping amendments will ~~facilitate essential east-west road connections~~, clarify and improve the application of a number of existing provisions and remove an outdated provision. Some legacy planning controls, Concept Plans and past state significant development approvals will be integrated into Sydney LEP 2012 as a part of this planning proposal.

This planning proposal seeks a Gateway Determination from the Department of Planning and Environment to update the City's planning framework and place the amendments on public exhibition. Updates to the Sydney Development Control Plan 2012 and other development guidelines will be exhibited concurrently.

Following feedback from the Department of Planning, Housing and Infrastructure, Amendment 1 – Build-to-rent and Co-living Housing now comprises a separate planning proposal. Amendment 15 – Use of existing non-residential buildings that were shops or pubs has been removed from the planning proposal. All other amendments have been renumbered. This planning proposal can be viewed at the NSW Planning Portal:

<https://www.planningportal.nsw.gov.au/ppr/post-exhibition/planning-proposal-sydney-local-environmental-plans-policy-and-housekeeping-amendments-2023>

Post-exhibition amendments are shown in **red**, with deletions in ~~strikethrough~~ and additions and edits in underline.

1. Background

1.1 History

The Sydney Local Environmental Plan 2012 (Sydney LEP 2012) came into effect on 14 December 2012, consolidating the Sydney, Leichhardt and South Sydney plans into one comprehensive plan in the new NSW Government's Standard Instrument format. Notwithstanding, due to a range of historical and technical reasons, several other planning instruments and frameworks also apply to sites and precincts in the City of Sydney local government area (LGA) separately to Sydney LEP 2012.

Continuous review is necessary to ensure Sydney LEP 2012 continues to deliver positive outcomes for the local economy, residents and visitors and remains consistent with the vision set out in the City of Sydney's *City Plan Local Strategic Planning Statement and Sustainable Sydney 2030-2050 Continuing the Vision*.

Since Sydney LEP 2012 has been in force, the City of Sydney (the City) has made policy, housekeeping and heritage-related amendments to improve its operation and accuracy, including several amendments to the local environmental plans that apply to the Green Square Town Centre.

The City has made changes to these controls to address the changing urban context, to meet strategic objectives and to support growth, primarily through site-specific and discrete planning proposals responding to landowner requests or through strategic work such as the Central Sydney Planning Strategy.

The amendments in this planning proposal will ensure the City's planning control framework is up to date and reflects current planning strategies.

1.2 Affected area

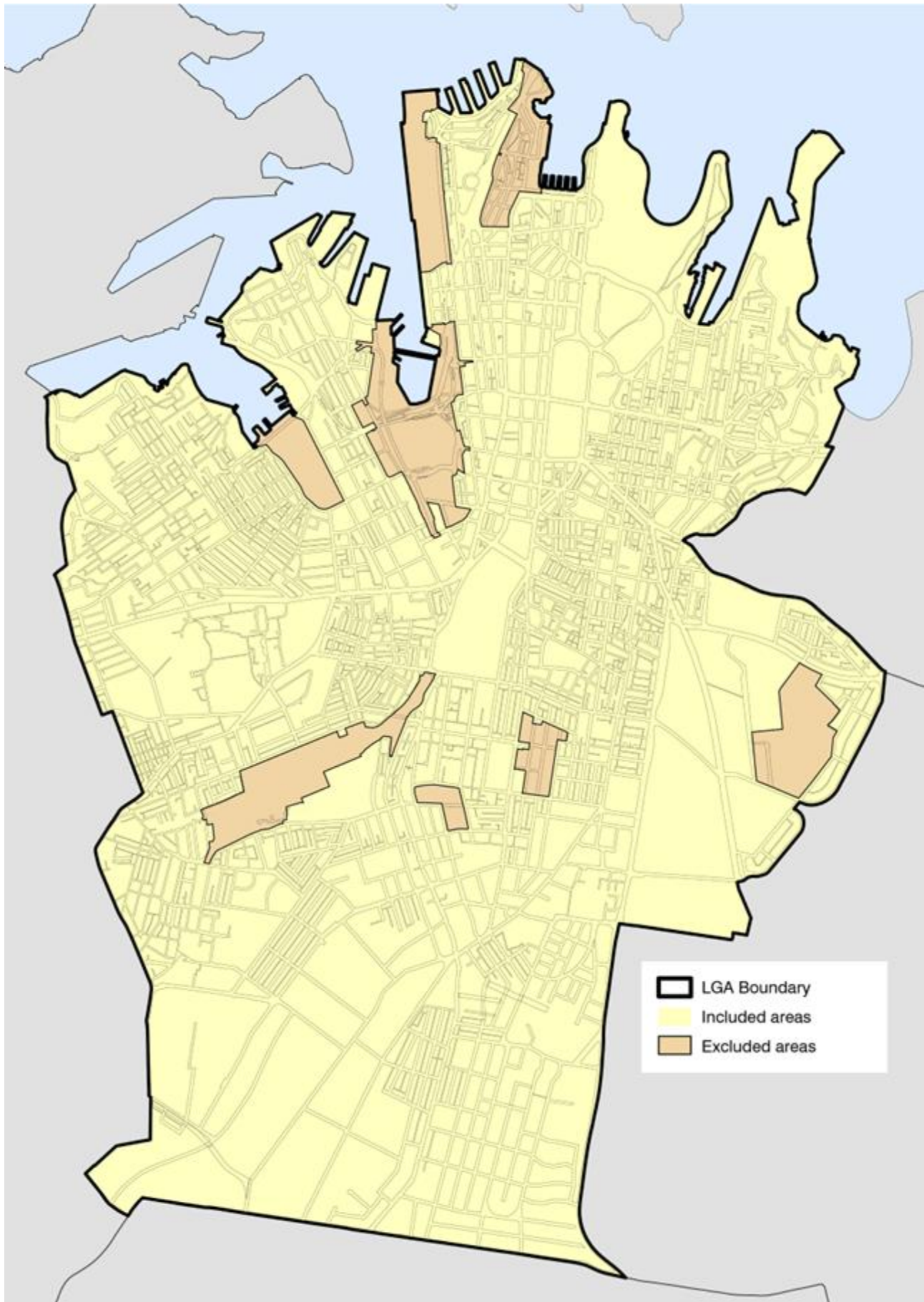
This planning proposal relates to the Sydney local government area, inclusive of area currently covered by the following planning instruments:

- Sydney LEP 2012
- Sydney LEP (Green Square Town Centre) 2013
- Sydney LEP (Green Square Town Centre – Stage 2) 2013
- Sydney LEP 2005
- Sydney LEP 2011 (Harold Park)
- Sydney LEP 2011 (Glebe Affordable Housing Project)
- South Sydney Local Environmental Plan 1998
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021.

The land affected by the planning proposal is shown in Figure 1 below.

This planning proposal does not apply to certain areas not covered by Sydney LEP 2012, including The Rocks; Barangaroo; parts of Darling Harbour; Moore Park; Wentworth Park and the Fish Markets; and parts of Redfern and Waterloo. These areas are shown in Figure 1.

Figure 1. Land affected by this Planning Proposal with excluded areas identified



1.3 Introduction

This Planning Proposal – Sydney Local Environmental Plans – Policy and Housekeeping Amendments 2023 (planning proposal) details the intent and justification for the proposed amendments to Sydney LEP 2012 and Sydney Local Environmental Plan 2013 (Green Square Town Centre) 2013 and Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 (Green Square Town Centre LEPs).

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (the Act) and Local Environmental Plan Making Guideline published by the Department of Planning and Environment (the Department) in August 2023.

This planning proposal will deliver policy and housekeeping amendments to the Sydney LEP 2012 and some amendments also apply to the two Green Square Town Centre LEPs. This planning proposal includes 18 amendments as listed in Table 1 below.

Table 1. Proposed amendments

Amendment 1 – Deep soil

Amendment 2 – Structures associated with green roofs

Amendment 3 – Parking in new developments

Amendment 4 – Protection of sun access to Gunyama Park and Cook and Phillip Park

Amendment 5 – Exempt Development – Solar energy systems

Amendment 6 – Basement intensive plant agriculture

Amendment 7 – Superseded sustainability targets for some residential development

Amendment 8 – Design excellence processes and site-specific development control plans

Amendment 9 – Change to Metropolitan Centre zone and Central Sydney boundary

Amendment 10 – Additional uses for accommodation floor space

Amendment 11 – Superseded ‘opportunity sites’ in Central Sydney

Amendment 12 – Heritage Floor Space scheme

~~Amendment 13 – Rezoning of the land in Alexandria~~

Amendment 14 – Development near zone boundaries

Amendment 15 – 257 Sussex Street

Amendment 16 – Affordable housing contributions

~~Amendment 17 – Cross City Tunnel ventilation stack~~

Amendment 18 – Integration of planning controls

A summary of the proposed amendments to the LEP is provided below and grouped into categories outlined under the following headings. An asterisk (*) indicates if the provision also applies to Green Square Town Centre LEPs. Further information each amendment is included in Appendix A: Local Environmental Plan Amendments to this planning proposal.

1.4 Greening Sydney

Amendment 1 – Deep soil

- Expands on matters to be addressed for design excellence and development that required the preparation of a site-specific development control plan (i.e. to include deep soil and tree planting)*

Amendment 2 – Structures associated with green roofs

- Introduces a new clause to allow structures associated with green roofs to exceed building height limits when certain requirements are met

1.5 Parking

Amendment 3 – Parking in new developments

- Amends the Land Use and Transport Integration (LUTI) and Public Transport Accessibility Level Map (PTAL) maps to show changes in public transport accessibility across the LGA
- Amends the maximum parking rates for a range of multi-unit residential and non-residential uses
- Exempts Community Electric Vehicle (EV) charging spaces from maximum parking rates
- Introduces a new clause to make bicycle parking devices on ground floor or in basements exempt development

1.6 Protecting amenity

Amendment 4 – Protection of sun access to Gunyama Park and Cook and Phillip Park

- Introduces a new sun access plane to protect sun access to Gunyama Park
- Adds Cook and Phillip Park, Sydney as a place where overshadowing from new development is restricted

1.7 Sustainability

Amendment 5 – Exempt Development – Solar energy systems

- Introduces new exempt development provisions for solar energy systems.

Amendment 6 – Basement intensive plant agriculture

- Adds a new provision to permit intensive plant agriculture in the basement of existing buildings that will not attract gross floor area

Amendment 7 – Superseded sustainability targets for some residential development

- Removes BASIX Energy stretch targets as a response to recent State Environmental Planning Policy (Sustainable Buildings) 2022 changes

1.8 Design excellence

Amendment 8 – Design excellence processes and site-specific development control plans

- Updates design excellence provisions to apply to significant alterations of existing buildings and removes the design alternatives process*
- Additional flexibility in the operation of a design competition for applications determined by Council, the Local Planning Panel or the Central Sydney Planning Committee by enabling a design excellence strategy to be approved where a concept DA (site-specific development control plan) is not required*
- Minor LEP amendments adding ESD benchmarks, target competitor and juror requirements and new alternative process for affordable housing and social housing projects to align with updates to the Competitive Design Policy*
- Update reference to new version of the Competitive Design Policy*

1.9 Central Sydney

Amendment 9 – Change to Metropolitan Centre zone and Central Sydney boundary

- Makes a minor change to the mapped boundaries of Central Sydney and SP5 Metropolitan Centre zone to incorporate the Powerhouse Museum site

Amendment 10 – Additional uses for accommodation floor space

- Adds five non-residential uses that may be eligible for accommodation floor space

Amendment 11 – Superseded ‘opportunity sites’ in Central Sydney

- Removes superseded ‘opportunity site’ Floor Space provisions

Amendment 12 – Heritage Floor Space scheme

- Permits minor increases in gross floor area of buildings with registered (awarded) heritage floor space

1.10 Housekeeping

~~Amendment 13 – Rezoning of land in Alexandria~~

- ~~– Facilitates the delivery of essential road infrastructure to support the development of the Green Square Town Centre and improve east-west connectivity~~

Amendment 14 – Development near zone boundaries

- Clarifies the intent of provisions which provide development flexibility on land on either side of the SP1 Special Activities or SP2 Infrastructure zone boundaries

Amendment 15 – 257 Sussex Street

- Corrects an omission in Sydney LEP 2012 by allocating height of buildings and floor space ratio controls to 257 Sussex Street, Sydney

Amendment 16 – Affordable housing contributions

- Ensures affordable housing contributions in Central Sydney and on residual land applies to both a development application and any associated modification

~~Amendment 17 – Cross City Tunnel ventilation stack~~

- ~~– Removes the outdated Development near Cross City Tunnel ventilation stack provisions that apply in Sydney, Haymarket, Ultimo and Pyrmont~~

1.11 Planning control integration

Amendment 18 – Integration of planning controls

Integrates ‘legacy’ planning controls for major project development precincts into Sydney LEP 2012. Areas include former Carlton United Brewery site on Broadway (Central Park), Harold Park, Glebe Affordable Housing Project, certain Redfern Waterloo Authority Area sites, and 216-412 Gardeners Road, Rosebery.

1.12 Maps

This planning proposal is supported by mapping changes and updates to Sydney LEP 2012 and State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021 maps as a result of the proposed amendments. The following amendments include map changes:

Amendment 3 – Parking in new developments

Amendment 4 – Protection of sun access to Gunyama Park and Cook and Phillip Park

Amendment 9 – Change to Metropolitan Centre zone and Central Sydney boundary

~~Amendment 13 – Rezoning of land in Alexandria~~

Amendment 15 – 257 Sussex Street

Amendment 18 – Integration of planning controls

All new and amended maps affected by this planning proposal are included in Appendix B: Local Environmental Plan Map Book.

1.13 Development control plan

The planning proposals relates to the proposed amendments to Sydney LEP 2012 and Green Square Town Centre LEPs. Some amendments are supported by proposed provisions in Sydney Development Control Plan 2012 (Sydney DCP 2012). These provisions are included in the following DCP amendments and are discussed in Sydney Development Control Plan 2012 – Policy and Housekeeping – Overview and Explanation.

- Amendment 3 – Urban ecology
 - Amendment 4 – Parking
 - Amendment 9 – Sun protection of Parks and Public Places
 - Amendment 12 – Competitive design processes
 - Amendment 13 – Central Sydney
 - Amendment 16 – Integration of planning controls
-

1.14 City of Sydney Competitive Design Policy

The City of Sydney Competitive Design Policy is proposed to be updated to:

- provide additional flexibility in its operation and extend design excellence provisions to significant alterations of existing buildings
- provide a pathway for design excellence strategy approval where a concept plan or site-specific DCP is not required;
- remove the option for a design alternatives competitive design process;

Planning Proposal – Sydney Local Environmental Plans – Policy and Housekeeping Amendments
2023

- a new optional process for social housing and affordable housing projects by a community housing provider; and
- make minor edits to correct errors or omissions.

The proposed updates to the Policy require the relevant clauses and definitions in Sydney LEP 2012 and Green Square Town Centre LEPs to be amended and are included in this planning proposal and is detailed in Appendix A: Local Environmental Plan Amendments.

2. Objectives and intended outcomes

The objectives of this planning proposal are as follows:

- a. facilitate development that aligns with the outcomes sought under *City Plan 2036 Local Strategic Planning Statement* and *Sustainable Sydney 2030-2050 Continuing the Vision*;
- b. update planning controls to respond to a changing City;
- c. integrate stand-alone planning controls for several precincts in the local government area into Sydney Local Environmental Plan 2012; and
- d. improved clarity and useability of the local environmental plans that apply to the local government area.

More detailed objectives and intended outcomes for each amendment are included in Appendix A: Local Environmental Plan Amendments to this planning proposal.

3. Explanation of provisions

To achieve the proposed outcomes, this planning proposal includes a number of amendments to Sydney LEP 2012 and the Green Square Town Centre LEPs, a brief explanation of the proposed provisions are summarised under the following headings.

Further detail for each amendment including objectives, an expanded explanation and justification and suggested drafting for the intended provisions is included in Appendix A: Local Environmental Plan Amendments to this planning proposal.

This Planning Proposal details the City's intent for each amendment, with final wording subject to drafting and agreement with the Parliamentary Counsel's Office.

3.1 Greening Sydney

Amendment 1 – Deep soil

This amendment expands Clause 6.21C and 7.20 to include the consideration of deep soil and tree planting as part of landscape design.

New provisions in Sydney DCP 2012 support this amendment, more information is included in Sydney Development Control Plan 2012 – Policy and Housekeeping.

Amendment 2 – Structures associated with green roofs

This amendment will allow rooftop structures to exceed the maximum building height limit in areas outside of Central Sydney, and not within heritage conservation areas, and where it provides access to rooftop gardens or communal open space and supports social use of the roof area. Currently, the LEP requires these structures fit under the maximum height of building control, or an exception to the development standard be applied for, a strong disincentive for accessible and useable green roofs.

The proposed clause will permit the consent authority to approve height exceedances associated with rooftop gardens and rooftop open space, and ancillary structures that are higher than the height of building controls as long as certain criteria are met to limit the extent and impact of the structure, including compatibility with the surrounding built form, result in minimal overshadowing and not include gross floor area (except for accessible toilets).

3.3 Parking

Amendment 3 – Parking in new developments

This amendment proposes changes to on-site car parking controls, including changes to maximum rates of parking provision to reflect new public transport infrastructure, urban changes and new areas coming into the City's planning framework.

To achieve this, the amendment proposes changes to the LUTI and PTAL maps which relate to maximum car parking rates and reflect areas with lower accessibility are provided with higher maximum parking rates. New public transport infrastructure, major development and new areas integrated into the City's planning controls has precipitated the need to update these maps. The changes only affect new development. There is no effect on parking within existing buildings.

Maximum parking rates will be amended for new multi-unit residential, retail and employment generating development consistent with current levels of ownership and to reduce overprovision.

Some planning barriers will be removed for the provision of Community electric vehicle charging units. Bicycle parking devices on ground floor or in basements will also be listed as exempt development to help streamline the provision of bicycle parking and increase usage.

This amendment includes changes to supporting provisions and schedules in Sydney DCP 2012. More information including the proposed changes, is in Sydney Development Control Plan 2012 – Policy and Housekeeping.

3.4 Protecting amenity

Amendment 4 – Protection of sun access to Gunyama Park and Cook and Phillip Park

This amendment proposes to introduce new controls to ensure future sunlight access to Gunyama Park, Zetland and Cook and Phillip Park, Sydney is protected.

Clause 6.17 Sun access planes will be updated to protect sunlight access to Gunyama Park between 9.00am and 3.00pm all year.

Clause 6.18 Overshadowing of certain public places will be updated to protect sunlight access to the western section of Cook and Phillip Park between 9.00am and 2.00pm all year.

Development on surrounding land affected by these clauses will need to ensure that it will not result in any additional overshadowing during the specified times.

Supporting provisions, including indicative sun access plane heights and contour diagram are to be incorporated into Sydney DCP 2012, included in Sydney Development Control Plan 2012 – Policy and Housekeeping.

3.5 Sustainability

Amendment 5 – Exempt Development – Solar energy systems

The Transport and Infrastructure SEPP classifies the installation of solar energy systems as exempt development, however it has limited application in heritage conservation areas.

This change will classify certain solar systems in heritage conservation areas as exempt development – as long as they are not visible, on rear elevations and have minimal impacts on the building structure and heritage and neighbourhood character.

Exempt development will not be available where the solar energy system is on a roof or wall facing a primary road in a heritage conservation area. A development application will be needed in these situations.

Amendment 6 – Basement intensive plant agriculture

This amendment encourages intensive plant agriculture in the basement of existing buildings through a new LEP provision making it a land use that is not counted gross floor area.

This change seeks to encourage the use of underutilised basement space for intensive vertical farming, improving the viability of these projects and environmental benefits through more energy and water efficient buildings and resilient food production, for a local market with a low carbon footprint.

Amendment 7 – Superseded sustainability targets for some residential development

This amendment will remove the earlier higher BASIX Energy targets set for some residential development listed in Sydney LEP 2012 as they have been superseded by recent State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) changes.

3.6 Design excellence

Amendment 8 – Design excellence processes and site-specific development control plans

Sydney LEP and the Green Square Town Centre LEPs contain clauses to support design excellence and to implement the City of Sydney Competitive Design Policy. Updates to the City's Competitive Design Policy require amendments to LEP clauses and definitions to maintain consistency.

Amendments to the Competitive Design Policy include: removing the option of a competitive design alternatives process; allowing Council to approve a design excellence strategy where a concept DA (site-specific development control plan) is not required; ~~adding target ESD benchmarks in the design excellence strategy~~; set out revised requirements for competitors and jurors; and establish a new optional design review process for social housing and affordable housing projects by a community housing provider.

To maintain consistency with the revised Policy changes, the clause 6.21 of Sydney LEP 2012 and 6.9 of Green Square Town Centre LEPs will be updated to amend relevant definitions for competitive design process, amend tower cluster provisions and include significant internal alterations and delete development control plan requirements.

3.7 Central Sydney

Amendment 9 – Change to boundaries of SP5 Metropolitan Centre zone

This amendment will move the Powerhouse Museum site from MU1 Mixed Use zone to SP5 Metropolitan Centre zone and include it as part of an expanded Central Sydney. Schedule 5 Environmental heritage of Sydney LEP 2012 will be updated to mark the Powerhouse Museum site with an asterisk (*) to indicate that it is eligible for an award of heritage floor space if heritage listed buildings have agreed heritage conservation works undertaken.

There will be no increase in the maximum height of buildings and floor space ratio development standards for the site.

Amendment 10 – Additional uses for accommodation floor space

This amendment will create an incentive for certain additional non-residential, strategically important uses in Central Sydney by supporting additional diverse business, employment, social and cultural uses. This will be done by adding specific LEP uses that may be eligible for accommodation floor space including: public administration building; indoor recreation facilities; registered clubs; place of public worship; and local distribution premises.

Amendment 11 – Superseded 'opportunity sites' in Central Sydney

This amendment repeals clause 6.9 Opportunity site floor space from Sydney LEP 2012, associated definitions and map references. Since its introduction in 1996, this clause incentivised the infill of identified setback spaces and colonnades, however this is no longer considered desirable with limited setback and open space remaining at street level.

Other LEP and DCP urban design, built form and design excellence controls will ensure that improved interface between buildings and the street and universal access are achieved.

Amendment 12 – Heritage Floor Space scheme

This amendment introduces some flexibility and provides for a minor increase in gross floor area (GFA) of buildings with registered heritage floor space (HFS). It is proposed to amend clause 6.10(d) to allow a maximum 5 per cent additional gross floor area, or ~~200~~ 300 sqm, whichever is the lesser. The restriction on increasing the height of the building will remain.

3.8 Housekeeping

~~Amendment 13 – Rezoning of land in Alexandria~~

~~This amendment rezones a portion of two sites on O’Riordan Street, Alexandria from E3 Productivity support to SP2 Infrastructure (Local Road). The rezoning secures the last two parcels of privately owned land to enable the full completion of the Green Square to Ashmore Connector road, a long identified east-west infrastructure project.~~

Amendment 14 – Development near zone boundaries

The objective of this clause is to provide land use flexibility on either side of a zone boundary, however as drafted, the clause currently prevents this. This amendment proposes to change clause 5.3 to increase the distance where land use flexibility is allowed from 6 to 12 metres and better clarify that this distance is from the boundary between the two zones.

Amendment 15 – 257 Sussex Street

This amendment will correct an error in Sydney LEP 2012 by allocating maximum height of buildings and floor space ratio controls to the site at 257 Sussex Street, Sydney. The new controls will be appropriate to site location and context and match neighbouring sites, with a mapped floor space ratio control of 7.5:1 and height of buildings control of 45m.

Amendment 16 – Affordable housing contributions

This amendment clarifies the type of applications that may be subject to an affordable housing contribution in Central Sydney and on residual land. It is proposed to amend the clause 7.13 to make clear an affordable housing contribution applies to both a development application and any associated modification of a development consent, consistent with how affordable housing contributions are applied across rest of the LGA.

~~Amendment 17 – Cross City Tunnel ventilation stack~~

~~This amendment repeals clause 7.24 Development near Cross City Tunnel ventilation stack in Sydney LEP 2012.~~

~~Proponents will no longer be required to submit an air quality assessment with a development application on land previously affected by this clause. Since its introduction, submitted reports have not resulted in any changes to development and the requirement is now considered to lack utility and be unnecessary. Related provisions in Sydney DCP 2012 will also be repealed.~~

3.9 Planning control integration

Amendment 18 – Integration of planning controls

Some areas within the City of Sydney local government area are not covered by the provisions of the Sydney LEP 2012. Development on these sites is subject to ‘legacy’ planning controls, such as Part 3A Concept Plans, past state significant development approvals, or separate site-specific planning controls, resulting in a complex set of planning controls that apply to the City of Sydney.

In most instances the purpose of the planning controls for these areas has been to shape their redevelopment, which is now largely completed. It is appropriate that these areas and planning controls are reintegrated into the Sydney LEP 2012.

This amendment translates the existing or as built controls into Sydney LEP 2012 whilst maintaining consistency with the approach established by the NSW Standard Instrument LEP. The integration areas include the former Carlton United Brewery site on Broadway (Central Park), Harold Park, Glebe Affordable Housing Project, certain Redfern Waterloo Authority Area sites, and sites fronting Gardeners Road, Rosebery.

The affected areas, respective planning frameworks and planning controls proposed to be integrated into Sydney LEP 2012 are shown in Figure 2 and outlined in detail in Appendix A: Local Environmental Plan Amendments. A new map, “Special Provisions Map” and accompanying schedule in the LEP will be introduced to clearly detail the approved gross floor area for sites in the former Carlton United Brewery precinct on Broadway. There are proposed changes to other maps in Sydney LEP 2012 and in the Eastern Harbour City (Precincts) SEPP 2021 to give effect to the transition. All new and amended maps affected by this amendment are included in Appendix B: Local Environmental Plan Map Book to this planning proposal.



4. Justification

This planning proposal includes policy and housekeeping amendments to Sydney LEP 2012 and Green Square Town Centre LEPs to ensure they continue to give effect to the strategic planning framework.

This section provides a justification of the strategic merit of the planning proposal and has been prepared in accordance with the Department's Local Environmental Plan Making Guideline. It assesses the proposed amendments as a whole and its alignment with the region and district plans as well as the City's local strategic planning statement and strategic plan.

The justification specific to each amendment is discussed in detail under the relevant sections contained in Appendix A: Local Environmental Plan Amendments to this planning proposal.

4.1 Need for the planning proposal

4.1.1 Is the planning proposal a result of an endorsed LSPS, strategic study or report?

This planning proposal has been prepared following the completion of *City Plan 2036* – the City of Sydney's local strategic planning statement connecting the City's recently updated community strategic plan *Sustainable Sydney 2030 – 2050 Continuing the Vision* with NSW Government strategic plans. In *City Plan 2036*, the City outlines how the planning framework will plan for and manage change and deliver the City's vision for a green, global and connected city.

Key priorities identified in *City Plan 2036* that are being delivered by this planning proposal include: new deep soil provisions, which will support the City and local communities in mitigating against heat island effect and climate change impacts; provisions to encourage the delivery of diverse types of rental housing; affordable housing contribution requirements will be clarified, facilitating the delivery of more affordable housing; and integrating the planning controls for several major projects into Sydney LEP 2012.

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal seeks policy and housekeeping amendments to Sydney LEP 2012 and Green Square Town Centre LEPs which will update and clarify existing controls and introduce new controls that respond to matters since the instruments were implemented through the City's local strategic planning actions.

There is no other means of achieving the objective or intended outcomes as they specifically related to matters that are best addressed by local environmental plan controls.

4.2 Relationship to the strategic planning framework

4.2.1 Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. This planning proposal is consistent with the relevant objectives and actions of the applicable regional and district plans, as summarised below.

Greater Sydney Region Plan

A Metropolis of Three Cities – The Greater Sydney Region Plan is the NSW Government's overarching strategic plan for growth and change in Sydney. It provides a vision 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 Plan outlines how Greater Sydney will manage and deliver growth and guide infrastructure delivery. The Plan is implemented by District Plans. This planning proposal is consistent with several relevant directions and objectives of the Plan, as follows:

- **Infrastructure and collaboration** – the proposed amendments are consistent with the objectives of this direction in that it will ensure existing infrastructure is optimised through more effective car parking controls and new exempt provisions to further encourage bicycle and electric vehicle use.
- **Liveability** – the planning proposal will deliver deep soil requirements to promote greater vegetation and tree canopy coverage, as well as protecting sun access to more public spaces, helping deliver healthy and resilient open spaces for the local community.
- **Productivity** – this planning proposal makes no change to any existing employment lands and zones. This retains and protects industrial and urban services land as well as existing economic centres, contributing towards a stronger and more competitive Harbour CBD.
- **Sustainability** – proposed amendments will deliver increased urban tree canopy through new deep soil provisions that will support greater vegetation and deliver environmental benefits. This planning proposal also includes a number of amendments that will contribute towards a low-carbon city and promote water efficiency in development.
- **Implementation** – this planning proposal is the result of regular ongoing monitoring of the City's planning controls and includes amendments to ensure their continued application remains effective. This proposal has been informed by the application region and local planning strategies demonstrating alignment down to the local area.

Eastern City District Plan

The Eastern City District Plan sets out the vision, priorities and actions for the eastern district of Greater Sydney, which includes the City of Sydney. It establishes a plan to manage growth and achieve the vision while maintaining and enhancing liveability, productivity and attractiveness. The planning priorities and associated actions detailed in the plan seek to deliver on this vision. This planning proposal is consistent with the following priorities from the Plan:

Infrastructure and collaboration

- **E1 – Planning for a city supported by infrastructure**
- **E2 – Working through collaboration**

~~Land for new transport infrastructure will be secured by this planning proposal to form vital new east-west connections between strategic growth centres.~~ This planning proposal maximises benefit of existing infrastructure and will ensure infrastructure can be optimised and will meet future needs. None of the proposed amendments adversely impact on identified Place Strategies for the Camperdown-Ultimo precinct and Pyrmont.

Liveability

- **E3 – Providing services and social infrastructure to meet peoples changing needs**
- **E4 – Fostering healthy, creative, culturally rich and socially connected communities**
- **E5 – Providing housing supply, choice and affordability, access to jobs, services and transport**
- **E6 – Creating and renewing great places and local centres, respecting the District's heritage**

This proposal includes provisions that will further support the City's heritage floor space scheme by introducing some flexibility, will extend existing incentives for the protection of heritage listed buildings in Central Sydney.

Productivity

- E7 – Growing a stronger and more competitive Harbour CBD
- E8 – Growing and investing in health and education precincts and the innovation corridor
- E10 – Delivering integrated land use and transport planning for a 30 minute city
- E11 – Growing investment, business opportunities and jobs in strategic centres
- E13 – Supporting growth of targeted industry sectors

The provisions in this planning proposal includes no change to any industrial or employment generating zones, ensuring the City's jobs capacity target outside Central Sydney will not be impacted. Nor will this proposal adversely impact upon the existing policies aimed towards business opportunities, jobs and investment growth of targeted industry sectors in the innovation corridor or in strategic centres, in particular Green Square and the southern employment lands. This proposal will facilitate integrated land use and new infrastructure helping reduce vehicle movements and creating for walking and cycling.

Sustainability

- E15 – Protecting and enhancing bushland and biodiversity
- E16 – Protecting and enhancing scenic and cultural landscapes
- E17 – Increasing urban tree canopy cover and delivering Green Grid connections
- E18 – Delivering high quality open space
- E19 – Reducing carbon emissions and managing energy, water and waste efficiently
- E20 – Adapting to the impacts of urban and natural hazards and climate change

This planning proposal includes provisions designed to increase vegetation and tree canopy coverage to help local environments to mitigate against heat island effect and climate change effects. This includes elevated deep soil requirements and new provisions to increase the delivery of new green roofs. Revised controls will protect sun access to two key public parks ensuring they remain comfortable and desirable for the community and revised incentives for the protection heritage buildings in Central Sydney.

Implementation

- E21 – Preparing Local Strategic Planning Statements informed by local strategic planning
- E22 – Monitoring and reporting on the delivery of the Plan

This planning proposal has been informed by City Plan 2036 - Local Strategic Planning Statement and ongoing strategic planning undertaken by the City which has monitored the application of the LEP and seeks to make refinements to improve its operation and efficacy.

5.2.2 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Sustainable Sydney 2030-2050 Continuing the Vision

Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the Sydney Local Government Area to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 target against which to measure progress. This planning proposal is aligned with the following relevant strategic directions.

- **Responsible governance and stewardship**

The proposed amendments in this planning proposal will ensure that the City of Sydney's planning control framework is up to date and reflects current policies and strategies.

- **A leading environmental performer**

Provisions in this planning proposal will help the City deliver on its sustainability goals of reducing carbon emissions and increasing tree canopy and vegetation cover.

- **Public places for all**

This planning proposal will extend solar access protections to two public places (parks) ensuring they remain inviting, comfortable and usable spaces year-round.

- **Design excellence and sustainable development**

This planning proposal includes amendments to design excellence and sustainability provisions ensuring they continue to deliver new buildings and alterations centred around good design and sustainability.

- **A city for walking, cycling and public transport**

New and amended provisions will reduce car parking rates and to increase the supply of EV chargers and bicycle parking racks to help reduce private vehicle use and provide for a city designed for walking, cycling and public and zero-carbon transport.

- **An equitable and inclusive city**

Provisions contained in this proposal help the City deliver on this direction by increasing tree canopy coverage, protecting and enhancing new parks and encouraging less vehicle use.

- **Resilient and diverse communities**

This planning proposal includes provisions that will support and strengthen our community through greener, more resilient suburbs and greener less carbon intensive development.

- **A transformed and innovative economy**

All existing employment generating land uses remain unaffected by this planning proposal and will continue to drive the local, metropolitan and state economies delivering opportunities for new jobs and investment.

- **Housing for all**

Provisions relating to affordable housing contributions will be further clarified ensuring greater consistency with how contributions are applied leading to the delivery of new and diverse rental housing.

City Plan 2036 – Local Strategic Planning Statement

City of Sydney's endorsed local strategic planning statement, City Plan 2036 sets the land use planning context, vision and planning priorities to positively guide development. The planning statement outlines how the City will plan for and manage change, while delivering on the City's vision for a green, global and connected city. This planning proposal gives effect to the following priorities of the Statement:

Infrastructure

- **I1. Movement for walkable neighbourhoods and a connected city**
- **I2. Align development and growth with supporting infrastructure**
- **I3. Supporting community wellbeing with social infrastructure**

Provisions in this planning proposal will help optimise existing **social** infrastructure by **securing land for a new east-west transport connection that will connect strategic centres in the LGA as identified by this Direction ensuring affordable housing contributions are correctly captured**.

Other controls will help free up street space by encouraging less vehicle use and moving freight deliveries off the road leaving more space for walking and cycling.

Liveability

- **L1. A creative and socially connected city**
- **L2. Creating great places**
- **L3. New homes for a diverse community**

The proposed amendments in this planning proposal provide for a creative and socially connected city by protecting existing public space and helping facilitate the delivery of new and diverse affordable housing for a diverse community.

Productivity

- P1. Growing a stronger, more competitive Central Sydney
- P2. Developing innovative and diverse business clusters in City Fringe
- P3. Protecting industrial and urban services in the Southern Enterprise Area and evolving businesses in the Green Square-Mascot Strategic Centre

This proposal will help the City accommodate and plan for growth in jobs and investment by preserving existing employment land and consolidating other planning controls into Sydney LEP 2012 consistent with those of nearby strategic centres, in particular the southern employment lands.

Sustainability

- S1. Protecting and enhancing the natural environment for a resilient city
- S2. Creating better buildings and places to reduce emissions and use water efficiently
- S3. Increasing resilience of people and infrastructure against natural and urban hazards

This planning proposal includes specific provisions designed to support the City and local communities in mitigating against heat island effect and other climate change hazards. Changes to BASIX controls in the LEP will streamline requirements for new development while helping the City will remain at the forefront of driving sustainability measures.

Governance

- G1. Open, accountable and collaborative planning

This proposal will update the City of Sydney's primary planning controls to respond to current council and state strategic directions. In particular, it integrates the planning controls for several major projects into Sydney LEP 2012 delivering on a key priority of City Plan 2036.

4.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

This planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs), as summarised in Table 2

Table 2. Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment
SEPP (Biodiversity and Conservation) 2021	Consistent – this planning proposal will strengthen the deep soil provision supporting increased vegetation and tree canopy cover.
SEPP (Exempt and Complying Development Codes) 2008	Consistent – this proposal classifies EV chargers in ancillary car parks and bicycle parking devices as exempt development, clarifying ambiguity.
SEPP (Housing) 2021	Consistent – amendments in this planning proposal will continue to support the delivery of diverse housing types, consistent with the principles of this SEPP.

State Environmental Planning Policy	Comment
SEPP (Industry and Employment) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
State Environmental Planning Policy (Housing) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
SEPP (Planning Systems) 2021	Consistent – this planning proposal seeks to work with the Department of Planning and Environment to integrate the planning controls from an SSD concept plan into Sydney LEP 2012. The transferred controls will closely match what has been approved and delivered.
SEPP (Precincts–Central River City) 2021	Not applicable
SEPP (Precincts–Eastern Harbour City) 2021	Consistent – the City will work with the Department of Planning and Environment to integrate the Redfern Waterloo Authority sites planning controls into Sydney LEP 2012 to closely match what has been approved and delivered.
SEPP (Precincts–Regional) 2021	Not applicable
SEPP (Precincts–Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	Consistent – no amendment contained in this planning proposal will hinder the application of this SEPP.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	Consistent – this planning proposal includes amendments that respond to the introduction of this SEPP.
SEPP (Transport and Infrastructure) 2021	Consistent – no amendment in this proposal hinders the application of this SEPP.

4.2.4 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

This planning proposal is consistent with all Local Planning/Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in Table 3.

Table 3. Consistency with Local Planning / Ministerial Directions

Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent. This proposal supports the Region Plan.
1.2 Development of Aboriginal Land Council land	Not applicable.
1.3 Approval and Referral Requirements	Consistent. No amendment includes concurrence, consultation or referral provisions or identify any designated development.
1.4 Site Specific Provisions	Consistent – see discussion below.
1.4A Exclusion of Development Standards from Variation	Consistent – This planning proposal does not propose to exclude a development standard from variation under clause 4.6
Focus area 1: Planning Systems – Place-based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable.
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable.
1.14 Implementation of Greater Macarthur 2040	Not applicable.

Ministerial Direction	Comment
1.15 Implementation of the Pymont Peninsula Place Strategy	Consistent. This Planning proposal does not hinder the application of the Pymont Peninsula Place Strategy.
1.16 North West Rail Link Corridor Strategy	Not applicable.
1.17 Implementation of the Bays West Place Strategy	Not applicable.
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable.
1.19 Implementation of the Westmead Place Strategy	Not applicable.
1.20 Implementation of the Camelia-Rosehill Place Strategy	Not applicable.
1.21 Implementation of the South West Growth Structure Plan	Not applicable.
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable.
Focus area 2: Design and Place	No directions in place.
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Not applicable.
3.2 Heritage Conservation	Consistent – see discussion below.
3.3 Sydney Drinking Water Catchments	Not applicable.
3.4 Application of C2 & C3 Zones & Environmental Overlays in Far North Coast LEPs	Not applicable.
3.5 Recreation Vehicle Areas	Not applicable.
3.6 Strategic Conservation Planning	Not applicable.
3.7 Public Bushland	Not applicable.
3.8 Willandra Lakes Region	Not applicable.
3.9 Sydney Harbour Foreshores and Waterways Area	Consistent. No amendment in this proposal hinders the application of this Direction
3.10 Water Catchment Protection	Not applicable.
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent. The proposed amendments do not hinder the flood prone land provisions in Sydney LEP 2012 and Green Square Town Centre LEPs – see discussion below.

Ministerial Direction	Comment
4.2 Coastal Management	Not applicable
4.3 Planning for Bushfire Protection	Not applicable.
4.4 Remediation of Contaminated Land	Consistent. This Planning proposal includes no change to the City's current policy and LEP provisions relating to contaminated land and remediation.
4.5 Acid Sulfate Soils	Consistent. The proposed amendments do not hinder the acid sulfate soil provisions in Sydney LEP 2012 and Green Square Town Centre LEPs.
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent – see discussion below.
5.2 Reserving Land for Public Purposes	Consistent. Proposed amendments will secure land for new transport infrastructure that will improve east-west public transport connections— See discussion below.
5.3 Development Near Regulated Airports and Defence Airfields	Consistent. The amendments will not adversely impact the safe and effective operation of nearby airports or constitute an obstruction and potential hazard to aircraft flying in the vicinity – see discussion below.
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Consistent – see discussion below.
6.2 Caravan Parks and Manufactured Home Estates	Not applicable.
Focus area 7: Industry and Employment	
7.1 Business and Industrial Zones	Consistent – see discussion below.
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable.

Ministerial Direction	Comment
Focus area 9: Primary Production	
9.1 Rural Zones	Not applicable.
9.2 Rural Lands	Not applicable.
9.3 Oyster Aquaculture	Not applicable.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.

1.4 Site Specific Provisions

The objective of this Direction aims to discourage unnecessarily restrictive site-specific planning controls. This planning proposal includes policy and housekeeping amendments to Sydney LEP 2012 and Green Square Town Centre LEPs that streamline and improve the City of Sydney's planning control framework.

The proposed amendments include updates to a number of discrete sites which seek to rectify particular issues and ensure development controls match that of the surrounding area. These changes do not include any onerous site-specific provisions, consistent with the requirements of this Direction.

An omission will be corrected by allocating a context-appropriate height of buildings and floor space ratio development controls to a site at 257 Sussex Street, Sydney. This change will not restrict the range of permissible land uses in the zone. It will apply development standards to match those of surrounding sites.

The proposal will also transfer several legacy planning controls into Sydney LEP 2012. This transfer will not impose any new development restrictive development standards or requirements. No change will be made to the zoning or approved land uses on any relevant land. This planning proposal is consistent with the requirements of this Direction.

3.2 Heritage Conservation

This Direction seeks to conserve items, area, objects and places of environmental heritage significance and indigenous heritage significance. This planning proposal is consistent with this direction as it contains provisions that ensure the ongoing conservation of heritage items.

Specifically, the proposed amendments to clause 6.10 will further support the heritage floor space scheme and allow for its ongoing successful operation, incentivising the protection of heritage listed buildings in Central Sydney.

Legacy planning controls for major project development precincts will be integrated into Sydney LEP 2012. The integration areas include the former Carlton United Brewery, Harold Park and certain Redfern Waterloo Authority Area sites, which include heritage items. Once integrated, these sites will be subject to the heritage provisions of Sydney LEP 2012 as such is consistent with the requirements of this Direction.

4.1 Flooding

The objective of this Direction is to ensure LEP provisions for flood prone land will not result in significant impacts to other properties.

This planning proposal corrects an omission and gives the site at 257 Sussex Street, Sydney height of building and floor space ratio development controls. While the site is identified as flood prone land, the proposed controls match that of the directly adjoining sites and does not constitute an intensification in potential or anticipated development. Future development on the subject site,

similar to all adjacent sites, is able to comply with the City's Interim Floodplain Management Policy meeting the requirements of this Direction.

Some areas to be integrated into Sydney LEP 2012 detailed in Amendment 18 – Integration of planning controls may be flood affected, including Harold Park and parts of the Glebe Affordable Housing Project land. Development on these sites is completed and there is no material changes proposed to the planning controls.

The LEP amendments will not inhibit future development from complying with flood planning requirements, nor result in adverse impacts to other properties.

5.1 Integrating Land Use and Transport

The objective of this Direction is to ensure that urban structures improve choice and access to active and public transport infrastructure, reducing private vehicle demand and supports the efficient movement of freight.

This planning proposal includes changes to maximum parking rates for new residential, retail and employment developments to minimise any overprovision and effects from induced demand. This amendment includes changes to streamline the installation of new electric vehicle charging units and bicycle parking devices, which will now be classified as exempt development to help increase usage, minimising adverse environmental impacts, consistent with the aims of this Direction.

~~Further, this planning proposal safeguards land for new transport infrastructure in the Green Square to Ashmore connector that will improve east-west public transport connections.~~

5.2 Reserving Land for Public Purposes

This Direction states planning proposals must not create, alter or reduce existing zonings or reservations of land for public purposes without appropriate approval.

Amendment 18 of this planning proposal integrates legacy planning controls into Sydney LEP 2012, including land already zoned and used for public purposes and privately owned land with public access arrangements. This includes internal streets and open space at South Eveleigh, which are subject to a planning agreement between the City of Sydney and the landowner where the ownership will be transferred to the City after a minimum period of fifteen years. The City does not need to purchase the land given the planning agreement is in place. The land can continue to be used for its existing zoned purpose in the meantime. Other land identified within Amendment 18 as being for a public purpose is already owned by the City of Sydney.

~~Two parcels of land in Alexandria will be rezoned to SP2 Infrastructure (Local Road) for the Green Square to Ashmore Connector Road to improve east-west connectivity. The subject land will be identified in the Land Reservation Acquisition Map and in Part 5 Miscellaneous provisions of Sydney LEP 2012 to ensure the planning proposal is consistent with the requirements of this Direction. Notwithstanding, there are arrangements to transfer these land parcels to City ownership with each landowner. In particular, 22 O'Riordan Street is subject to a land transfer agreement linked to the future redevelopment of the site.~~

Amendment 14 will permit greater land use flexibility for sites adjoining SP2 Infrastructure zone, however it does not propose any change in ownership or acquisition arrangements.

The planning proposal is consistent with this direction.

5.3 Development Near Regulated Airport and Defence Airfields

This planning proposal facilitates changes to land use zoning and development standards near a regulated airport and as such, this Direction applies. This includes changes to the permissibility of structures associated with green roofs, minor changes to the building height control to correct an error, and bring development standards into Sydney LEP 2012 as part of the integration of legacy planning controls.

The proposed amendments do not permit development to obstruct the Obstacle Limitation Surface (OLS) airspace level or otherwise impact the current and future safe operation of a regulated airport.

The Direction requires consultation with relevant agencies responsible for Sydney Airport as well as the operator. As detailed in this planning proposal, consultation will be undertaken with the necessary government agencies at the public exhibition stage of this planning proposal process.

6.1 Residential Zones

This Direction seeks to encourage housing diversity to provide for existing and future housing needs that minimises adverse environmental impacts and makes efficient use of infrastructure.

This planning proposal achieves the objective and provisions of this Direction by clarifying previous ambiguity regarding affordable housing contribution requirements, which will help improve the delivery of new affordable housing dwellings and will support a broader choice of housing.

The proposal also does not contain any provisions that would materially reduce the permissible residential density of land, or affect the delivery of new housing projects or associated infrastructure. The integration of legacy planning controls for major project precincts into Sydney LEP 2012 is a direct translation of the existing controls and will not reduce development potential, nor impact or alter the delivery of housing in residential zones or any existing approvals.

Other amendments contained in this planning proposal will not materially impact on the total potential floor space of affected sites. The proposed new sun access planes in Amendment 4 are both consistent with the existing controls for the adjacent sites and will not reduce their development potential.

Amendment 11 to remove the Opportunity Floor Space on a limited number of sites in Central Sydney has in practice no impact on residential development potential. The 'bonus' floor space conferred through the clause is minor compared to overall available floor space, and can only be used within 5 metres of ground level. Ground floor residential development in Central Sydney is entirely impractical due to requirements for vehicle access and active frontages, and the noisy street environment. The maximum floor space for the affected sites remains as mapped in Sydney LEP 2012.

This planning proposal is consistent with the objectives and requirements of this Direction as existing provisions for housing supply will not be impacted and the amended provisions will encourage housing variety.

7.1 Employment Zones

This Direction encourages growth to support the viability and protection of employment land in identified centres by ensuring areas and locations of employment are retained and the potential floor space for employment uses are not reduced by the planning proposal.

This planning proposal gives effect to the requirements of this Direction in that it does not propose the rezoning of any employment land and all existing employment zones will be retained and protected. No amendment in this planning proposal seeks to reduce employment floor space potential of the LEP.

Amendment 11 to remove the Opportunity Floor Space on a limited number of sites in Central Sydney will not materially affect the potential employment floor space in Central Sydney as it applies to a small number of buildings and is limited to the ground floor only. Other floor space incentives will continue to apply, including the Tower cluster design excellence provisions which provides up to 50% additional floor space for employment uses. Any reduction in potential floorspace is of a very minor nature.

This is consistent with the approved State and district plans for the area, ensuring the City's jobs capacity will not be impacted and existing economic centres can continue to contribute towards a stronger Harbour CBD area.

4.3 Environmental, social and economic impact

4.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The planning proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats. Land affected by this planning proposal is in an inner city, highly urbanised environment and does not contain any significant critical habitats or threatened species, populations or ecological communities.

Notwithstanding, amendments proposed by this planning proposal and other associated policy changes will promote biodiversity through measures to improve tree canopy coverage across the City of Sydney local government area. This includes removing impediments and making the delivery of new green roofs easier and ensuring new development includes sufficient deep soil to support tree planting and growth.

4.3.2 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

It is unlikely that the proposed amendments will result in development with significant adverse environmental impacts that cannot be readily managed. The proposed amendments promote overall positive environmental outcomes, particularly in relation to city greening, improving uptake of electric vehicle and bicycle use and protecting sunlight access to more public places.

4.3.3 Has the planning proposal adequately addressed any social and economic effects?

This planning proposal will deliver policy and housekeeping amendments to Sydney LEP 2012 and the Green Square Town Centre LEPs which rationalise and improve the City of Sydney's planning control framework to be more user-friendly and responsive to the needs of people that live, work and visit the local government area.

The proposed amendments and updates will result in positive social and economic effects through improved planning controls and a streamlined assessment process. Specific amendments include:

- new provisions to encourage the delivery of new and diverse forms of rental housing to address the current housing challenges;
- greater clarity regarding affordable housing contribution requirements to improve the delivery of new affordable housing dwellings;
- protection of sun access to two more public places; and
- support the continued operation of the successful heritage floor space scheme, continuing to protect heritage buildings in Central Sydney.

4.4 State and Commonwealth interests

4.4.1 Is there adequate public infrastructure for the planning proposal?

Yes, land affected by this planning proposal is well served by the full range of public utilities and infrastructure, including electricity, telecommunications, water, sewer and stormwater. It is expected that these services will be upgraded as required. Nothing contained in this planning proposal will adversely impact any planned public infrastructure upgrades.

Further, this planning proposal secures the delivery of new public domain infrastructure in the Ashmore to Green Square Connector and provides clarity on the instances when an affordable housing contribution is required in Central Sydney and on residual lands, helping improve the delivery of new affordable housing dwellings.

4.4.2 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Formal consultation has not yet been undertaken on the proposed policy and housekeeping amendments contained in this planning proposal. Appropriate consultation with the relevant state and federal public authorities and government agencies will be conducted as per advice from the Department of Planning in gateway determination once issued. Consultation will take place at the public exhibition stage of this planning proposal process.

5. Mapping

A map book detailing the mapping changes and updates to Sydney LEP 2012 maps resulting from the following proposed amendments accompanies this planning proposal.

- Amendment 4 – Parking in new developments
- Amendment 5 – Protection of sun access to Gunyama Park and Cook and Phillip Park
- Amendment 10 – Change to boundaries of SP5 Metropolitan Centre zone
- Amendment 12 – Opportunity sites in Central Sydney
- ~~Amendment 13 – Rezoning of the land in Alexandria~~
- Amendment 15 – 257 Sussex Street
- ~~Amendment 18 – Cross City Tunnel ventilation stack~~

Several LEP maps have been updated to reflect the change to the development standard, as follows: the Land Use and Transport Integration and Public Transport Accessibility maps are amended to reflect changes in public transport supporting the revised maximum parking rates; the Sun Access Protection map is updated to include Gunyama and Cook and Phillip parks to ensure sun access is protected; the Building Height and Floor Space Ratio maps will be updated to include 257 Sussex Street, ~~and; the Land Zoning map will be updated to include the rezoned land in Alexandria.~~

The Locality and Site Identification, Key Sites Map has been updated to show the adjusted Central Sydney boundary ~~and Land Affected by the Cross City Tunnel Ventilation Stack layer will be removed.~~

The integration of the planning framework and controls proposed in Amendment 18 – Integration of Planning Controls will be reflected with existing development controls translated into updated Sydney LEP 2012 maps. A new map, “Special Provisions Map” will be introduced to clearly detail the approved gross floor area for the key sites in the Central Park precinct. The relevant maps in the State Environmental Planning Policy (Eastern Harbour City) 2021 will be updated to transfer the Redfern-Waterloo Authority sites to Sydney LEP 2012.

All new and amended maps are included in Appendix B: Local Environmental Plan Map Book to this planning proposal.

6. Community consultation

This planning proposal shall be exhibited in accordance with the requirements of the gateway determination once issued by the Department of Planning and Environment.

It is anticipated that public exhibition of the planning proposal will be for a period of at least 30 days, which is consistent with the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guideline dated August 2023.

It is proposed that, at a minimum, the local community, residents, rate payers and relevant community interest groups shall be notified of the public exhibition by mail, email and social media, with all public exhibition documentation available on the City of Sydney website, in accordance with the City's Community Engagement Strategy and Participation Plan 2023. If necessary, exhibition material shall be made available at Town Hall House at 456 Kent Street, Sydney.

Consultation with the necessary state and federal agencies, authorities and other relevant organisations will be undertaken in accordance with the conditions contained in the gateway determination.

7. Project timeline

This planning proposal is categorised as a Principal planning proposal as per the Local Environmental Plan Making Guidelines dated August 2023, the anticipated timeframe for the completion of the planning proposal is as follows:

Table 4. Project timeline

Stage	Timeframe
Gateway request	January 2024
Gateway determination	October 2024
Government agency consultation	December–February 2025
Public exhibition	December–February 2025
Review of issues raised in submissions	February – March 2025
Post-exhibition reporting	May June 2025
LEP drafting	June–October 2025
LEP made	December 2025
LEP notification	December 2025

Attachment B1

**Local Environmental Plan Amendments
(Appendix A to the Planning Proposal)**

Appendix A – Local Environmental Plan Amendments



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Following feedback from the Department of Planning, Housing and Infrastructure, Amendment 1 – Build-to-rent and Co-living Housing now comprises a separate planning proposal. Amendment 15 – Use of existing non-residential buildings that were shops or pubs has been removed from the planning proposal. All other amendments have been renumbered. This planning proposal can be viewed at the NSW Planning Portal:

<https://www.planningportal.nsw.gov.au/ppr/post-exhibition/planning-proposal-sydney-local-environmental-plans-policy-and-housekeeping-amendments-2023>

Post-exhibition amendments are shown in **red**, with deletions in **strikethrough** and additions and edits in **underline**.

Amendment 1 – Deep soil

Objectives and intended outcomes

To ensure development provides sufficient deep soil for tree growth to promote in canopy cover.

Site identification

Changes to clauses 6.21C Design excellence and 7.20 Development requiring or authorising preparation of a development control plan of Sydney LEP 2012 will apply to all land covered by Sydney LEP 2012.

Explanation

This amendment introduces deep soil as a consideration in Sydney LEP 2012 and the Green Square Town Centre LEPs to encourage tree canopy coverage in private developments.

It amends the LEPs to include the provision of deep soil and tree canopy as a consideration when considering design excellence (clause 6.21C) and the preparation of a development control plan (clause 7.20).

Supporting amendments to Sydney DCP 2012

Supporting provisions in Sydney DCP 2012 are also proposed in new Section 3.5 Urban ecology, tree planting, deep soil and tree management.

Proposed section 3.5 includes guidance to ensure trees in new development are healthy, sustainable and contribute to the urban canopy. The objectives and provisions of this section relate to retention of existing habitat and healthy trees, and the planting of new trees and provision of deep soil to ensure canopy cover and water infiltration is provided as part of new development.

The proposed DCP provisions prescribe deep soil zones and tree planting requirements for a range of site sizes, land uses and site conditions. This simplifies and shifts away from the current approach in Sydney DCP 2012 which relies on canopy measurement.

Justification

Strategic merit

The City of Sydney's environment is highly developed and urban with almost all original vegetation and other natural features removed or modified. Over time, this has greatly reduced urban bushland, biodiversity and tree canopy cover.

The City of Sydney Urban Forest Strategy identifies a minimum target of 27 per cent tree canopy cover by 2050. This target is based on detailed land use analysis, noting that overall canopy cover in the City of Sydney increased from 15.5 per cent in 2008 to 19.8 per cent in 2022.

Biodiversity and canopy cover are important to climate change adaptation and provide liveability benefits. Vegetation and canopy cover reduces the urban heat island effect, cleans air and water and assists with effective water management.

Deep soil zones are essential for the retention of existing trees and sufficient space for the planting and healthy growth of new trees that provide canopy cover.

Deep soil zones are often given lesser weight in the determination of development applications than matters such as floor space and parking requirements which are given weight through Sydney LEP. These matters are often prioritised at the expense of achieving sufficient deep soil zones for tree canopy growth where possible. To allow the provision of deep soil zones to have equal consideration as other Sydney LEP matters it also needs to be a consideration in Sydney LEP.

The option of including development standards for deep soil zones, similar to those in the State Environmental Planning Policy (Housing) 2021, was also considered. This option was not pursued as it would not allow sufficient flexibility to account for circumstances where deep soil delivery is constrained by existing site characteristics. In those circumstances, placing development standards in Sydney LEP would require a formal variation to the development standard which is not a desirable outcome.

City Plan 2036 – Local Strategic Planning Statement

City Plan 2036 – Local Strategic Planning Statement seeks to support resilient urban ecosystems by improving biodiversity, habitat and tree canopy across the City and adjoining council areas. The proposed amendments will give effect to “Priority S1: Protecting and enhancing the natural environment for a resilient city” as outcomes achieved will:

- protect and enhance biodiversity;
- protect and enhance canopy cover;
- protect and enhance locally indigenous vegetation; and
- improve habitat connectivity.

A Metropolis of Three Cities and the Eastern City District Plan

The proposed amendments will also contribute to and enhance the Greater Sydney Green Grid. Incorporated within both the Region and District Plans, the Greater Sydney Green Grid is a mapped network of high-quality green space that connects town centres, public transport hubs, and major residential areas. The objectives of the green grid are to protect and enhance an interlinked network of open spaces to keep the city cool, encourage healthy living, enhance biodiversity and ecological resilience.

This amendment will give effect to the following Planning Priority in the Eastern City District Plan:

- E17 – Increasing urban tree canopy cover and delivering Green Grid connections

City of Sydney Urban Forest Strategy (2023) and Greening Sydney Strategy (2021)

The proposed amendments, combined with proposed DCP amendments, will give effect to Action 4 – Achieve canopy cover targets in the City of Sydney’s Draft Urban Forest Strategy. This strategy was released in October 2022 and expands on the targets for canopy cover within streets, parks and properties introduced in the Greening Sydney Strategy, and builds upon its actions towards a cooler, calmer, and more resilient city.

Action 4 – Achieve canopy cover targets states that:

“We will achieve a minimum of 23 per cent canopy cover by 2030 and 27 per cent canopy cover by 2050. We will identify streets where tree planting and the provision of canopy cover should be prioritised over other uses and continue to identify opportunities for new and replacement tree planting in streets and parks. We will encourage tree planting within private property and ensure minimum tree planting requirements are met during development.”

Intended provisions

1. Amend Clause 7.20(4)(xiii) to reference the amount, location and dimensions of deep soil, and tree plantings, as a particular matter to be considered
2. Amend Clause 6.21(C) (2)(d) to reference the amount, location and dimensions of deep soil, and tree plantings, as a particular matter to be considered

Amendment 2 – Structures associated with green roofs

Objectives and intended outcomes

To encourage the use of building roofs for communal greening and for social spaces.

Site identification

This change applies to the land identified as “land included” on the Land Application Map in Sydney LEP 2012 but not to:

- land on which a heritage item is located
 - an existing dwelling house that is within a heritage conservation area
 - land within Central Sydney
-

Explanation

This amendment introduces a new clause in Sydney LEP 2012 to allow structures associated with green roofs with rooftop communal open space to exceed the mapped building height control where these structures provide roof access thereby removing a disincentive for green roofs.

The proposed LEP clause will allow a rooftop structure (or structures) to exceed the maximum building heights in areas outside Central Sydney if the following criteria are met:

1. The structure must:
 - provide access to rooftop gardens and rooftop communal open space. Examples include stairs, lifts, and associated lift mechanisms; and/or
 - support the social use of the roof space. Examples include open shade and shelter structures for comfortable communal open space, communal gardens and accessible toilets.
2. The structure is not part of a building that is a heritage item, or is not an existing single dwelling within a heritage conservation area or is not within Central Sydney
3. The structure(s) must be located on or provide access to a green roof. Areas of the roof that are not planted must include a proportion of communal open space
4. Structures cannot be used for signage
5. Council must be satisfied that roof structures are integrated into the design of the roofscape, will not cause more than minor overshadowing of neighbouring properties (such as being setback from the parapet) and the scale of the development remains compatible with that of the precinct.
6. Structures must not include gross floor area, except where it is for accessible toilets.

Justification

Green roofs can provide environmental and social benefits to buildings and the wider City community. The City's Greening Sydney Strategy includes Action 12 – Increase green roofs and walls. This action requires the City to amend the planning controls over time to:

- increase the adoption of green roofs in new developments
- allow retrofitting of green roofs to existing development
- remove any unnecessary barriers to the provision of green roofs.

To maximise the benefits of green roofs they should be capable of being maintained and should support social activities for building occupants including office workers and residents well-being. This requires structures such as stairs and lift-overruns for access, along with shade structures, toilets and other facilities for communal and social use. These structures are included when calculating the height of buildings and are not permissible if they are higher than the maximum building height as mapped in Sydney LEP 2012.

This is a barrier to the adoption of green communal roofs, as it requires any structures that allow access to the roof to fit under the maximum height of building control, effectively replacing a potential floor in the building. This is a strong disincentive for the provision of green roofs.

Current practice is to allow the use of a Clause 4.6 Exceptions to development standards application where it can be demonstrated that allowing a green roof to break the maximum height of building control has limited additional impacts. However, while often supported, this can impose additional costs on applicants, create delays in the determination of development applications and does not promote the beneficial use of rooftops. This again is a barrier to the provision of green roofs.

The proposed LEP clause will permit the consent authority to approve structures required to access and promote rooftop gardens and rooftop open space, and ancillary structures to these, that are higher than the LEP height of building controls as long as certain criteria are met to limit the extent, use and impact of the structure. This provision cannot be used to exempt an occupied floor or part occupied floor exceeding the height control.

A portion of the roof area must be covered by vegetation, to serve as a threshold requirement for the provision. Detailed solar reflectivity and vegetation provisions are included in the draft DCP for further guidance.

This clause will not apply to Central Sydney due to the sun access planes and the limited utility of open green roofs on very tall buildings.

The clause will not apply to existing dwelling houses in Heritage Conservation Areas or heritage items. Existing dwelling houses in Heritage Conservation Areas are generally terrace houses with pitched roofs. These buildings are generally unable to accommodate a rooftop garden while remaining compatible with the surrounding area. However there are other buildings in Heritage Conservation Areas where it would be more appropriate.

Intended provisions

1. Insert a new clause in Part 5 Miscellaneous Provisions of Sydney LEP 2012.
2. The objective of the clause is to encourage the use of building roofs as green roofs and communal open space with minimal impacts.
3. This clause is to apply to all land except land:
 - in Central Sydney or

- on which is located a heritage items or an existing dwelling house within a heritage conservation area
4. Despite clause 4.3, the height of building for a building to which this clause applies may exceed the height of building shown for the land on the Height of Buildings Map if the consent authority is satisfied that development:
- a. includes structures to provide access to green roofs and rooftop communal open space to support the social use of the roof space (including open shade and shelter structures and accessible toilets);
 - b. includes a portion of the roof area as green roof and an additional portion of the roof area is a mix of communal open space has open and minimal structures;
 - c. includes appropriate materials to reduce urban height effect for roof areas that are not covered by development described in subclause (b) or by solar panels and other plant and equipment; and
 - d. must not include signage;
 - e. is fully integrated into the design of the green roof; and
 - f. will not cause more than minimal overshadowing to adjoining land (such as being setback from parapets)
 - g. under this clause does not include gross floor area, except where it is for an accessible toilet
 - h. is compatible with the scale of the future character of the precinct.
 -

Amendment 3 – Parking in new developments

Objectives and intended outcomes

1. Ensure parking provision in new residential developments is in line with current levels of car ownership for similar dwelling types and accessibility levels.
 2. Ensure parking provision in new developments with retail and employment uses is in line with current private car use for journeys to work and for shopping and accessing services.
 3. Prevent overprovision of off-street parking in certain developments and associated impacts on traffic congestion, on-street parking demand and other social and environmental impacts.
 4. Ensure accessibility maps reflect current levels of public transport and walkable accessibility, and hence relevant levels of parking in new developments, across the local area.
 5. Reflect changes to accessibility from new public transport infrastructure.
 6. Ensure new areas incorporated into the LEP are reflected in the accessibility maps.
 7. Support delivery of bicycle parking and electric vehicle chargers in existing developments.
 8. Support the delivery of electric vehicle chargers for public use in private development.
-

Site identification

This amendment applies to land identified as ‘LEP Included’ in the Sydney LEP 2012 Land Application Map.

Explanation

This amendment proposes changes to on-site car parking controls, including changes to maximum parking rates reflecting the delivery of new public transport infrastructure and other changes to the City’s planning framework. The changes only affect new development. There is no effect on parking within existing buildings.

This planning proposal includes amendments to planning controls relating to public transport and land use accessibility maps, maximum rates of car parking for a range of land uses and introducing exempt development for bicycle parking devices.

The following changes are proposed to Sydney LEP 2012:

1. Amend the Land Use and Transport Integration (LUTI) Map as shown in Appendix B Local Environmental Plan Map Book to reflect changes in public transport and walking accessibility levels across the local area.
2. Amend the Public Transport Accessibility Level (PTAL) Map as shown in Appendix B Local Environmental Plan Map Book to reflect changes in public transport accessibility levels across the local area.
3. Amend clause 7.2 Interpretation to insert a new exception into the list of spaces that are not included in the definition of a car parking space for community electric vehicle charging areas.

4. Amend clause 7.2 Interpretation to Insert a new definition for “community electric vehicle charging space”.
5. Amend clause 7.4 with amended maximum parking rates for dwelling houses, attached dwellings and semi-detached dwellings.
6. Amend clause 7.5 with amended maximum parking rates for residential flat buildings, dual occupancies, multi-dwelling housing, boarding houses and co-living housing.
7. Amend clause 7.5 with a new provision for visitor parking spaces in proportion with residential parking spaces.
8. Amend clause 7.6 with amended maximum parking rates, introduce an additional location category for Central Sydney, and an amended formula to be used for Central Sydney and category D.
9. Amend clause 7.7 to amend the formula to be used for category D.
10. Amend clause 7.9 (1) with amended maximum parking rates for serviced apartments and hotel or motel accommodation.
11. Delete clause 7.9 (5) to remove maximum parking rates for places of public worship and entertainment facilities.
12. Insert a new clause into Schedule 2 ‘Exempt development’ to make bicycle parking devices on ground floor or in basements exempt development.

Justification

Parking rates and accessibility

The City’s planning controls include maximum rates of on-site parking provision for most new development types. These maximum rates are connected to accessibility levels, which are mapped across the local area.

The accessibility maps recognise that accessibility is not evenly distributed across the local area. The maps are divided into three levels, with areas of lower accessibility provided with higher maximum parking rates.

There are two sets of accessibility maps, PTAL (public transport accessibility levels) for non-residential uses, and LUTI (land use and transport integration) maps for residential uses. As PTAL is for mostly destination land uses such as workplaces and retail, it recognises public transport access only. LUTI captures accessibility for residents who live on the site, so both public transport access and walking access to jobs, services and retail are considered.

Table 1. LUTI and PTAL categories and their accessibility level

Category	Land use	Accessibility level
LUTI A	Residential	Highest
LUTI B	Residential	Medium
LUTI C	Residential	Lowest
PTAL D	Non-Residential	Highest
PTAL E	Non-Residential	Medium
PTAL F	Non-Residential	Lowest

The current maps were developed in 2009, and there is a need to update these accessibility maps to reflect new public transport infrastructure, urban change and new areas coming into the City's planning controls.

The areas with changes to the LUTI and PTAL maps are described below. The changes only affect new development. There is no effect on parking within existing buildings.

Pymont

Pymont is served by the L1 light rail line. Service frequency significantly increased with the extension of the line to Dulwich Hill in 2014 and subsequent upgrades, however the additional stations has meant increased congestion on the portion of the line between Pymont and Central Sydney. The City does not consider the increased service frequencies on the L1 line to have resulted in improved accessibility for the area.

Although subject to reconfirmation by the current NSW Government, the anticipated Pymont Metro station is due to open in 2030 as part of the Sydney Metro West project. As new infrastructure, the City does consider this to be a significant improvement in accessibility to Pymont. Accordingly, sites within a five minute walk of the proposed new Pymont Metro station entrances are proposed to be upgraded to LUTI A and PTAL D. Additionally, sites that are currently PTAL F and are more than five minutes' walk but less than seven minutes' walk are proposed to be upgraded to PTAL E.

Pymont Metro station is also the catalyst for the Pymont Place Strategy, which envisages an increase in both employment and residential floor space in the area. The Pymont Metro station will strengthen the local centre at Union Street, Pymont Street and Harris Street. Together this will contribute to a diverse local economy with easy walking access to jobs, services and retail, which further supports the LUTI A categorisation.

Figure 1. Land use and transport integration map for Pymont

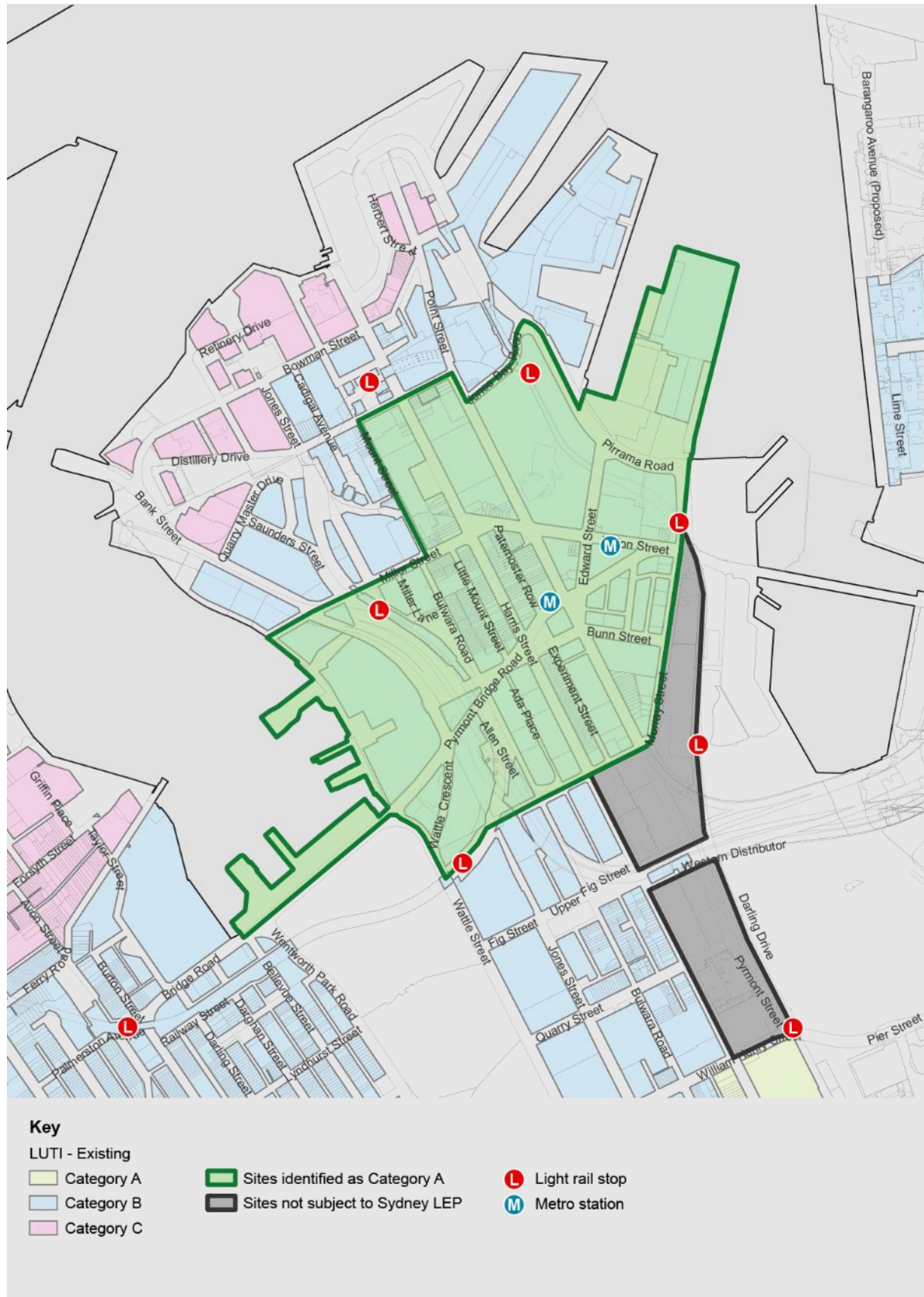
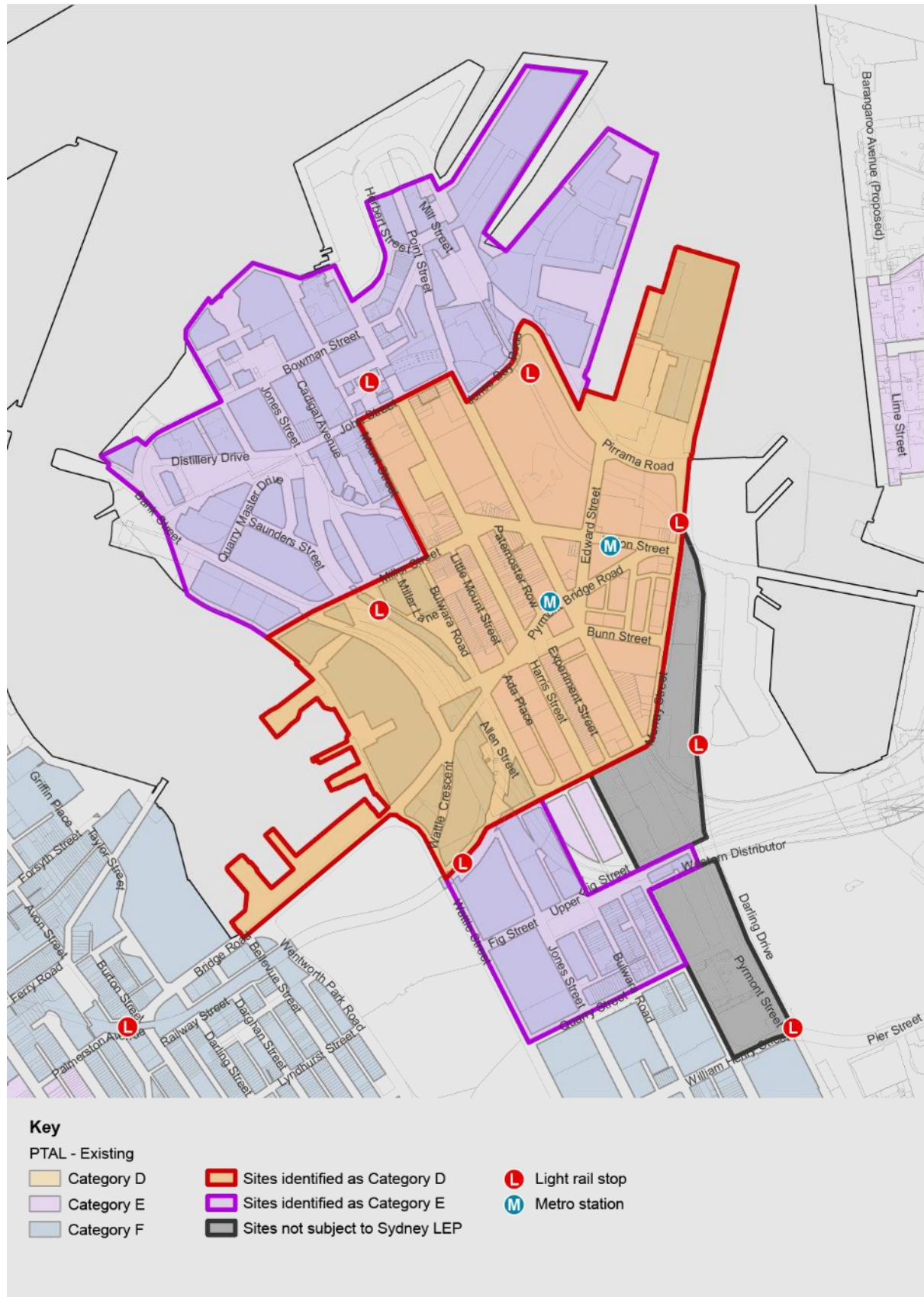


Figure 2. Public transport accessibility level map for Pymont



Kings Cross

Kings Cross Station is served by the Eastern Suburbs Line, which has had significant improvements to frequency and capacity as a result of the More Trains More Services program, and trains now operate every 3 minutes in peak hour. Due to the additional capacity and frequency, the City is proposing to upgrade the accessibility categories of sites within a 5 minute walk of any of the station's three entrances.

Upgrading up by one level results in the area changing from PTAL F to PTAL E, and LUTI B to LUTI A.

Additional service frequency on existing infrastructure has not supported upgrading accessibility levels in other areas, such as Green Square station, Erskineville station and Pyrmont light rail stops on the L1 line. This is because the additional frequencies have been matched with growth in demand, and has not resulted in a real improvement in service for these areas. However, in Kings Cross the additional capacity does represent a significant improvement in service, as demand on the side of the line between Central Sydney and Bondi Junction has not grown at a rate that has resulted in a degradation of service.

As LUTI also incorporates walking access to local shops, jobs and services, LUTI A categorisation is also in more line with the area's changing role as a diverse local centre.

Figure 3. Land use and transport integration map for Kings Cross

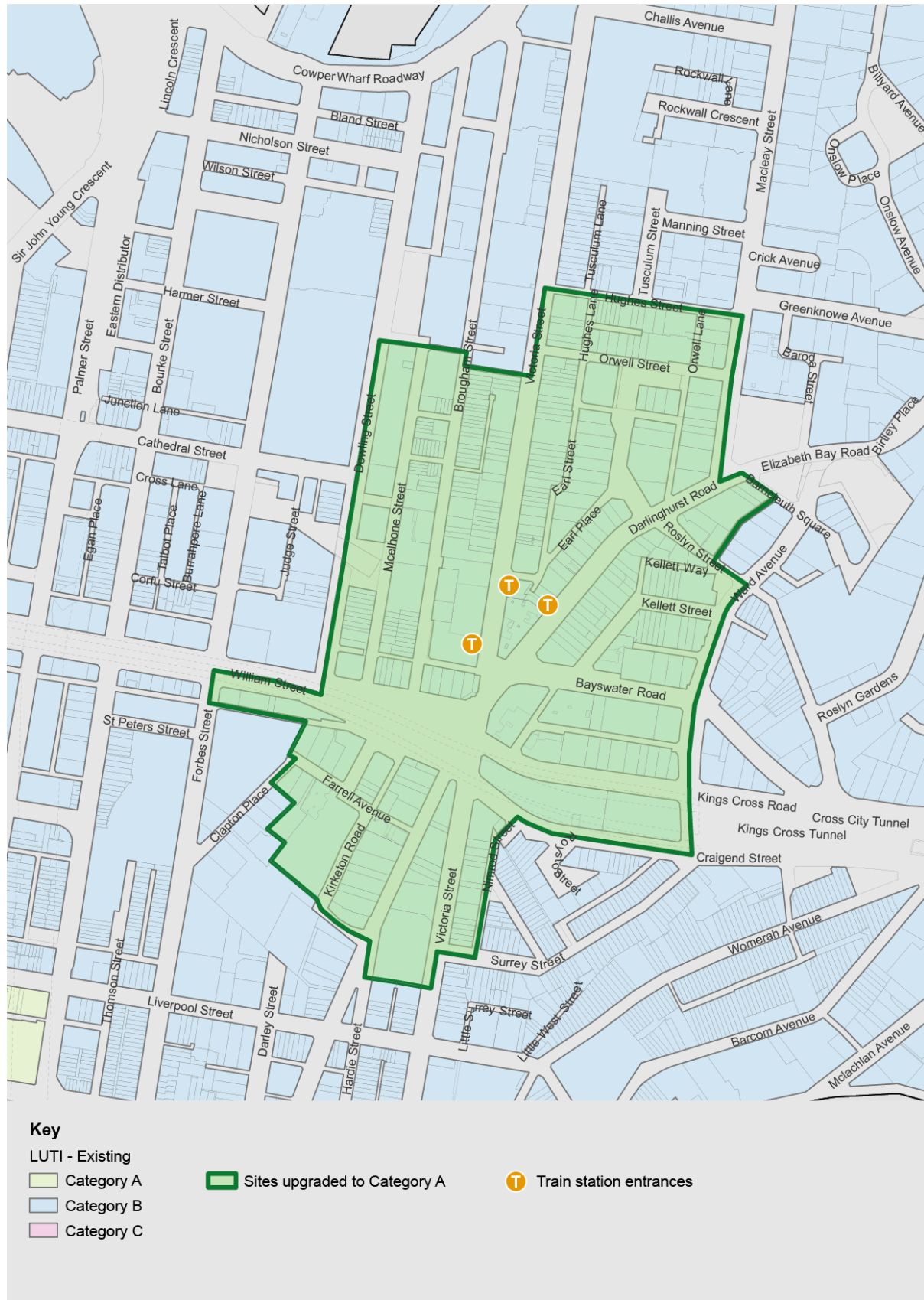
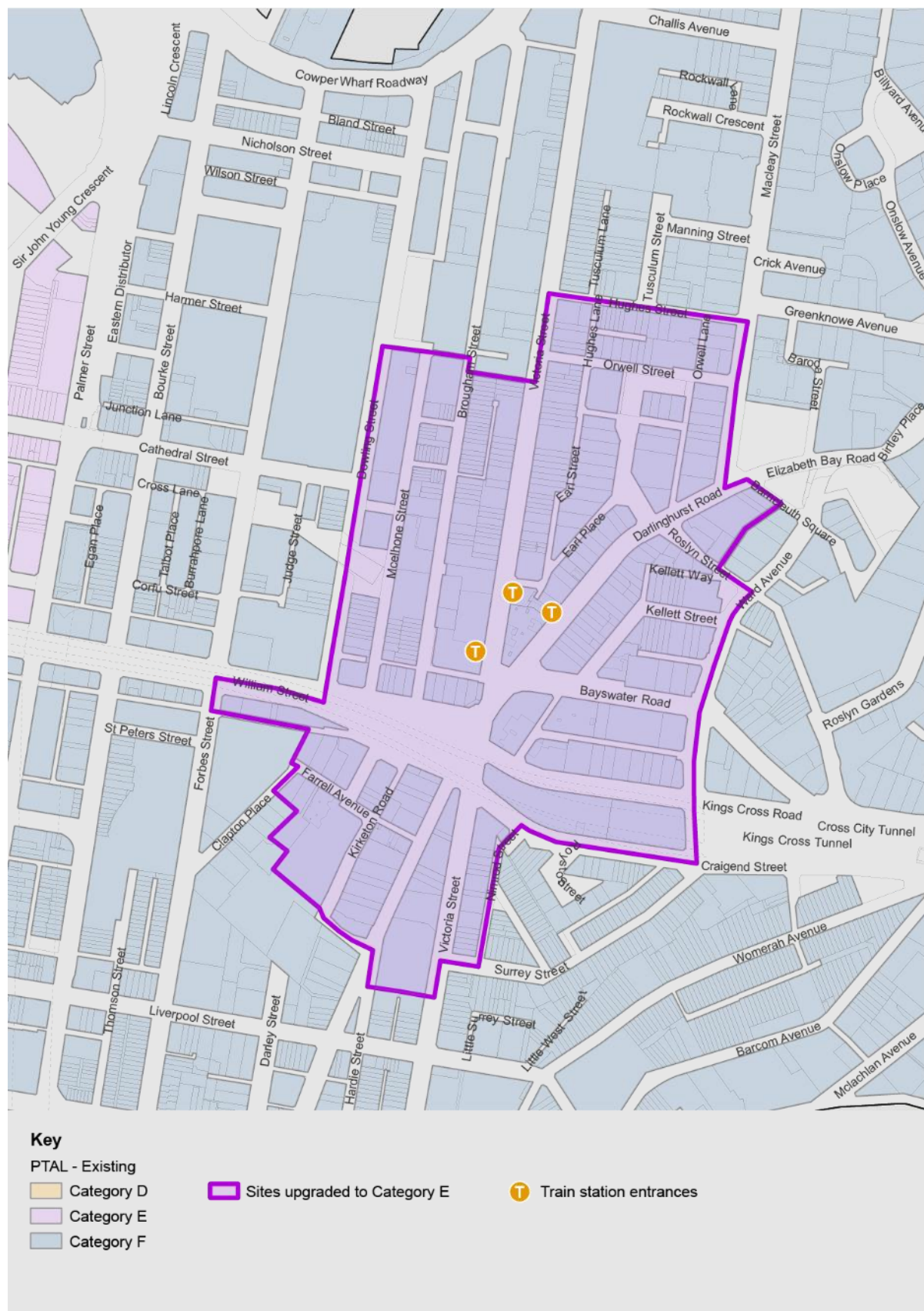


Figure 4. Public transport accessibility level map for Kings Cross



King Street Wharf

King Street Wharf is anomalous in Central Sydney as being LUTI B and PTAL E. This was due to its inaccessibility, with no direct connection to public transport. However, with the completion of Barangaroo South and the Wynyard Walk, the area is much better integrated with Central Sydney, public transport via Wynyard station and the light rail, and in 2024 the Barangaroo Metro Station. Given this improved walking access to the site, the City is proposing to upgrade its accessibility categories to LUTI A and PTAL D.

The improved LUTI grade also reflects the role of Barangaroo in providing a diverse range of jobs, services and retail that were not previously easily accessible to King Street Wharf.

The orange dot shows the location of the entry to Wynyard Walk, which is connected to King Street Wharf via a new pedestrian bridge (not shown). Sites that are not subject to Sydney LEP are shown in black/grey.

Figure 5. Land use and transport integration map for King Street Wharf



Figure 6. Public transport accessibility level map for King Street Wharf



Surry Hills

The delivery of the CBD and South East Light Rail has increased public transport accessibility and capacity to Surry Hills. As new infrastructure, the light rail provides additional capacity and time saving for travel to all parts of Central Sydney. In addition to the light rail, construction of Central Walk at Central Station will provide three new access points directly to platforms on the Surry Hills side of the station at Chalmers Street and Randle Lane, reducing walking times from this part of Surry Hills to train platforms.

These two improvements warrant upgrading accessibility levels on sites within five minutes' walk of the Ward Park and Chalmers Street light rail stops. The City is proposing upgrading these sites by one level, resulting in changes from LUTI B to LUTI A and from PTAL E to PTAL D.

Planned commercial and retail development at Central Station, and the growing role of Crown Street as a local centre, also support upgrading the area to LUTI A as Surry Hills becomes a more centrally located area for a diverse range of jobs, retail and services.

The locations of the new and existing entrances to Central Station on Chalmers Street and Randle Lane are shown as orange dots. Sites that are not subject to Sydney LEP are shown in black/grey.

Figure 7. Land use and transport integration map for Surry Hills

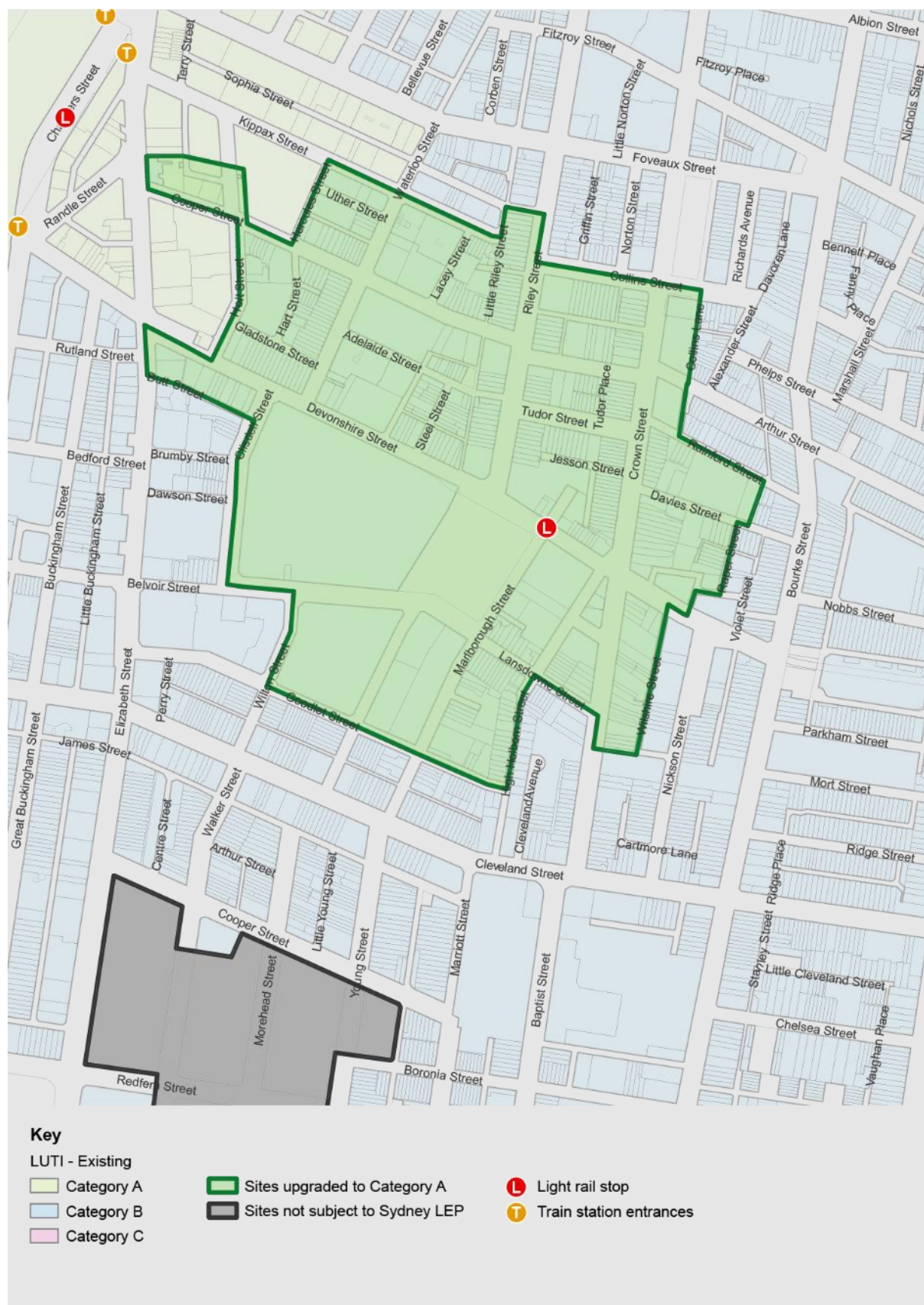
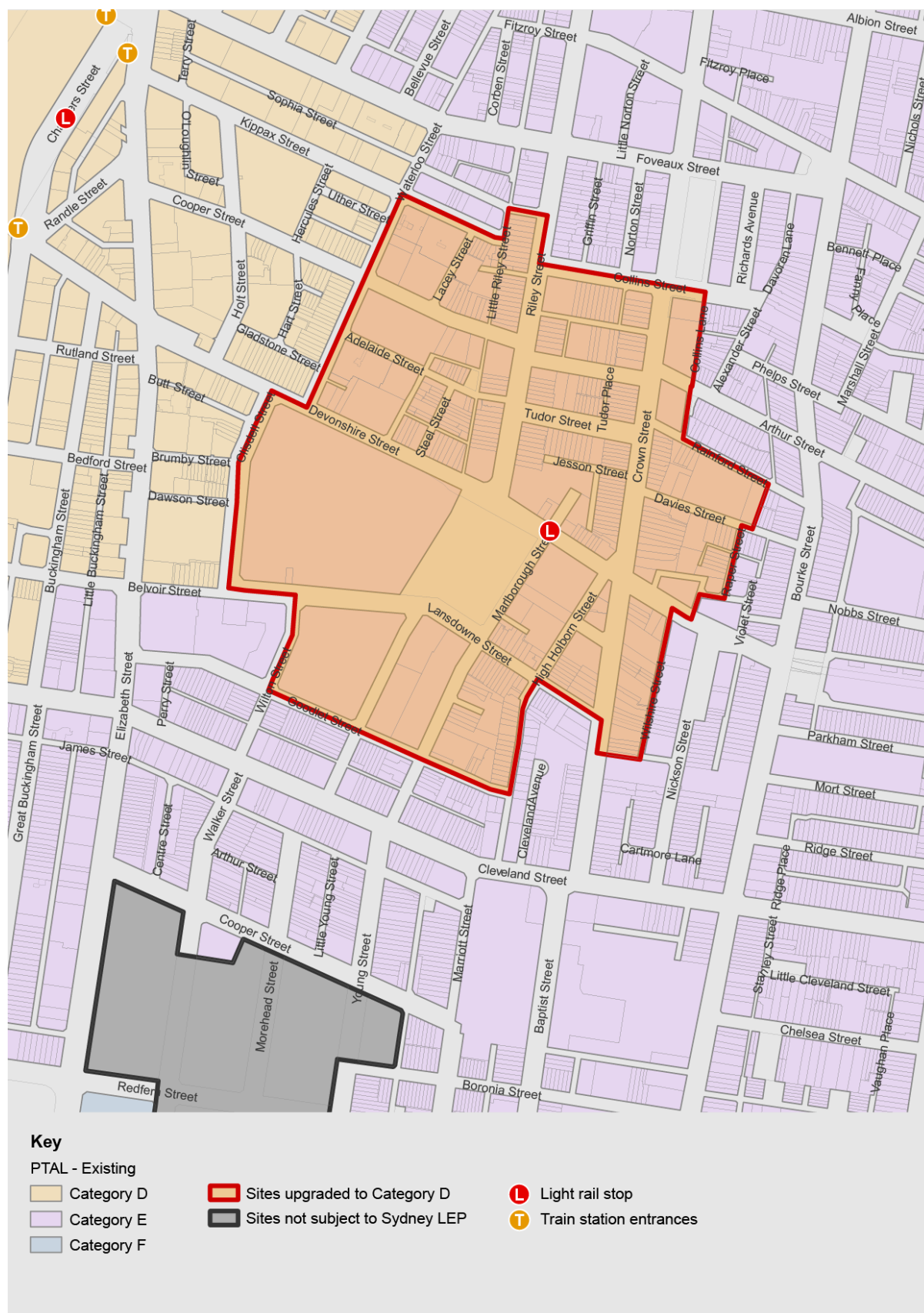


Figure 8. Public transport accessibility level map for Surry Hills



Redfern

The sites that make up the Redfern-Waterloo Authority Area are covered by a state planning instrument and are proposed to be brought into Sydney LEP. Therefore, PTAL and LUTI maps are required to cover these areas. The categories match the surrounding context, including proposed upgrades associated with Redfern station and Waterloo Metro.

The area surrounding Redfern station is currently graded as LUTI B and PTAL E. Although frequencies of trains servicing Redfern station have increased, a corresponding increase in demand has resulted in Redfern being congested and the City does not consider additional capacity has been added to improve accessibility to the surrounding area.

Redfern station has received a new station entrance on the corner of Lawson Square, and a southern concourse that will provide station entrances at Rosehill Street and Little Eveleigh street is near completion. To account for the improved access provided by these new entrances, the sites adjacent to these new entrances are proposed to be upgraded to LUTI A and PTAL D. The former RWA sites immediately adjacent to the existing entrance on Lawson Street are also proposed to match these gradings, while RWA sites further away are proposed to match their surrounding existing context of LUTI B and PTAL E.

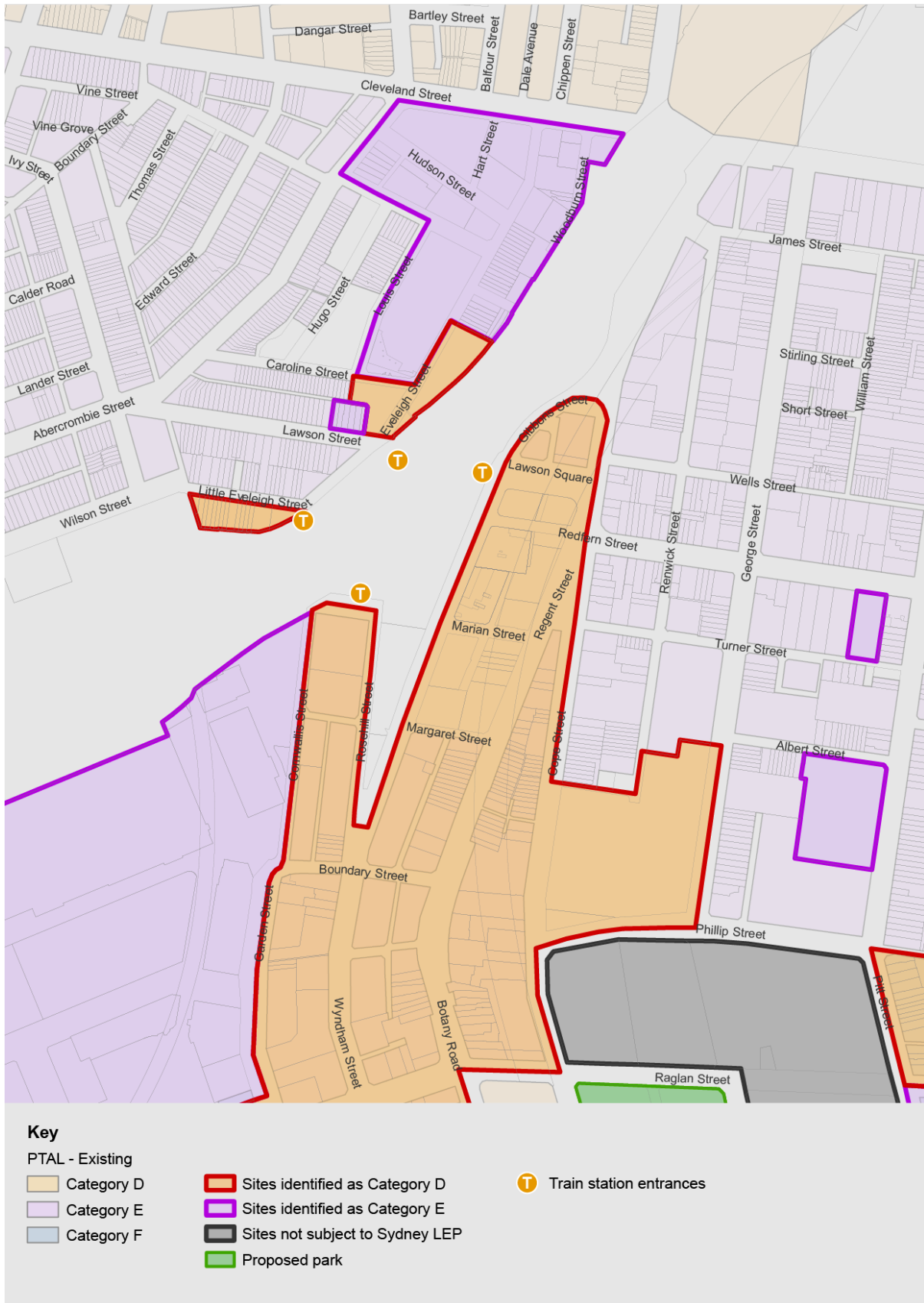
Waterloo Metro station is due to be opened in 2024. As new infrastructure, it provides additional capacity and improved service to the local area. Due to this increased capacity and accessibility the City is proposing to upgrade the sites along Botany Road and Gibbons Street/Wyndham Street to LUTI A and PTAL D and grade any RWA sites accordingly.

The locations of the entrances to Redfern Station are shown as orange dots in Figure 9.

Figure 9. Land use and transport integration map for Redfern



Figure 10. Public transport accessibility level map for Redfern



Waterloo

Waterloo Metro station is due to be opened in 2024. As new infrastructure, it provides additional capacity and improved service to the local area.

Waterloo Estate (South) and Waterloo Metro Quarter have already had updated accessibility maps applied as part of state significant precinct planning. The Department of Planning and Environment has graded these sites as LUTI A and PTAL D. The City is also proposing to upgrade sites within five minutes' walk of the new Waterloo Metro station to LUTI A and PTAL D. In addition, sites that currently have the lowest accessibility (LUTI C and PTAL F) and are beyond five minutes' walk but within seven minutes' walk are proposed to be upgraded one level to LUTI B and PTAL E.

The high LUTI grading also reflects the new local centre that is proposed to be delivered as part of Waterloo Estate (South), and the employment floor space that will be provided under the recent change of planning controls for Botany Road Precinct. These changes improve accessibility to local jobs, services and retail.

In the map, sites shown in a black and grey shadow are not in the LEP and are not proposed to be introduced at this stage, and the solid green site is the new park to be delivered as part of Waterloo Estate (South) and does not have a grading for PTAL and LUTI .

Figure 11. Land use and transport integration map for Waterloo

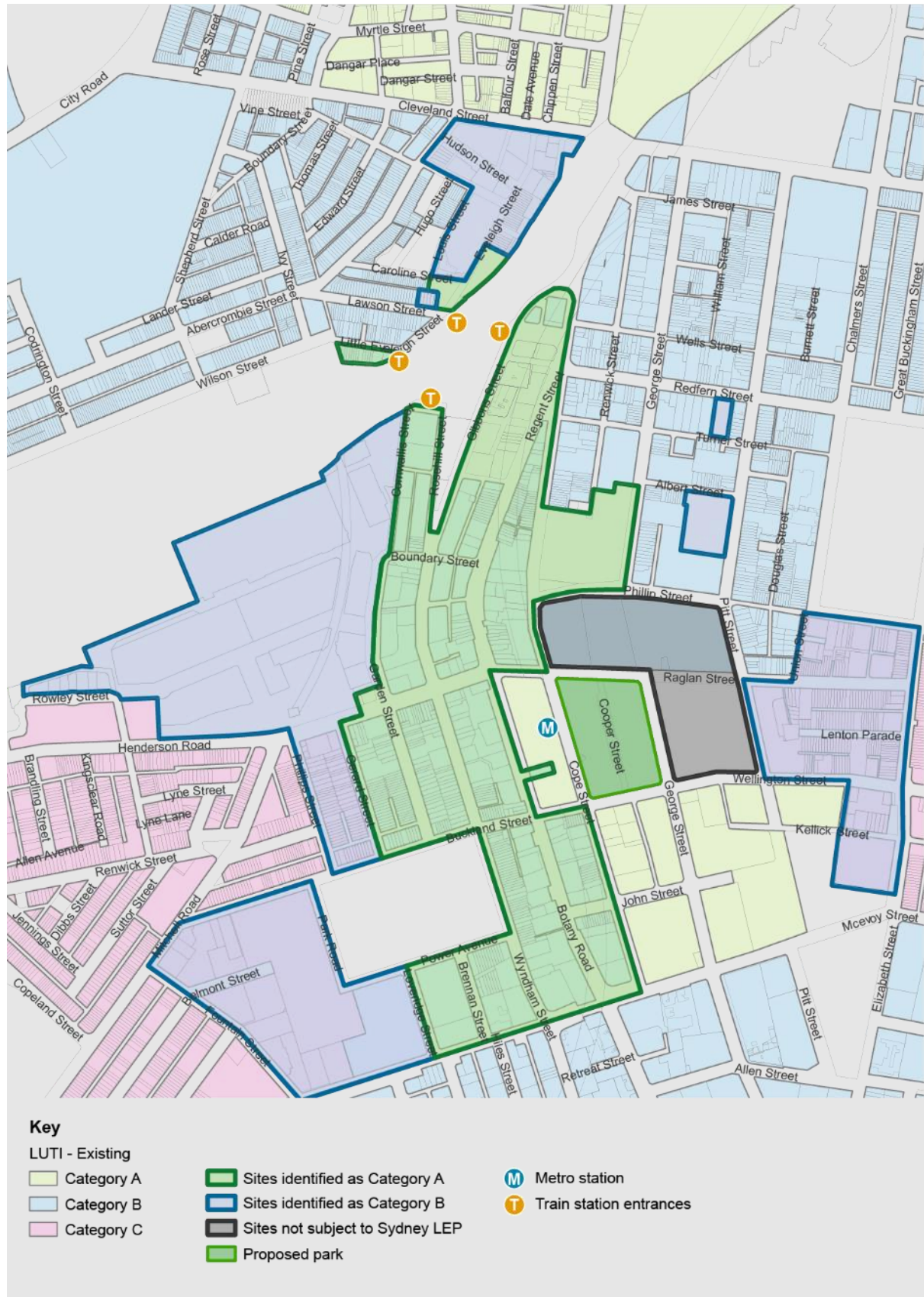
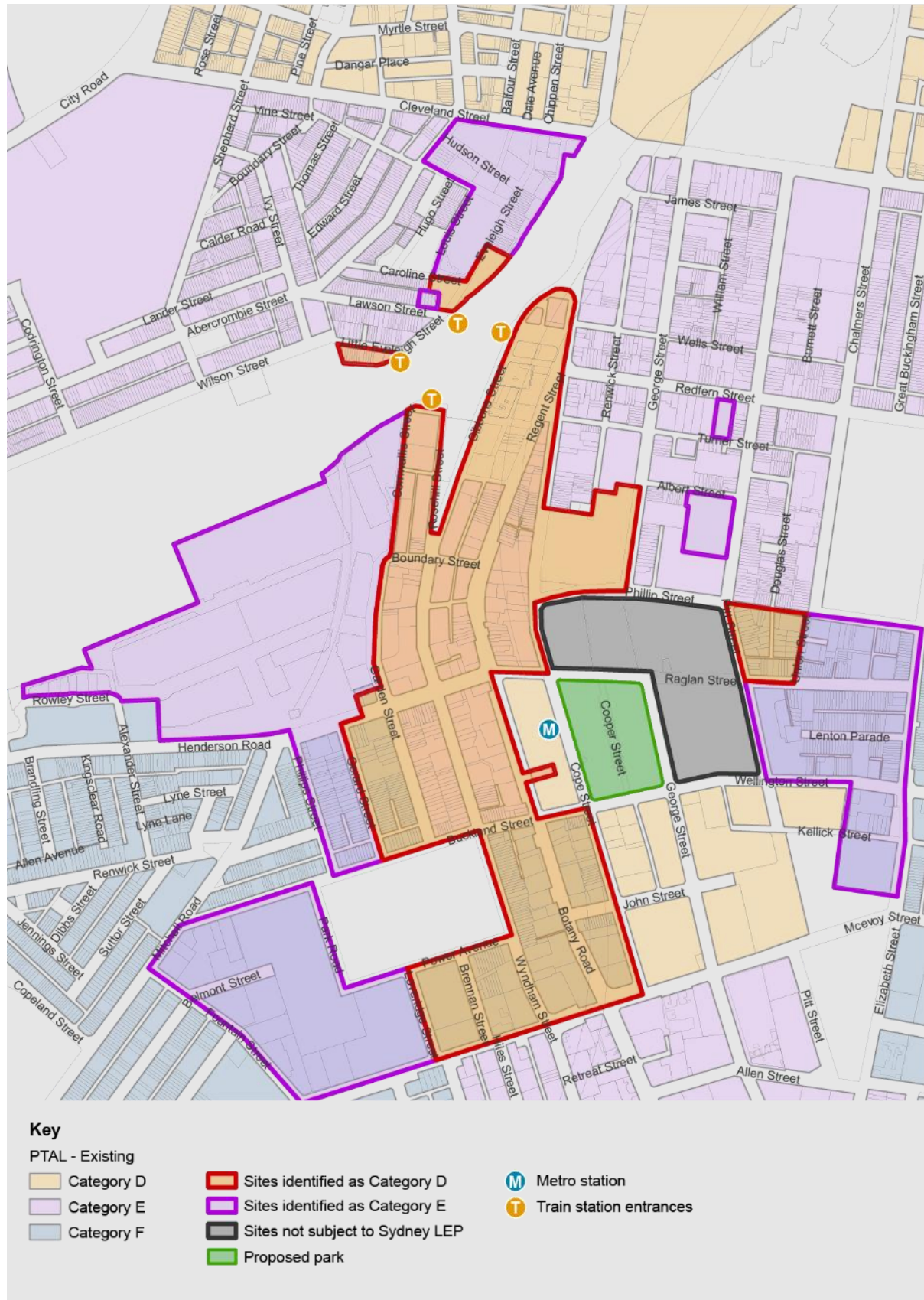


Figure 12. Public transport accessibility map for Waterloo



Harold Park

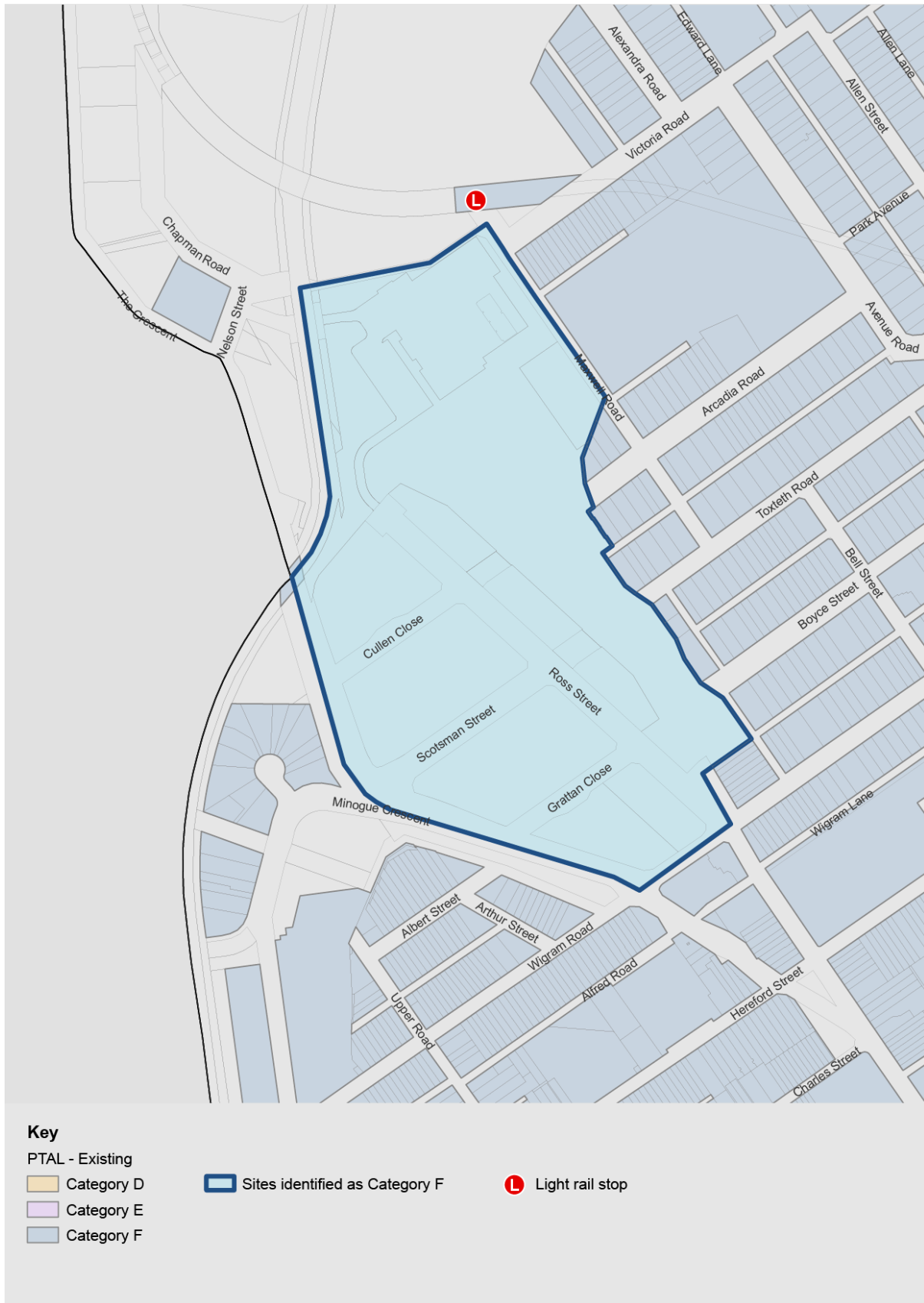
Harold Park is being introduced to Sydney LEP and so requires LUTI and PTAL maps to cover the area. The existing parking rates for the Harold Park LEP are equivalent to the existing Category C and F parking rates in Sydney LEP. The proposed gradings match the surrounding area, being LUTI C and PTAL F.

While Harold Park is on a light rail line, and the L1 Dulwich Hill line has been extended and had service frequencies increase since the last PTAL and LUTI map updates, no change is proposed to the existing grading in the area. The City is aware that the extension of the light rail line has increased patronage and congestion on the line, so the increase in frequencies has not resulted in a real improved service outcome for residents living on the original part of the light rail line in Forest Lodge, Glebe and Pyrmont.

Figure 13. Land use and transport integration map for Harold Park



Figure 14. Public transport accessibility map for Harold Park



Central Park

The Central Park development site will be brought into Sydney LEP, and so requires PTAL and LUTI mapping to cover the area. The PTAL and LUTI gradings are proposed to match the surrounding area, which is LUTI A and PTAL D.

Figure 15. Land use and transport integration map for Central Park



Figure 16. Public transport accessibility map for Central Park



216 – 412 Gardeners Road, Rosebery

The sites fronting Gardeners Road in Rosebery that are currently under South Sydney LEP 1997, being 216 – 412 Gardeners Road, are proposed to be brought into Sydney LEP. The proposed PTAL and LUTI gradings match the surrounding area, which is LUTI C and PTAL F.

Figure 17. Land use and transport integration map for Gardeners Road

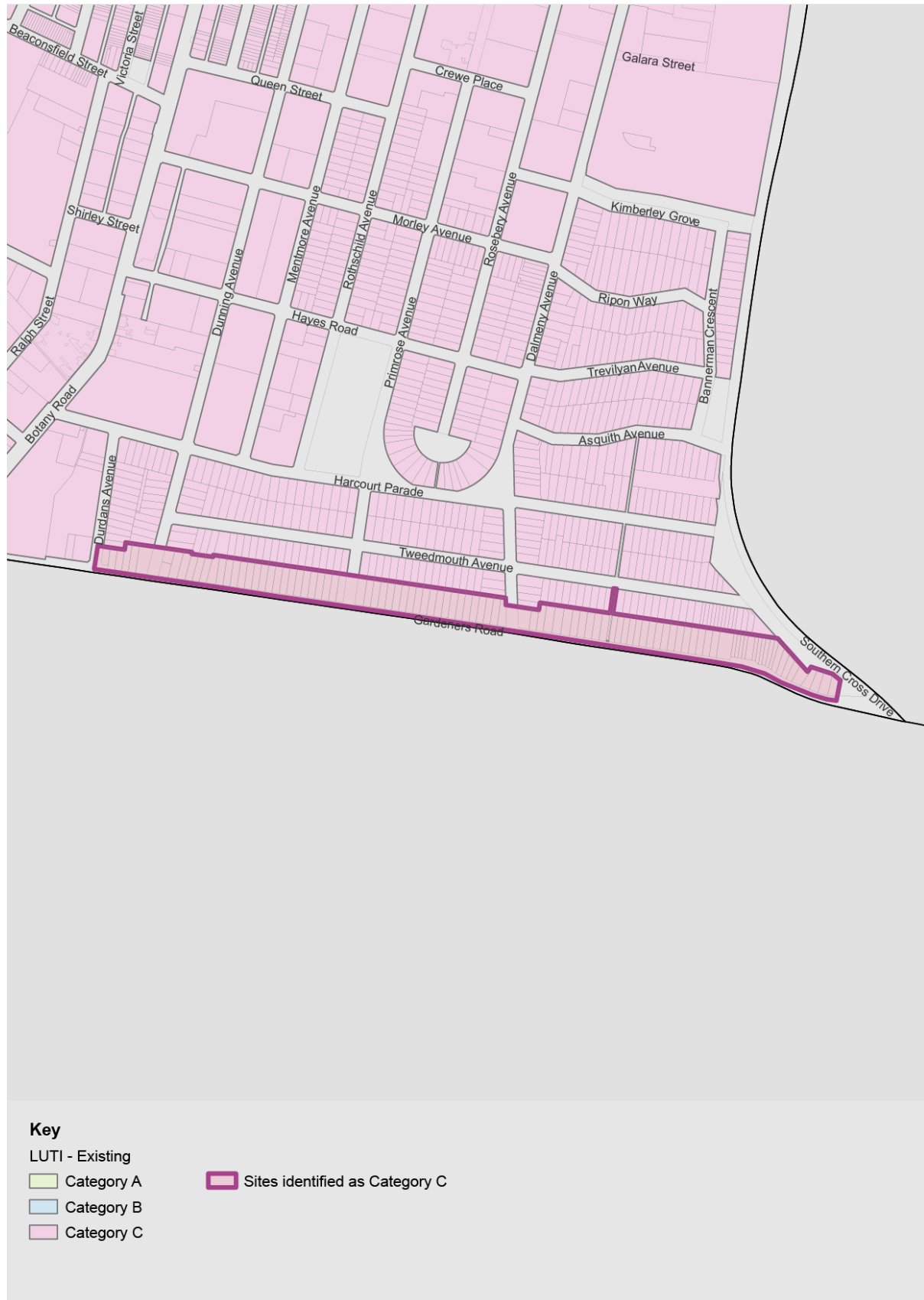
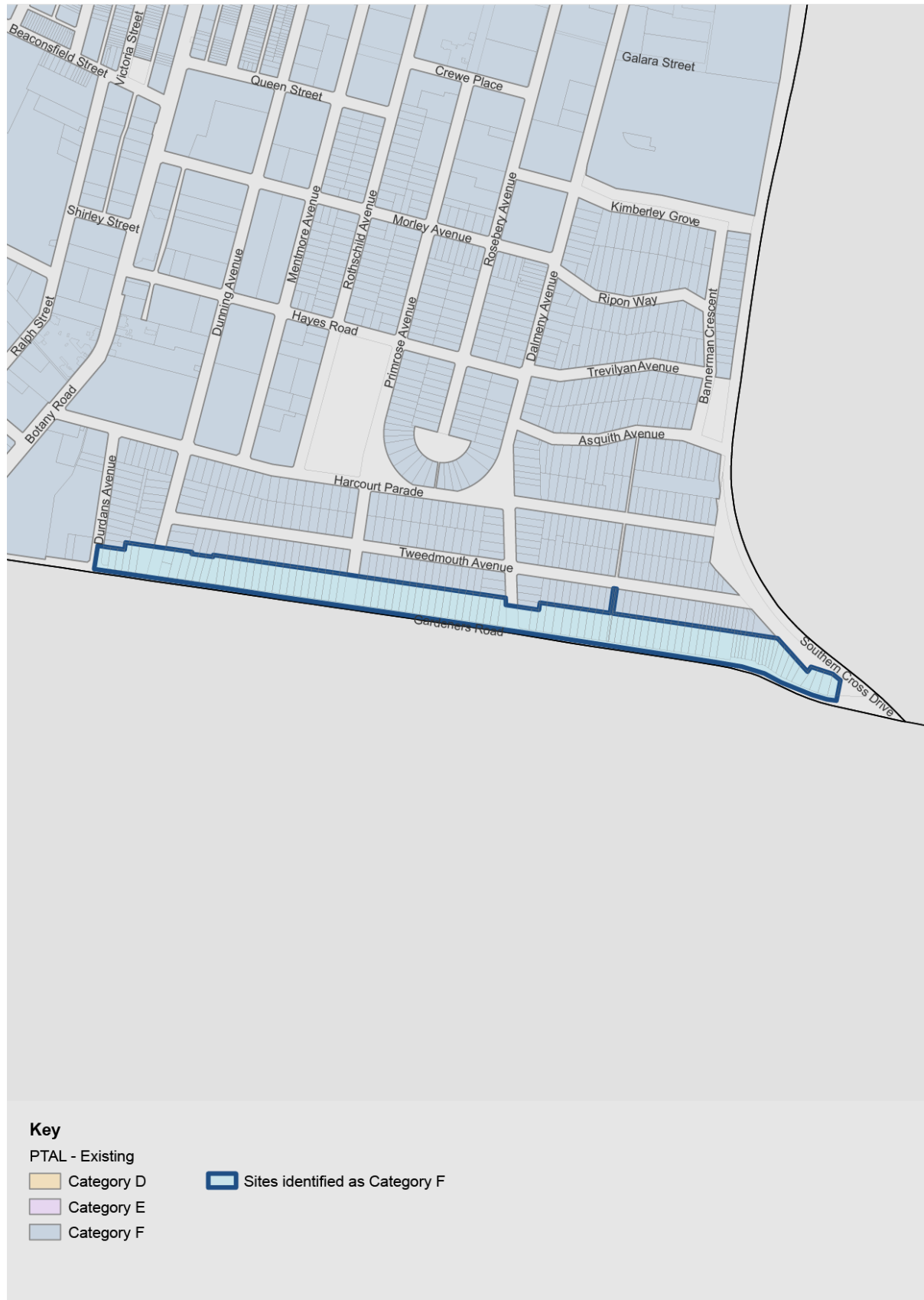


Figure 18. Public transport accessibility map for Gardeners Road



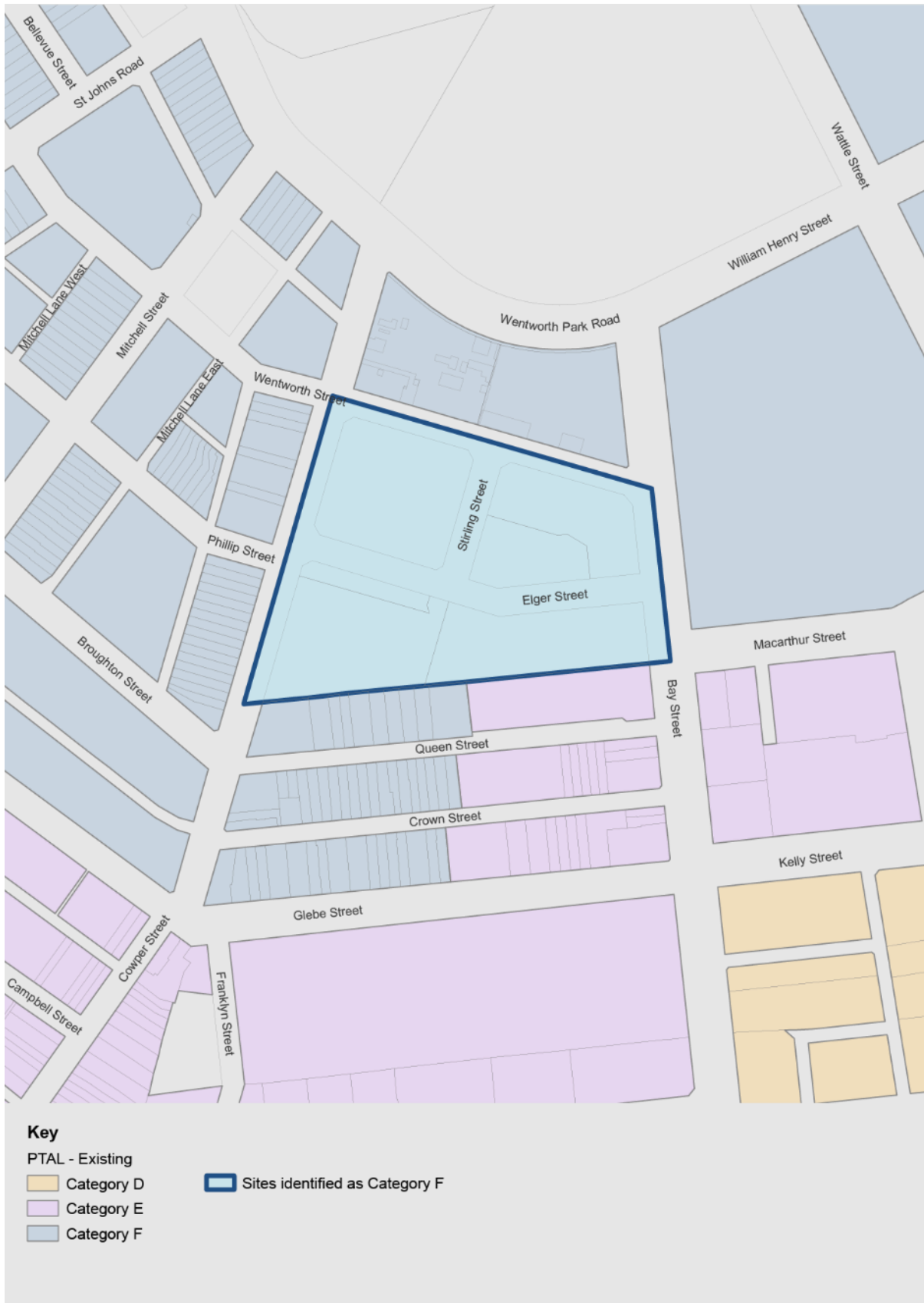
Glebe Affordable Housing Project

The sites that make up the Glebe Affordable Housing Project is currently under their own LEP and are proposed to be brought into Sydney LEP. The proposed PTAL and LUTI gradings match the surrounding area, which is LUTI B and PTAL F.

Figure 19. Land use & transport integration map for Glebe Affordable Housing Project



Figure 20. Public transport accessibility map for Glebe Affordable Housing Project



257 Sussex Street

To correct an omission in SLEP 2012, PTAL and LUTI gradings are proposed to be applied to 257 Sussex Street, Sydney. The proposed PTAL and LUTI gradings match the surrounding area, which is LUTI A and PTAL D.

Figure 21. Land use and transport integration map for 257 Sussex Street, Sydney

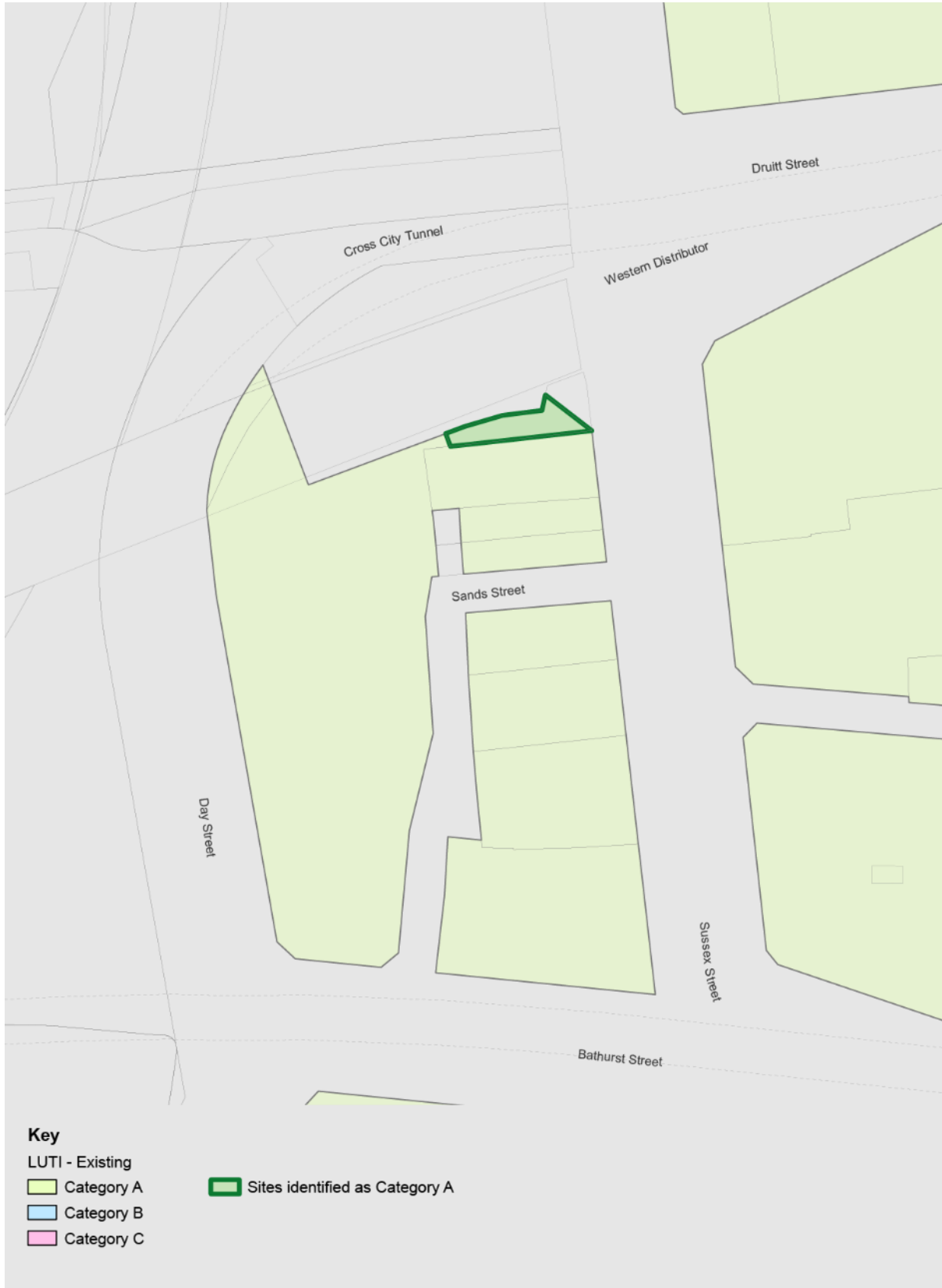
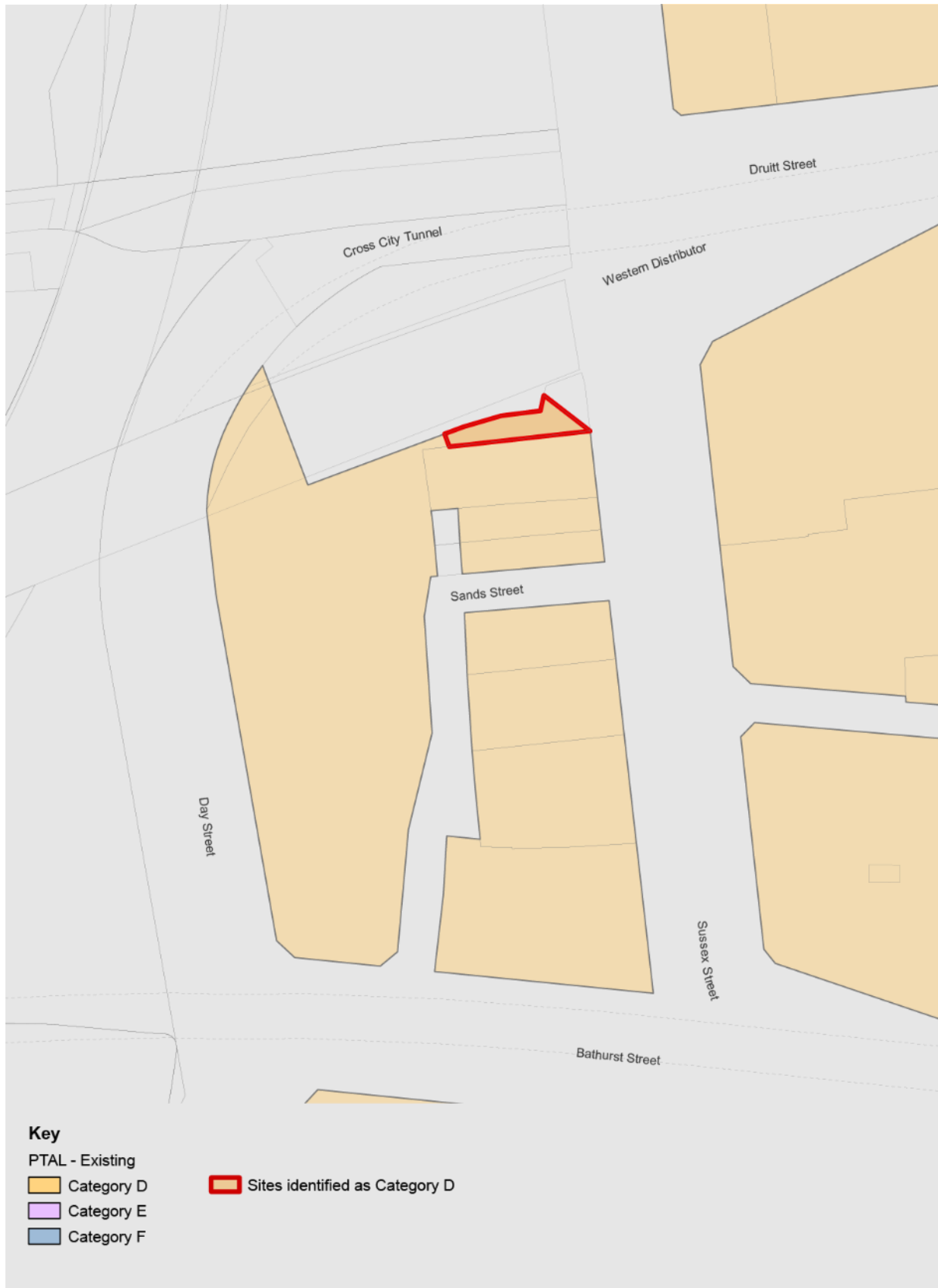


Figure 22. Public transport accessibility map for 257 Sussex Street, Sydney



Parking rates for multi-unit residential development

The City's current parking rates were originally developed as part of Sydney LEP 2012 in line with the broad approach of reducing the impacts of parking by ensuring provision is closely aligned with actual need. As there is a financial incentive to sell or lease parking with dwellings, the market will tend to oversupply residential parking spaces compared to demand.

Potential oversupply of parking in new residential developments has many detrimental effects. Basement car parking adds to construction and purchase costs, and lighting and air circulation adds to the energy demands and operational expenses of buildings. It reduces the supply of lower cost, parking-free housing for people who do not need to own a car.

Potential oversupply can also result in increased car ownership and associated traffic impacts in excess of those caused by genuine need. This contributes to avoidable congestion and impacts those who need the road for economic uses, social needs, family or disability-related requirements.

The City's research has found that car ownership is currently lower than the parking rates set in Sydney LEP 2012 for some apartment types and accessibility levels, particularly smaller apartments in high accessibility areas. This means there is room for adjustment of maximum parking rates to ensure there is no overprovision. The research is included as Attachment C to this planning proposal.

Parking rates for larger apartments with three or more bedrooms in the LUTI A area, which covers Central Sydney and other high accessibility areas, are proposed to be kept at 1 per dwelling even though current car ownership rates in that area are less. This is part of a broader strategy to accommodate families living in apartments in the inner city and reflects the expansion of the LUTI A areas to suburbs outside Central Sydney.

In practice the LEP parking rates for Studios apply to any dwelling without a separate bedroom, including boarding house rooms and co-living rooms. Co-living housing is a new land use introduced by the NSW Government, equivalent to boarding houses.

Table 2 shows the proposed new parking rates for residential flat buildings, dual occupancies and multi-unit dwelling housing, with changed rates shown in strikethrough.

Table 2. Proposed maximum parking rates for residential flat buildings

	LUTI A	LUTI B	LUTI C
Studio	0.1	0.2 0.15	0.4 0.3
1 BD	0.3 0.25	0.4	0.5
2 BD	0.7 0.5	0.8 0.7	± 0.9
3+ BD	1	1.1 1	1.2

Savings provisions

The proposed rates will apply to any development application lodged after the making of this Local Environmental Plan. For site-specific planning proposals which have included comprehensive parking and traffic assessments, a savings provision may be requested so that the parking rates as of December 2023 will apply when an application is lodged.

Development at 118-130 Epsom Road, Zetland will be subject to such a savings provision. This will cap parking on this site to approximately 830 parking spaces, which is 40 more than the 790 cap under the proposed controls. The difference is minor, approximately 5 per cent of the total.

Additional sites may be identified during the public exhibition process.

Parking rates for dwelling houses

The majority of single dwellings have a currently have a maximum cap of 2 car spaces.

The proposed change to the accessibility maps will result in some existing dwelling houses changing from having a cap of two on-site spaces to a cap of one on-site space. While the planning controls do not change anything for existing development, dwellings undergoing a development application for a major renovation or a rebuild may be subject to the reduced cap. Under the City's neighbourhood parking policy, any actual reduction in on-site parking would have a direct impact for on-street parking permits.

To avoid this unintended outcome and simplify the parking controls across the LGA for houses, it is proposed to apply the cap rate of two parking spaces per dwelling regardless of accessibility area.

While the proposed rate results in an increase in potential parking rates for houses in the LUTI A category and small houses in the LUTI B category, the City does not expect growth of new housing stock to be in the form of new detached, semi-detached or attached dwellings in conservation areas, so the wider traffic implications from the increased maximum parking rate are negligible. Because the rate is a maximum, for practical reasons of site size and lot layout, renovations and rebuilds of properties in LUTI A and B with one or zero existing parking spaces are very unlikely to increase the amount of parking.

Parking rates for commercial development

Private vehicle parking rates for office premises and business premises are currently set according to the three PTAL accessibility levels. The rate is calculated in two ways depending on the size of the development. For small developments the amount is calculated on a per square metre of gross floor area rate, and for large developments the amount is calculated on the site area of the development using a formula.

Central Sydney and high accessibility areas

Currently Central Sydney is included in the PTAL D area grading along with other high accessibility areas across the local area.

Since the current parking rates were developed for Sydney LEP 2012, there has been an approximate halving of the mode share of trips to work in Central Sydney by private vehicle. In addition, there is a significantly changed transport context in the area as a result of the recent George Street light rail and future Sydney Metro projects.

This changed context means that Central Sydney requires a bespoke approach compared to other high accessibility areas graded as PTAL D. Accordingly, a new accessibility area is proposed to apply for commercial development in the Central Sydney area. PTAL D will remain but will apply to other high accessibility areas outside the Central Sydney boundaries, including proposed new areas such as Pyrmont and Waterloo.

The proposed rates for Central Sydney, when applied to a range of example developments, will result in approximately half the current maximum parking rate.

The proposed rates for PTAL D are also proposed to be reduced, to result in approximately a 1/3 reduction compared to the current rate.

Medium and low accessibility areas

The City has a broad objective of encouraging growth of employment floor space in strategic locations outside Central Sydney, including Green Square Town Centre and the Southern Enterprise Area.

In addition, these areas do not benefit from being the centre of Greater Sydney's radial transport network, making public transport access for workers from diverse parts of Sydney, including within the local area, far from guaranteed.

Therefore, there is no proposed change to the rates that apply within the low and medium accessibility categories.

The rates for PTAL E and F are not proposed to change, the rates for PTAL D are proposed to be reduced, and a new rate area is proposed for Central Sydney.

Table 3 below shows the new rates for office premises or business premises with changes shown in strikethrough.

Table 3. Proposed maximum private vehicle parking rates for office premises or business premises

Central Sydney	PTAL D	PTAL E	PTAL F
Under 3:1 FSR: 1 per 300 sqm GFA	Under 3.5:1 3:1 FSR: 1 per 175 225 sqm GFA	Under 2.5:1 FSR: 1 per 125 sqm GFA	Under 1.5:1 FSR: 1 per 75 sqm GFA
for buildings over 3:1 FSR: Formula denominator: 100	for buildings over 3.5:1 3:1 FSR: Formula denominator: 50 75	for buildings over 2.5:1 FSR: Formula denominator: 50	for buildings over 1.5:1 FSR: Formula denominator: 50

Formula change

The formula used for larger development subject to a site area based parking rate calculation is proposed to be updated, without changing its functionality.

The formula serves two functions, first to establish the proportion of total floor space that is relevant to the calculation (being for office of business premises), and then to apply the site area division. However, it is structured in away that confuses the two purposes, so it is not immediately clear that the rate is a relatively simple site area based calculation.

The proposed change shown below separates the part of the formula that deals with the proportion of relevant floor space in a mixed-use development, and the part that applies a site area based calculation. The first part can be dismissed in a development that is not mixed use.

Sydney LEP 2012	Proposed change
$M = (G \times A) \div (50 \times T)$	$M = x$

Where—

- M is the maximum number of parking spaces, and
- G is the gross floor area of all office premises and business premises in the building in square metres, and
- T is the total gross floor area of all buildings on the site in square metres,
- A is the site area in square metres, and
- x is the relevant denominator for the parking rate.

Parking rates for retail development

As with commercial rates, the parking rates for retail land uses are not proposed to change in PTAL E and F location areas. In PTAL D the site area-based rate is proposed to align with commercial, with the FSR limit changing to 3:1 and the formula denominator changing to 75. The proposed rates are shown at Table 4 with changes shown in strikethrough.

There is no Central Sydney rate proposed, so the PTAL D rate will apply in Central Sydney.

Table 4. Proposed maximum parking rates for retail development

PTAL D	PTAL E	PTAL F
for buildings under 3.5:1 3:1 FSR: 1 per 90 sqm	1 per 60 sqm	1 per 50 sqm
for buildings over 3.5:1 3:1 Formula denominator: 50 75		

Hotels and serviced apartments

In Sydney LEP 2012, hotels and serviced apartments have the same maximum parking rate across the local area, regardless of accessibility grading. The rate is one per four bedrooms for the first 100 bedrooms and decreases to one per five bedrooms for the remainder.

Rates based on accessibility grading are necessary to recognise the different roles of hotels in different parts of the local area. The City's research shows that hotels and serviced apartments in Central Sydney rarely provide parking, but if they were to provide the existing rate it would represent a large provision compared to the needs of guests. However, guests of hotels and serviced apartments outside Central Sydney and in less accessible areas may have greater need for the use of a private car.

In response to submissions to public exhibition, the City has clarified that it is hotels in Central Sydney that rarely provide parking, but serviced apartments in Central Sydney often do provide some level of parking for their guests. This is because serviced apartments cater to longer stays, and have a different use case compared to hotels and motels. In response to this, the Central Sydney-specific rate has been amended to only apply to hotels and motels, leaving the PTAL D rate to apply to serviced apartments in Central Sydney. This change is shown in red in table 5.

The current LEP uses the term bedrooms rather than rooms, which has caused misunderstandings in development applications. This is particularly an issue with serviced apartments that tend to have more bedrooms per unit than hotels.

To address these, the proposed new rates are different for Central Sydney and the three accessibility gradings and are by self-contained room or dwelling instead of bedroom. The rates are shown at Table 5.

Table 5. Parking rates for hotels and serviced apartments

	Central Sydney	PTAL D	PTAL E	PTAL F
<u>Hotels and motels</u>	1 per 10 rooms	1 per 5 rooms	1 per 5 rooms	1 per 4 rooms
<u>Serviced apartments</u>		<u>1 per 5 rooms</u>	<u>1 per 5 rooms</u>	<u>1 per 4 rooms</u>

Bicycle parking devices on ground floor or in basements as exempt development

The City recognises that insufficient bike parking facilities in existing development can reduce the convenience of bike ownership and cycling as a transport mode. While Sydney DCP 2012 includes minimum requirements for bicycle parking in new development, older buildings may not have sufficient bike parking to meet contemporary ownership rates.

Bicycle parking devices, as defined in Australian Standard 2890.3-2015, are structures that are made of high security material designed to provide stability to bicycles placed in or against the device and allow the bicycle to be securely attached with a chain. The schedule 2 clause has been drafted to include descriptions of the types of bicycle parking that are included in this definition, being a rack, a rail and a locker. In the Australian Standard terminology these are broadly Class A (bike locker) and Class C (bike rail or rack) bike parking facilities.

The definition does not include bicycle parking facilities or bike cages, which are more impactful development types suitable of holding many bicycles within a secure lockable area. These are referred to as Class B facilities in the Australian Standard. Retrofitting a development with a Class B facility has a higher potential impact and therefore is appropriate to be subject to development assessment.

Class A and Class C bicycle parking devices are small and low impact. They are not included in State Environmental Planning Policy (Exempt and Complying Development) 2008 along with other similar low impact development, so it is necessary to include them in Schedule 2 Exempt Development of this LEP.

Including the installation of these devices as exempt development will allow existing developments, including residential buildings, retail premises, commercial offices, and all other types of development, to install simple bike racks or rails on the ground floor or within basements of these buildings. It will also allow the conversion of existing car parking spaces to up to three bike parking spaces by following Australian Standard 2890.3-2015.

Changes to the development control plan have replaced the previous requirement for development to provide the required number of bike parking spaces for residential dwellings in the form of secure bike lockers or general purpose storage units, with a requirement to use Class B lockable areas. If residents require higher security Class A storage, for example for high value bikes, then ensuring bike lockers are exempt development will enable them to install these without development consent.

While there may be other approvals required in order to install a bicycle parking device, including strata approval in residential buildings, by making the development exempt in the LEP approvals can be as straightforward as possible.

The exempt provision will only apply to bicycle parking devices installed on ground floor or in basements within existing development. The provision will not affect delivery in public spaces.

Places of public worship and entertainment facilities

Two land uses – places of public worship and entertainment facilities – currently have the same maximum parking control in the LEP. This control is 1 space per 10 seats, or 1 space per 30 square metres, whichever is higher.

In practice, these land uses are relatively rare in new development applications, especially those subject to local planning controls. This means there is little basis for a maximum parking rate to exist in the LEP to control inappropriate parking provision or excessive trip generation.

Being a maximum parking rate in the LEP it is possible to be interpreted as an automatic entitlement of parking spaces. This can result in mixed-use development with a component of these land uses proposing high amounts of parking without sufficient justification.

By removing the land uses from the maximum parking rates, development applications will be required to provide a Parking and Access Report in accordance with section 3.11.4 of the DCP. This ensures the amount of parking proposed is justified with reference to the requirements in Schedule 7.5 of the DCP such as estimated demand and the accessibility of the site by non-car modes and determined by Council through development assessment.

Community EV charging areas excluded from car parking space interpretation

Clause 7.2 (1) of Sydney LEP provides clarification for the types of parking bays that are considered on-site “car parking spaces” for the purposes of setting maximum amounts of parking.

Community electric charging areas are publicly accessible parking spaces equipped with rapid charging stations for the use of local residents, workers and visitors. Their purpose is to service electric vehicle owners who do not have charging facilities at their place of residence, workplace or accommodation.

The DCP includes design requirements for community EV charging spaces, including that they are at least Level 3 50kW direct current chargers, and publicly accessible 24 hours a day, and requires they be individually metered, have payment systems built in, and be powered by 100% renewable energy. The DCP also sets maximum rates of provision, based on a proportion of maximum parking spaces under Sydney LEP.

To ensure these requirements are applied even when the DCP may not apply, a community electric vehicle charger is defined in the LEP as having some of the above requirements.

Because community electric vehicle chargers provide a public benefit to the community, and they are not strictly ancillary to the development they are contained in, it is appropriate that they are excluded from calculating the maximum permissible number of parking spaces in a development.

By including community electric vehicle charging spaces in Clause 7.2 (1), the spaces will not be counted towards the maximum number of permissible parking spaces in development that includes them.

The existing types of parking bays that are not considered car parking spaces for the purposes of the division include car share bays, spaces in public car parks, loading bays and bicycle parking.

There is no requirement to provide community electric vehicle charging spaces in any development. Their provision would be at the discretion of the proponent.

Existing developments may install any type of electric vehicle charger, including community electric vehicle chargers, under the existing exempt provision in the SEPP. The provisions of the DCP and the LEP definition would not apply as it is the charger that is exempt development not its type or use. The additional requirements for community electric vehicle chargers are only intended to apply where they are not contributing to the maximum permissible number of parking spaces.

Intended provisions

1. Insert a new definition for “community electric vehicle charging space” in clause 7.2 Interpretation to the effect of:
 - Community electric vehicle charging space means a car parking space in a building, that:
 - i. is publicly accessible to any person 24 hours a day for the purposes of charging electric vehicles
 - ii. is used exclusively to charge the batteries of electric vehicles using a direct current (DC) electric vehicle charging standard of at least 50 kilowatts
 - iii. is not to be used by non-electric vehicles at any time
2. Insert a new exception (f) “a community electric vehicle charging space” into the list of spaces that are not included in the definition of a car parking space.
3. Amend clause 7.4 Dwelling houses, attached dwellings and semi-detached dwellings, so that the maximum number of parking spaces is 2 spaces for each dwelling in all land category areas.
4. Amend clause 7.5 to amend the provision for the maximum number of parking spaces for development for the purposes of residential flat buildings, dual occupancies, multi dwelling housing, boarding houses and co-living housing with the following:
 - on land in category A—

- i. for each studio dwelling—0.1 spaces, and
 - ii. for each 1 bedroom dwelling—0.25 spaces, and
 - iii. for each 2 bedroom dwelling—0.5 spaces, and
 - iv. for each 3 or more bedroom dwelling— 1 space
 - on land in category B—
 - v. for each studio dwelling—0.15 spaces, and
 - vi. for each 1 bedroom dwelling—0.4 spaces, and
 - vii. for each 2 bedroom dwelling—0.7 spaces, and
 - viii. for each 3 or more bedroom dwelling—1 spaces, and
 - ix. for each dwelling up to 30 dwellings—0.167 spaces, and
 - x. for each dwelling more than 30 and up to 70 dwellings—0.1 spaces, and
 - xi. for each dwelling more than 70 dwellings—0.05 spaces,
 - on land in category C—
 - xii. for each studio dwelling—0.3 spaces, and
 - xiii. for each 1 bedroom dwelling—0.5 spaces, and
 - xiv. for each 2 bedroom dwelling—0.9 spaces, and
 - xv. for each 3 or more bedroom dwelling—1.2 spaces,
 - xvi. for each dwelling up to 30 dwellings—0.2 spaces, and
 - xvii. for each dwelling more than 30 and up to 70 dwellings—0.125 spaces, and
 - xviii. for each dwelling more than 70 dwellings—0.067 spaces.
5. Insert the following provision in clause 7.5 in order to ensure that the amount of visitor parking spaces is proportionate to the amount of total car parking spaces being provided:
- Where development provides less than the maximum number of car parking spaces referred to in (b)(i)-(iii) or (c)(i)-(iii), it must provide a minimum number of visitor parking spaces referred to in (1)(b)(v)-(vii) or (c)(v)-(vii) in accordance with the following formula—
- $$M = V \times$$
- where—
1. M is the minimum number of visitor parking spaces required, and
 2. V is the maximum number of visitor parking spaces permissible, and
 3. T is the total number of resident parking spaces provided, and
 4. R is the maximum number of resident parking spaces permissible.
6. Insert a savings provision for land at 118-130 Epsom Road, Zetland and land in Waterloo Estate (South) so that the maximum number of car parking spaces is the number permissible under Sydney LEP 2012 as at December 2023.
7. Amend clause 7.6 to amend the provision for the maximum number of parking spaces for development for the purposes of office premises and business premises on land in category D with the following:
- if the building has a floor space ratio of no more than 3:1—1 space for each 225 square metres of gross floor area of the building used for those purposes,

- if the building is on land in category D and has a floor space ratio of more than 3:1 the following formula is to be used—

$$M = \frac{G}{300}$$

- where—

5. M is the maximum number of parking spaces, and
6. G is the gross floor area of all office premises and business premises in the building in square metres, and
7. T is the total gross floor area of all buildings on the site in square metres, and
8. A is the site area in square metres.

8. Insert a provision in clause 7.6 for the maximum number of parking spaces for development for the purposes of office premises and business premises on land identified as Central Sydney in the Locality and Site Identification Map, notwithstanding any other land category:

- if the building has a floor space ratio of no more than 3:1—1 space for each 300 square metres of gross floor area of the building used for those purposes
- if the building has a floor space ratio of more than 3:1 the following formula is to be used—

$$M = \frac{G}{300}$$

- where—

9. M is the maximum number of parking spaces, and
10. G is the gross floor area of all office premises and business premises in the building in square metres, and
11. T is the total gross floor area of all buildings on the site in square metres, and
12. A is the site area in square metres.

9. Amend the formula shown in clause 7.6 (d) to apply only to development for the purposes of office premises and business premises on land in category E or F and has a floor space ratio greater than that specified in the respective provision to the following:

$$M = \frac{G}{300}$$

- where—

13. M is the maximum number of parking spaces, and
14. G is the gross floor area of all office premises and business premises in the building in square metres, and
15. T is the total gross floor area of all buildings on the site in square metres, and
16. A is the site area in square metres.

10. Amend clause 7.7 to amend the provision for the maximum number of parking spaces for development for the purposes of retail premises on land in category D with the following:

- if the building has a floor space ratio of no more than 3:1—1 space per 90 square metres of gross floor area of the building used for those purposes,
- if the building has a floor space ratio greater than 3:1, the following formula is to be used—

$$M = \frac{G}{90}$$

- where—

17. M is the maximum number of parking spaces, and

18. G is the gross floor area of all office premises and business premises in the building in square metres, and

19. T is the total gross floor area of all buildings on the site in square metres, and

20. A is the site area in square metres.

11. Amend clause 7.9 to amend the provision for the maximum number of parking spaces for:

Development for the purposes of ~~serviced apartments and~~ hotel or motel accommodation with the following:

- if the building is on land identified as Central Sydney in the Locality and Site Identification Map—1 space per 10 rooms,
- if the building is on land in category D or E and not on land identified as Central Sydney in the Locality and Site Identification Map—1 space per 5 rooms,
- if the building is on land in category F—1 space per 4 rooms.

Development for the purposes of serviced apartments with the following:

- if the building is on land in category D or E —1 space per 5 rooms,
- if the building is on land in category F—1 space per 4 rooms.

12. Include a note to clarify that room refers to a self-contained hotel or motel room or serviced apartment premises.

13. Amend clause 7.9 to remove the provision for the maximum number of parking spaces for development for the purposes of places of public worship and entertainment facilities.

14. Amend Sydney LEP 2012 and the Green Square Town Centre LEPs to include exempt development provisions for bicycle parking devices on ground floor or in basements within existing developments.

Include criteria to require that bicycle parking devices on ground floor or in basements installed under the exempt provisions are to be located on common property of a development and shall provide sufficient circulation space to cater for all levels of accessibility.

15. Insert the following definition to support the exempt development provisions for bicycle parking devices:

- bicycle parking device means a fixture constructed of high security material designed to provide stability to bicycles placed in or against the device, including racks and rails, or a high security, enclosed lockable space designed to park one bicycle within it, including a bicycle locker

16. Include criteria to require bicycle parking devices on ground floor or in basements installed under the exempt provisions be in accordance with Australian Standard AS 2890.3-2015.

17. Include a note that on strata titled land, the bicycle parking devices on ground floor or in basements may need to be approved by the Owner's Corporation.

Amendment 4 – Protection of sun access to Gunyama Park and Cook and Phillip Park

Objectives and intended outcomes

1. To protect the amenity of Gunyama Park, Zetland by introducing new sun access plane controls to maintain sunlight access to the park.
2. To protect the amenity of the western part of Cook & Phillip Park, Sydney, by introducing new sun access plane controls to maintain sunlight access to the park.

Site identification

This amendment proposes to introduce new controls in Sydney LEP to ensure future sunlight access to the following parks:

Gunyama Park, Zetland

Gunyama Park provides the main public open space for active and passive recreation for the Green Square community and those living further afield. The park is located at street address 17 Zetland Avenue, immediately south-east of the intersection of Zetland Avenue and Joynton Avenue. It has an area of approximately 3 hectares.

Stage 1 of the park, which comprises 75% of the park's area, has been completed and opened to the public. Stage 1 land includes a pool and gym complex, synthetic sports field and landscaping. Stage 2 covers the remainder of the site and is under construction. This area will include a skate bowl, playground, sports field amenities recreation space and natural landscaping. Figure 23 below shows the park's location and identifies the area to be protected by proposed sun access controls.

Figure 23. Gunyama Park location and area to be protected



Cook and Phillip Park, Sydney

Cook and Phillip Park is one of the City of Sydney's earliest public parks. The park is located adjacent to and on the east side of Hyde Park, and is bound by College, Cathedral and William Streets.

Yurong Parkway divides the park into two areas. It is further split into distinct land use areas: the Aquatic and Fitness Centre; the park, green space and mature trees; and the outdoor sports courts and community facilities to the north of St Mary's Road. Figure 24 below shows the park's location with the area that will be protected by proposed sun access controls outlined in red. The proposed controls will only apply to land to the west of Yurong Parkway.

Figure 24. Cook and Phillip Park location and area to be protected



Explanation

This amendment proposes new controls to protect sunlight access to Gunyama Park, Zetland and Cook and Phillip Park, Sydney, including the following changes to Sydney LEP 2012:

1. New controls in Clause 6.17 Sun access planes to protect sunlight access to Gunyama Park between 9:00am and 3:00pm all year.
2. New controls in Clause 6.18 Overshadowing of certain public places to protect sunlight access to the western park of Cook and Phillip Park between 9:00am to 2:00pm all year.
3. New provisions in Schedule 6A – sun access planes to include technical descriptions of proposed sun access plane
4. An amendment to Sun Access Protection maps to identify the parks that will be protected by this amendment
5. Some minor technical 'housekeeping' changes.

These new controls are described in detail below. Technical details including map coordinates are included in the intended provisions section of this amendment.

Sun access plane controls to Gunyama Park

Clause 6.17 Sun access planes of Sydney LEP 2012 will be amended by adding Gunyama Park to the list of identified protected places in subclause 6.17(4) to protect sunlight all year from 9:00am to 3:00pm.

The sun access planes that protect sun access to Gunyama Park will be described in Schedule 6A – sun access planes. Each plane is described using one or two points - identified by mapping grid coordinates and Reduced Level (RL) to AHD, and a specified horizontal bearing and a vertical angle.

Gunyama Park is also to be identified on the Sun Access Protection map as “Land Protected by Sun Access Planes”. This map is included at Appendix B Local Environmental Plan Map Book of this planning proposal. Figure 25 below shows the area to be protected as an extract from the proposed amended Sun Access Protection Map in Sydney LEP 2012.

Figure 25. Gunyama Park – land protected by sun access planes



Development proposed on land affected by sun access planes will need to consider Clause 6.17 of Sydney LEP 2012. Under the clause, development consent will not be granted if a building projects higher than any part of a sun access plane. Minor exceptions may be allowed for maintenance or refurbishment if a building already projects higher than a sun access plane.

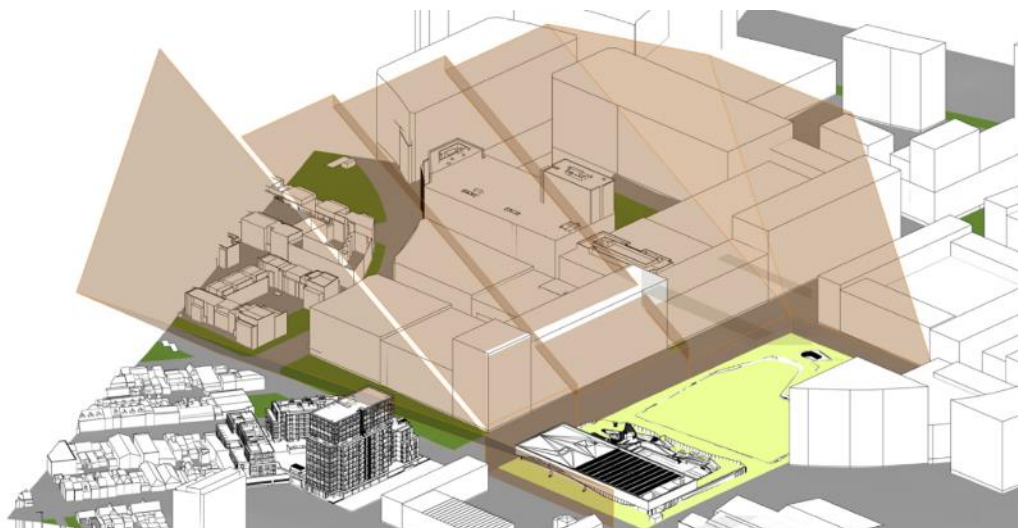
Indicative maximum building height limits under the proposed sun access planes are shown in the contour diagram in Figure 26 below, which is to be incorporated in Sydney DCP 2012.

Part of the sun access plane to the northern edge of the park along Zetland Avenue is up to 3 metres lower than the maximum building height permitted on 130 Joynton Avenue, Zetland if built to the boundary edge and not setback at the upper level. This difference is indicated by the white protruding volume in the axonometric diagram in Figure 27. Despite this, height in storeys and upper setback controls in Sydney DCP 2012 will restrict building height below the proposed sun access plane.

Figure 26. Indicative sun access plane height limits protecting Gunyama Park



Figure 27. Intersection of height of building controls and proposed sun access plane



Overshadowing of certain public places – Cook and Phillip Park (West)

Clause 6.18 - Overshadowing of certain public places will be amended by adding Cook and Phillip Park (West) to the list of protected places in Subclause 6.18(2).

Additional overshadowing is not to exceed “theoretical” overshadowing from a shadow that would be cast by a wall constructed to RL 37.6m along the southern alignment of St Mary’s Cathedral plus any other existing overshadowing that already occurs. This approach allows for future alterations and additions to buildings immediately east of St Mary’s Cathedral which includes Cathedral House and St Mary’s Cathedral College.

A vertical plane will be described at RL 37.6m, similar to clauses 6.18(3) and 6.18(4) in Sydney LEP 2012, which describe existing overshadowing and limit additional overshadowing to Pitt Street Mall and Macquarie Place respectively.

No additional overshadowing is to occur throughout the year from 9:00am to 2:00pm.

A new subclause in Sydney LEP 2012 will include coordinates to define the wall at RL 37.6m. This wall would align with the southern façade of the St Mary’s Cathedral main building as indicated by the Cook & Phillip Park control line marked ‘Edge of Monolith’ L-M drawn in Figure 28 below.

Proposals for development on surrounding and nearby land will need to consider the provisions of Clause 6.18 of Sydney LEP 2012 to ensure that the development will not result in any additional overshadowing during the specified times and dates.

Cook and Phillip Park (West of Yurong Parkway) will be identified on the Sun Access Protection map as “Land Protected by Clause 6.18”. This map is included at Appendix B Local Environmental Plan Map Book of this planning proposal. Figure 29 below shows the area to be protected as an extract from the Sun Access Protection Map. Figure 30 shows the height contours for buildings to the east of Cook and Phillip Park to ensure no additional overshadowing. The height limits start at approximately 50m RL immediately east along the park boundary, rapidly rising to 150 metres RL within two blocks east of the park. These height limits are substantially higher than existing residential towers adjacent to the park and along William Street.

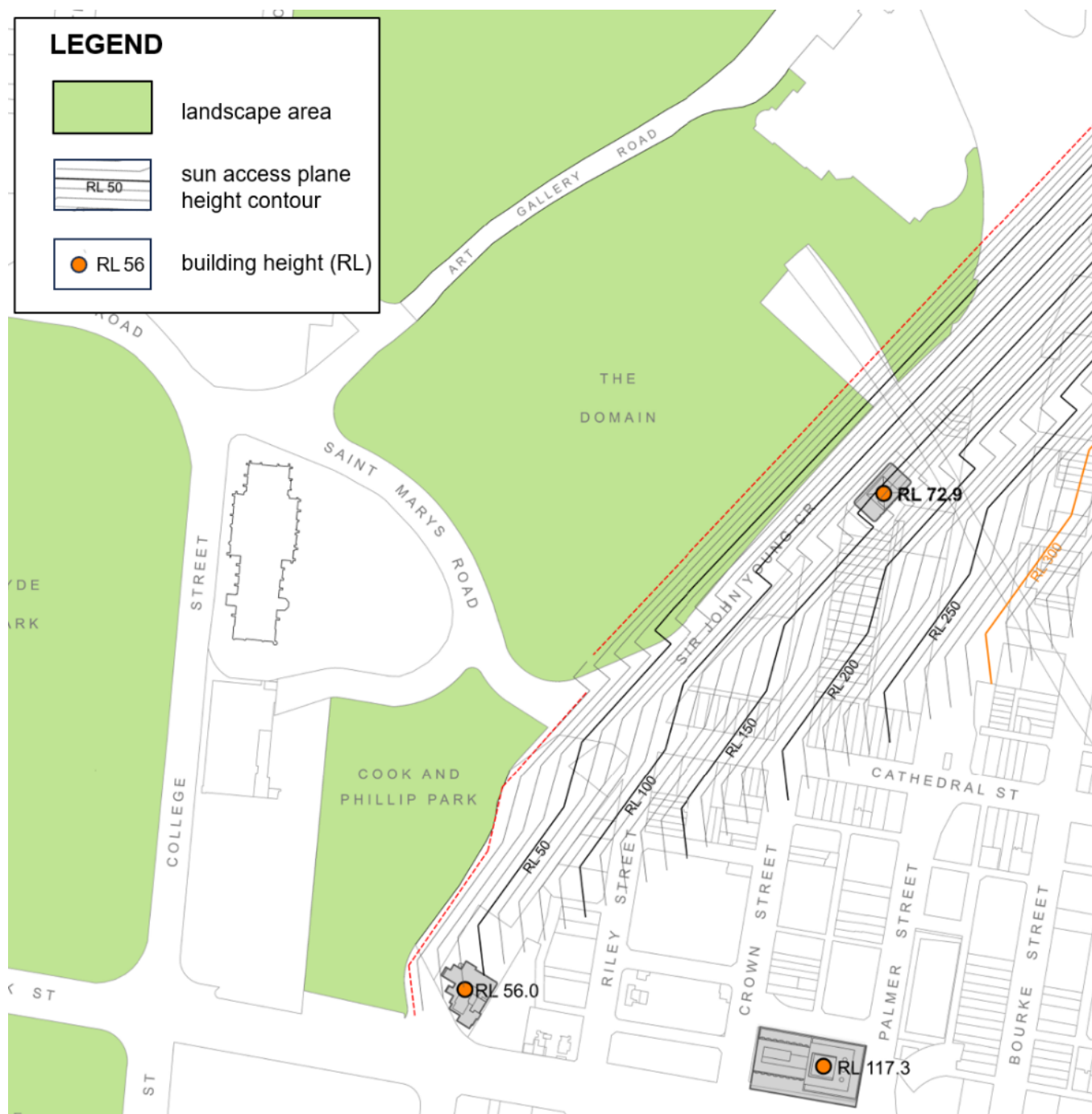
Figure 28. Cook and Phillip Park No Additional Overshadowing height control line



Figure 29. Cook and Phillip Park - Land protected by clause 6.18 of LEP



Figure 30. Cook and Phillip Park - Indicative overshadowing control height limits



Miscellaneous housekeeping changes

All Sun Access Protection Maps will be amended to remove land currently identified as “Land Affected by Sun Protection Controls”. This land is identified for guidance purposes only to show land where development height may be restricted by a sun access plane. As it does not illustrate a control in Sydney LEP 2012, the information is better included as a DCP control, noting that contour diagrams in Section 5.1.7 Sun protection of public parks and places in Sydney DCP 2012 already provides this guidance.

Justification

Background

Two sun protection controls in Sydney LEP 2012 limit heights to protect sunlight to important public parks and places. Those controls Clause 6.17 Sun Access Plane (SAP) and Clause 6.18 Overshadowing to Certain Public Places (often described as No Additional Overshadowing (NAO) controls). All places protected by SAPs and NAO controls establish dates and times for their protection.

Protecting sun access to public places to maximise amenity

Maintaining sunlight to important public parks and places maximises the community's amenity and enjoyment and allows for the growth of plants and trees. People's use and enjoyment of parks and places is directly affected by the amount of sunlight. People typically seek out the sun throughout most of the year, only seeking out shade in public places for a short period within summer. As the City's population increases, open spaces are both more in-demand, and more likely to have their quality diminished through overshadowing from surrounding development. Protecting sun access to significant open spaces becomes more important.

Protecting sun access to parks and places within the City of Sydney aligns with the following sustainability priority in City Plan 2036: Local Strategic Planning Statement:

S1 - Protecting and enhancing the natural environment for a resilient city

To improve the city's waterways, biodiversity corridors, green spaces and tree canopy to support the environment and a healthy community.

Sun access plane controls to Gunyama Park

This amendment updates the Sun Access Plane provisions to include Gunyama Park, consistent with the City's practice of protecting amenity and solar access of important public spaces.

Gunyama Park is the primary public open space for the Green Square Urban Renewal Area, which is planned to accommodate 63,000 residents. The amenity and useability of this critical piece of community infrastructure will be supported by ensuring sun access is protected.

The new sun access plane will protect the Park between 9.00am and 3.00pm all year, consistent with Section 3.1.4 of Sydney DCP 2012, which aims to provide protection for the times when parks are most in use. The proposed sun access plane is consistent with the building height controls for the sites fronting to park.

The Park's location was established during initial strategic planning of Green Square and adjacent sites were given a height of building control that maintained sun access to the park. The development potential for land fronting the Park will not be impacted by the proposed sun access plane. The sites are subject to an active development application that is generally consistent with the building height and FSR controls and will accommodate the site's total potential floor space while complying with the proposed Sun Access Plane.

Overshadowing of certain public places – Cook and Phillip Park (West)

The Overshadowing of Certain Public Places provisions prevents additional overshadowing to public places already surrounded by development and where some overshadowing already exists. This amendment aligns with an objective of the Central Sydney Planning Strategy to "protect and maintain sunlight access to valued public places".

Cook and Phillip Park has long been used as an area for recreation and events, with a large grassed area supporting mature tree canopy used for informal recreation. There is also a swimming pool complex beneath a paved concourse, which hosts community events and cultural activities and

serves as the forecourt for St Mary's Cathedral. By limiting further overshadowing, the amenity of Cook and Phillip Park is protected to support these activities.

The Cook and Phillip Park protections will be between 9.00am and 2.00pm all year, consistent with those for the Royal Botanical Gardens and Domain, which adjoin the Park to the north.

Future development on land surrounding the Park will need to consider these provisions to ensure it will not result in any additional overshadowing during the protected times. Figure 30 details the height contours to maintain solar access to the Park, which sits above the LEP maximum height for sites affected by this control.

One building already sits above the height limit imposed by this new provision. Park Lane Towers, near the south-east corner of the Park on Figure 30, has a mapped building height control of 40 metres (RL 50 metres). However, at RL 56 metres the building is already higher than the LEP maximum height. Any development on this site will need to ensure it does not result in any additional overshadowing to the Park.

Intended provisions

1. Add the following places with the specified periods and times of protection as described, to Clause 6.17(4) in Sydney LEP 2012

Place	Period of protection	Times of protection
Gunyama Park	All year	9:00am to 3:00pm

2. Amend Schedule 6A Sun access planes in Sydney LEP 2012 to include a description of sun access planes for Gunyama Park in accordance with the information in the following table*:

PLANE	POINT	EASTING	NORTHING	RL	bearing (deg.)	angle
Gunyama Park sun access planes						
1	A	X=334207.6951	Y=6246480.6922	Z=42.9812	328.63	25.65
	B1	X=334249.5755	Y=6246575.8140	Z=42.9812	332.57	24.56
2	B1	X=334249.5755	Y=6246575.8140	Z=42.9812	332.57	24.56
	B1	X=334249.5755	Y=6246575.8140	Z=42.9812	29.98	26.30
3	B2	X=334249.5755	Y=6246575.8140	Z=48.8812	29.98	26.30
	C1	X=334319.7741	Y=6246544.1388	Z=49.2450	29.98	26.30
4	C2	X=334319.7741	Y=6246544.1388	Z=41.1855	29.98	26.30

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PLANE	POINT	EASTING	NORTHING	RL	bearing (deg.)	angle
	D1	X=334404.9577	Y=6246505.7020	Z=41.6270	29.98	26.30
5	D2	X=334404.9577	Y=6246505.7020	Z=31.8406	29.98	26.30
	E	X=334482.5453	Y=6246470.6926	Z=32.2427	29.98	26.30
6	E	X=334482.5453	Y=6246470.6926	Z=32.2427	29.98	26.30
		X=334482.5453	Y=6246470.6926	Z=32.2427	46.41	45.35
7	E	X=334482.5453	Y=6246470.6926	Z=32.2427	46.41	45.35
	F	X=334435.7790	Y=6246364.2839	Z=34.1739	46.41	45.35

***Note:** In this table, co-ordinates are defined as Map Grid Australia “GDA94 Zone 56” co-ordinates; horizontal bearings are measured from true north; vertical angles are measured above the horizontal; and heights (RLs) are on the Australian Height Datum (AHD) in metres

- Amend clause 6.18 Overshadowing of certain public places in Sydney LEP 2012 to include the park or place as described in the table below during the specified dates and times.

Park or Place	Period of protection	Times of protection
Cook and Phillip Park (west of Yurong Parkway)	All year	9:00am to 2:00pm

- Add sub-clause (7) to Clause 6.18 Overshadowing of certain public places with the following wording shown (or similar) and technical information included in the table below:

(7) Subclause (2) applies to Cook & Phillip Park only beyond the overshadowing cast by wall that is aligned with southern main façade of St. Mary’s Cathedral, which runs through the two points (L) and (M) and is set at the maximum height as described in the table below.

POINT	EASTING	NORTHING	RL
L	X=334714.77	Y=6250635.06	Z=37.60
M	X=334851.49	Y=6250624.88	Z=37.60

Note: Co-ordinates are mapped according to Map Grid Australia GDA94, Zone 56 convention.

Amendment 5 – Exempt Development: Solar Energy Systems

Objectives and intended outcomes

To make solar energy systems with minor impacts exempt from development consent in a wider range of circumstances in heritage conservation areas.

Site identification

This change applies to the land identified as “land included” on the Land Application Map in Sydney LEP 2012; Sydney LEP (Green Square Town Centre) 2013; and Sydney LEP (Green Square Town Centre – Stage 2) 2013.

Explanation

This amendment seeks to classify solar systems in heritage conservation areas as exempt development – as long as they are not visible from the primary street and have minimal impacts on the building structure and heritage and neighbourhood character.

The proposed change will expand exempt development for solar energy systems (which include photovoltaic solar panels and ancillary equipment) so that it can apply more widely within heritage conservation areas, and not be constrained to buildings that do not face a primary road.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) allows the installation of solar energy systems as exempt development, but *not* in certain circumstances including:

2.41(4)(f)

(iv) if the land contains a State or local heritage item or is in a heritage conservation area—

(A) the system is not attached to any wall or roof of a building facing a primary road.

The underlined wording of this part of the SEPP means that if the building faces a primary road, then the exempt development provision is not applicable to the whole building. This means development consent is required even if the solar panels are on the rear pitch of the roof and are not visible.

The proposed change will make it clear that exempt development for solar panels is only restricted on a roof or wall that faces the primary road.

It will apply to all buildings.

Justification

Clause 2.41(4)(f) in Transport and Infrastructure SEPP includes provisions for solar energy systems, including photovoltaic solar panels, but has limited application in heritage conservation areas. To be exempt development in a heritage conservation area, the system must not be placed on a wall or roof of any building facing a primary road. This has the effect of excluding solar energy systems from exempt development wherever the building faces the primary road even if the panels are not able to be seen.

It is our preference that solar systems in heritage conservation areas should not need a development application as long as they do not have undue impacts on heritage qualities, building structure and neighbourhood character. The proposed change is intended to ensure that solar energy systems will not substantially disrupt the form and character of roofs that are visible from the street and where they are installed at the rear, do not create significant impacts on neighbouring properties.

Exempt development will not be available where the solar energy system is on a roof or wall facing a primary road in a heritage conservation area. A development application will be needed in these situations.

Intended provisions

1. Amend Sydney LEP 2012 and the Green Square Town Centre LEPs to include exempt development provisions permitting solar panels that are not on a roof or wall facing a primary road.
2. The new exempt development provisions shall include the requirements for solar energy systems based on clauses 2.41(4) (a) – (d) and (f) of Transport and Infrastructure SEPP.
3. The proposed exempt development provision based on clause 2.41(4)(f)(iv) shall be amended, as shown in strikethrough below.

(iv) if the land contains a State or local heritage item or is in a heritage conservation area—

(A) the system is not attached to any wall or roof of a building facing a primary road, and

(B) the system does not protrude more than 0.5m from any building to which it is attached (as measured from the point of attachment).

Amendment 6 – Basement Intensive Plant Agriculture

Objectives and intended outcomes

To promote the use of building basements for intensive plant agriculture.

Site identification

This amendment applies to all land covered by the Sydney LEP 2012. Intensive plant agriculture is permitted with consent in the R2 Low Density Residential, E1 Local Centre, MU1 Mixed Use, SP1 Special Activities and SP5 Metropolitan Centre zones.

Explanation

This amendment adds a new provision to encourage intensive plant agriculture in the basement of existing buildings.

The proposed new LEP clause removes a barrier for intensive plant agriculture in existing buildings. The floor space taken by the use will not reduce the gross floor area available for other uses when located in the basement of the building.

Justification

This amendment removes a barrier for intensive plant agriculture in basements and unused areas within existing buildings by making it a use that will not reduce the gross floor area available for other uses in the building.

Intensive plant farming is the cultivation of irrigated crops for commercial purposes. In an urban context, intensive plant agriculture is usually in the form of vertical farming, which incorporates controlled-environment agriculture by growing crops in vertically stacked layers which optimises plant growth through hydroponics. The benefit of vertical farming includes regular and reliable year round crop cultivation through efficient use of resources and unused space. Vertical farming also provides food security opportunities in urban centres by providing the consumer fresh local produce grown with a low carbon footprint and low food miles.

It is envisaged this clause would primarily apply to parts of a building that would not generally be counted as gross floor area, such as storage space and parking areas. Converting these spaces to a productive use means the gross floor area must counted and the reuse of the space would not be possible if the building is already at its maximum FSR.

This amendment is consistent with the City's key strategic directions in Sustainable Sydney 2030-2050 and City Plan 2036 in that it will encourage sustainability innovation through efficient land use, better buildings that reduce emissions and use water efficiently and improve resilience through locally grown food.

Intended provisions

1. The objective of the new clause is to encourage the provision of intensive plant agriculture.
2. Insert a new clause into Part 5 Miscellaneous Provisions of Sydney LEP 2012 that specifies floor area equal to that used for intensive plant agriculture when it is located in the basement of an existing building is eligible for use elsewhere in the building.

Amendment 7 – Superseded sustainability targets for some residential development

Objectives and intended outcomes

Ensure that superseded sustainability targets for development in Sydney LEP 2012 take account of recent State Environmental Planning Policy (Sustainable Buildings) 2022 changes.

Site identification

This amendment applies to land identified in Sydney LEP 2012 that is subject to higher BASIX targets, namely:

- Central Sydney
- 2-32 Junction Street, Forest Lodge
- 600-660 Elizabeth Street, Redfern
- Botany Road Precinct Opportunity Land

Note – other clauses in Sydney LEP 2012 include higher BASIX targets, however these sites already hold development consent and therefore are excluded from this amendment.

Explanation

This amendment seeks to remove superseded BASIX Energy targets as a response to recent State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) changes.

This clause will remove the now unintended higher BASIX Energy targets set for residential development contained in the following clauses of Sydney LEP:

- Clause 6.3 – Additional floor space in Central Sydney
 - Clause 6.40 – 2-32 Junction Street, Forest Lodge
 - Clause 6.59 – 600-660 Elizabeth Street, Redfern
 - Clause 6.60B – Botany Road Precinct Opportunity Land
-

Justification

The Sustainable Buildings SEPP came into effect 1 October 2023. It encourages the design and delivery of more sustainable buildings across NSW and aims to reduce the environmental impact of new development through new increased BASIX standards for residential buildings and new development standards for non-residential development, superseding some previous requirements.

The new BASIX standards are based on the local climate zone and include increased thermal performance and more stringent energy standards, with increased minimum requirements for new residential development, particularly for those greater than five storeys in height.

Sustainability targets in Sydney LEP

One of the City's key strategic directions is to be "A leading environmental performer". Both Sustainable Sydney 2030-2050 Continuing the Vision and City Plan 2036 – Local Strategic Planning Statement, seek to create better performing buildings to reduce emissions and deliver the net-zero emissions target.

Sydney LEP has higher BASIX Energy targets in some site-specific provisions that provided a planning uplift for residential development. On these sites the full FSR is dependent on achieving the higher BASIX target. They were imposed at a time when BASIX targets were lower and higher performance was technically achievable.

These site-specific targets in Sydney LEP 2012 are now superseded by the Sustainable Buildings SEPP and the intended sustainability outcomes for those sites is achieved through the SEPP.

To ensure development can proceed as planned it is proposed to remove the higher BASIX Energy targets.

Intended provisions

1. Amend clause 6.3 of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text shown in bold:

6.3 Additional floor space in Central Sydney

(2) Development consent must not be granted for BASIX affected development in Central Sydney that includes additional floor space calculated in accordance with subclause (1), unless the consent authority is satisfied the BASIX affected part of the building—

(a) exceeds the BASIX commitment for water by at least 5 points, ~~and~~

~~(b) exceeds the BASIX commitment for energy by at least 10 points, and will not use on-site fossil fuels.~~

2. Amend clause 6.40(2)(c)(i) and (ii) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text shown in bold:

6.40 2-32 Junction Street, Forest Lodge

(c) in the case of development that is BASIX affected development—the development—will

(i) exceeds the BASIX commitment for water for the development by not less than 25% of the water target score, ~~and~~

~~(ii) exceeds the BASIX commitment for energy for the development by not less than 25% of the energy target score.~~

3. Amend clause 6.59(3)(b) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text shown in bold:

6.59 600-660 Elizabeth Street, Redfern

(3) (b) if all BASIX affected development on the land exceeds the BASIX commitments for ~~energy and~~ water for the development by at least 5 points — up to 0.15:1

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4. Amend clause 6.60B of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text shown in bold:

6.60B Botany Road Precinct Opportunity Land

(6) (b) if the development is BASIX affected development—the building **exceeds the commitment:** ~~capable of exceeding the BASIX commitments by at least~~

~~(i) for energy—10 points, and~~

(ii) for water—5 points

Amendment 8 – Design excellence processes & site-specific development control plans

Objectives & intended outcomes

1. To update definitions and terminology in Sydney LEP 2012 and the Green Square Town Centre LEPs to maintain consistency with an updated Competitive Design Policy.
2. To amend Sydney LEP and the Green Square Town Centre LEPs to streamline the development approval process by reducing the number of competitive design processes and development control plans (concept development applications)
3. To update the design excellence provisions in Sydney LEP 2012 and the Green Square Town Centre LEPs to clarify that the provision applies to substantial internal and/or external alterations of existing buildings; and that internal layout and amenity are one of the aspects which the consent authority must consider.

Site identification

Changes will apply to all land covered by Sydney LEP 2012 and Green Square Town Centre LEPs.

Explanation

This amendment seeks to update the design excellence

and site-specific development control plan LEP clauses to align with the updates to the City's Competitive Design Policy, provide greater flexibility for design competitions and to provide a new alternative process for affordable housing and social housing projects.

The City is updating its Competitive Design Policy. To maintain consistency with the revised Policy and to streamline the development application process, changes are required to the following LEP definitions and clauses:

1. **competitive design process** in clause 6.21A of Sydney LEP 2012, clause 6.9(7) Sydney LEP (Green Square Town Centre) 2013, and clause 6.9(8) Sydney LEP (Green Square Town Centre – Stage 2) 2013:
 - Remove “the preparation of design alternatives on a competitive basis” and replace with “or an alternative design review process”.
2. **City of Sydney Competitive Design Policy** in the Dictionary of Sydney LEP 2012:
 - Include the date that the revised policy comes into effect.
1. Clause 6.21E(1) and (5) of Sydney LEP 2012 are to be amended to refer to a ‘building demonstrating design excellence’

2. Clause 6.21B of Sydney LEP 2012 and clause 6.9(2) of the Green Square Town Centre LEPs are to be amended to apply to the significant redevelopment or refurbishment of existing buildings .
3. Clause 6.21C(2)(d) of Sydney LEP 2012 and clause 6.9(4)(d) of the Green Square Town Centre LEPs are to be amended to include ‘internal layout and amenity’ as a consideration.
4. Clause 6.21D of Sydney LEP 2012 is to be amended to:
 - a. Raise the threshold for requiring a competitive design process on land outside of Central Sydney from 25 metres to 35 metres
 - b. Remove the opportunity for a proponent to choose to undertake a competitive design process where it is not required by the LEP [remove 6.21D (d)]
 - c. Permit Council to certify in writing that a competitive design process for a development is unreasonable or unnecessary in the circumstances. This will apply only to applications to be determined by Council, the Local Planning Panel, or Central Sydney Planning Committee. It is not intended to apply to State Significant Development or where the Minister is the consent authority
 - d. Permit the consent authority to award a bonus of up to 10 per cent additional building height and up to 10 percent additional floor space to a building demonstrating design excellence when considering a development application resulting from a competitive process, or in the case of social and affordable housing by a CHP, resulting from the optional design review process
5. Clause 7.20 of Sydney LEP 2012 is to be amended to:
 - a. Clarify the instances where a site-specific development control plan is not required to be prepared. The change will permit the Council to certify in writing that such a plan would be unreasonable or unnecessary in the circumstances of the development. This change will only apply to applications to be determined by Council, the Local Planning Panel, or Central Sydney Planning Committee. It is not intended to apply to State Significant Development or where the Minister is the consent authority
 - b. Allow the Council to certify in writing if a development control plan should be required for some types of housing in non-residential zones where there may be impacts on employment uses.

Justification

Sydney LEP 2012 and the Green Square Town Centre LEPs contain clauses to support design excellence and to implement the City of Sydney Competitive Design Policy.

The amendments to the Sydney LEP 2012, Green Square Town Centre LEP and the Competitive Design Policy have been informed by twenty five years’ experience of administering competitive design processes in the City of Sydney. If implemented, the amendments will maintain the focus on preparing a site-specific development control plan for more complex large developments, while streamlining the approval process for other developments. Overall, there would be a reduction in the number of competitive design processes and site-specific development control plans (concept development applications).

Amendments to the Competitive Design Policy include:

- Establishing a pathway for Council approval of a Design Excellence Strategy where one has not already been approved through a site-specific development control plan (concept development application) or its equivalent.

- Adopting one type of competitive design process, where currently there is two
- ~~Adding ESD target benchmarks as a matter to be defined in the design excellence strategy consistent with design excellence provisions in Sydney Development Control Plan 2012.~~
- Set out when a minimum of five competitors should be invited to participate in an ‘invited’ competition, and when the jury must consider a minimum of five submissions
- Set out the circumstances in which the jury should consist of six members and the target gender mix of the jury
- Set out the professional requirements for competitors
- Establish a new optional design review process for social and affordable housing projects by a community housing provider

There have also been minor edits to correct errors or omissions and to improve the clarity of the policy.

A revised City of Sydney Competitive Design Policy, shows the proposed changes and will be placed on public exhibition at the same time as this planning proposal.

If the amendments to the Policy are approved, then the related definitions and clauses in the LEPs will need to be amended.

LEP amendment - Tower Cluster area provisions

Clause 6.21E(1) and (5) of Sydney LEP 2012 should be amended to refer to a ‘building demonstrating design excellence’. This will bring consistency with other parts of the LEP and the Competitive Design Policy. Currently this clause requires the consent authority to be satisfied that the ‘building demonstrates design excellence as the winner of an architectural design competition in accordance with the City of Sydney Design Excellence Policy’.

This longer description was used in the LEP to distinguish buildings in a Tower Cluster area, where architectural design competitions are required, from other areas where an invited design alternatives process could be undertaken. Changes to the Competitive Design Policy to focus on one competitive design process means that this distinction in the LEP is no longer required. The proposed amendment delivers a clause that is simpler, clearer and remains accurate.

LEP Amendment – Design Excellence requirements

When a competitive design process is required

Clause 6.21D (1) sets out the circumstances where a competitive design process is required. This amendment seeks to streamline the development process by reducing the number of circumstances where a competitive design process is required. To do this it will lift the threshold from 25 metres height to 35 metres height or above for land outside Central Sydney. In Central Sydney the trigger will remain at 55 metres. Other changes will allow the Council to certify in writing that it considers a competitive design process unreasonable or unnecessary in the circumstances; and will remove the opportunity for a proponent to voluntarily undertake a competitive design process.

Taken together, these changes will focus the requirement for a competitive design process on larger developments where in the opinion of the Council, the process will result in a materially improved development outcome.

Flexibility for design excellence developments

This amendment will provide the flexibility to optimise design outcomes from development. It will allow a building demonstrating design excellence to receive both a bonus of up to 10 per cent floor space and a 10 per cent height. Currently, the proponent must choose whether to pursue 10 per cent floor space or 10 percent height, with the majority of developments choosing 10 per cent floor space. Allowing a 10 per cent height bonus at the same time as a potential 10 per cent floor space bonus will give more design flexibility and allow a greater range of design solutions on a site.

This amendment would not apply to competitive design processes under the Green Square Town Centre LEPs where maximum building heights have been calculated to include the 10 per cent design excellence floor space.

Building refurbishments

Sydney LEP 2012 and the Green Square Town Centre LEPs identify design excellence as applying to ‘the erection of a new building or external alterations to an existing building.’ As drafted the clause can be applied to the external design of both a new building and a building undergoing refurbishment. It can also be applied to the internal design of a new building, but not to the internal design of an existing building undergoing refurbishment.

Including ‘the significant redevelopment or refurbishment of an existing building’ within the scope of the Division will allow new buildings and significant refurbishments to be treated equally.

Internal layout and amenity

Sydney LEP 2012 and the Green Square Town Centre LEPs set out the matters which the consent authority must consider when determining if a development exhibits design excellence. In general, this guidance is comprehensive focussing on the external elements of the building. The guidance can be improved by indicating those matters relating to internal design which the consent authority should consider. Including the “internal layout and amenity” in the clause reflects the current case law and provides certainty that these elements are a required consideration in any assessment of design excellence.

The consent authority already considers matters of internal layout and amenity through the provisions of the City’s development control plans and through application of the NSW Apartment Design Guide. Providing this additional guidance in the LEPs allows for consistent and rigorous assessment of design excellence.

Preparation of a development control plan

Clause 7.20 of Sydney LEP 2012 requires that a site-specific development control plan (concept development application) be prepared to support certain development. This amendment seeks to streamline the development process by reducing the number of circumstances where a site-specific development control plan is required. To do this it will lift the threshold from 25 metres height to 35 metres height or above for land outside Central Sydney. In Central Sydney the threshold will remain at 55 metres.

This amendment will permit the Council to waive the requirement for an applicant to prepare a development control plan or lodge a concept development application if it considers it would unreasonable or unnecessary in the circumstances. As an example, this could apply where there are limited options for built form massing, modulation, or for tower placement on a site due to site characteristics or constraints.

Waiving this requirement in these circumstances would avoid requiring an additional layer of approval for proposals where it does not significantly benefit the development process.

Intended provisions

Drafting instructions

1. Amend the definition of ‘competitive design process’ in Clause 6.21A of Sydney LEP 2012 as follows with deletions shown as strikethrough:

competitive design process means an architectural design competition, ~~or the preparation of design alternatives on a competitive basis,~~ **or an alternative design review process** carried out in accordance with the City of Sydney Competitive Design Policy.

2. Amend the definition of 'City of Sydney Competitive Design Policy' in the Dictionary of Sydney LEP 2012 to replace the date '14 December 2020' with the date that the revised policy comes into effect.
3. Amend the definition of 'competitive design process' in clause 6.9(7) of Sydney LEP (Green Square Town Centre) 2013 as follows with deletions shown as strikethrough:

competitive design process means an architectural design competition, ~~or the preparation of design alternatives on a competitive basis,~~ **or an alternative design review process** carried out in accordance with the City of Sydney Competitive Design Policy (within the meaning of Sydney Local Environmental Plan 2012).

4. Amend the definition of 'competitive design process' in clause 6.9(8) of Sydney LEP (Green Square Town Centre – Stage 2) 2013 as follows with deletion shown as strikethrough:

competitive design process means an architectural design competition, **or an alternative design review process** ~~or the preparation of design alternatives on a competitive basis,~~ carried out in accordance with the City of Sydney Competitive Design Policy.

5. Amend clause 6.21E of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text shown in bold red:

6.21E Tower cluster areas

(1) A building located in a tower cluster area may be eligible for additional floor space under this clause if the consent authority is satisfied that ~~the it is a building demonstrating demonstrates design excellence as the winner of an architectural design competition carried out in accordance with the City of Sydney Competitive Design Policy.~~

(5) A building located in a tower cluster area may exceed the maximum height shown for the land on the Height of Buildings Map if –

(a) the consent authority is satisfied that ~~the it is a building demonstrating demonstrates design excellence as the winner of an architectural design competition carried out in accordance with the City of Sydney Competitive Design Policy,~~ and

(b) the building height does not exceed the following –

(i) sun access planes controls in clause 6.17,

(ii) overshadowing controls in clause 6.18,

(iii) view plane controls in clause 6.19,

(iv) view of Sydney Harbour controls in clause 6.19A.

6. Amend clause 6.21B of Sydney LEP 2012 and clause 6.9(2) of the Green Square Town Centre LEPs as follows with deletion shown as strikethrough:

This Division applies to development involving the erection of a new building, or ~~external~~ **significant** alterations to an existing building on land to which this Plan applies.

7. Amend clause 6.21C(2)(d) of Sydney LEP 2012, clause 6.9(4)(d) of Sydney LEP (Green Square Town Centre) 2013, and clause 6.9(4)(d) of Sydney LEP (Green Square Town Centre – Stage 2) 2013 as follows with new text in bold red:

(xiv) internal layout and amenity

8. Amend clause 6.21D(1)(a) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text in bold red:

- (1) Development consent must not be granted to the following development to which this Division applies unless a competitive design process has been held in relation to the proposed development—
- (a) development in respect of a building that has, or will have, a height above ground level (existing) greater than—
- (i) 55 metres on land in Central Sydney, or
- (ii) ~~25~~ **35** metres on any other land

9. Amend clause 6.21D of Sydney LEP 2012 and clause 6.9 of the Green Square Town Centre LEPs as follows with deletion shown as strikethrough:

- ~~(d) development for which the applicant has chosen such a process.~~

10. Amend clause 6.21D (2) of Sydney LEP 2012 and clause 6.9 (6) of the Green Square LEPs as follows with deletion shown as strikethrough and new text in bold red:

- (2) A competitive design process is not required under subclause (1) if ~~the consent authority is satisfied~~ **Council certifies in writing** that such a process would be unreasonable or unnecessary in the circumstances or that the development—
- (a) **is determined by Council, the Local Planning Panel or the Central Sydney Planning Committee**
- (~~a~~ **b**) involves only alterations or additions to an existing building, and
- (~~b~~ **c**) does not significantly increase the height or gross floor area of the building, and
- (~~c~~ **d**) does not have significant adverse impacts on adjoining buildings and the public domain, and
- (~~d~~ **e**) does not significantly alter any aspect of the building when viewed from public places.

11. Amend clause 6.21D (3) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text in bold red:

- (3) A building demonstrating design excellence—
- (a) may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the map, ~~or~~ **and**
- (b) is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10% of—
- (i) the amount permitted as a result of the floor space ratio shown for the land on—
- (A) for a building for which development consent is granted under clause 6.60B—the Alternative Floor Space Ratio Map—Employment Sites or the Alternative Floor Space Ratio Map—Affordable Housing Sites, or
- (B) otherwise—the Floor Space Ratio Map, and
- (ii) any accommodation floor space or community infrastructure floor space for which the building is eligible under Division 1 or 2.

12. Amend clause 7.20 (2)(b) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text in bold red:

(b) land (other than land in Central Sydney, land identified as “Enterprise Area” on the Locality and Site Identification Map or land in Zone E4 General Industrial), if the site area for the development is more than 5,000 square metres or if the development will result in a building with a height greater than ~~25~~ **35** metres above ground level (existing),

13. Amend clause 7.20 (2)(d) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text in bold red:

(d) land identified as “Business Area” on the Locality and Site Identification Map, if the development is for the purposes of a residential flat building or a mixed use development that contains shop top housing (proposed to be used for the purposes of affordable housing in accordance with clause 7.13A) and the ~~consent authority~~ **Council** considers that the development may have a significant adverse impact on non-residential uses in, or in the vicinity of, that zone.

14. Amend clause 7.20 (3) of Sydney LEP 2012 as follows with deletion shown as strikethrough and new text in bold red:

(3) **Notwithstanding (2), for development where Council, the Local Planning Panel or the Central Sydney Planning Committee are the consent authority, a** development control plan is not required to be prepared if the ~~consent authority~~ **Council certifies in writing** ~~is satisfied~~ that such a plan would be unreasonable or unnecessary in the circumstances.

~~(a) involves only alterations or additions to an existing building, and~~

~~(b) does not significantly increase the height or gross floor area of the building, and~~

~~(c) does not have significant adverse impacts on adjoining buildings or the public domain, and~~

~~(d) does not significantly alter any aspect of the building when viewed from public places.~~

Amendment 9 – Change to Metropolitan Centre zone & Central Sydney boundary

Objectives and intended outcomes

Integrate the Powerhouse Museum site into Central Sydney to meet the strategic objectives of the Central Sydney Planning Strategy to expand the boundaries of Central Sydney and the Zone SP5 Metropolitan Centre.

Site identification

500 Harris Street, Ultimo - the Powerhouse Museum The land is currently zoned MU1 Mixed Use and has a land area of approximately 2,400 square metres. The applicable Floor Space Ratio is 4:1, and it has a maximum building height of 28 metres. The site is shown in Figure 31 below.

Figure 31. Powerhouse Museum site



Explanation

This amendment proposes a minor change to the mapped boundaries of Central Sydney and SP5 Metropolitan Centre zone to incorporate the Powerhouse Museum site. It seeks to amend Sydney LEP 2012 to:

1. Rezone the Powerhouse Museum site from MU1 Mixed Use to SP5 Metropolitan Centre,
2. Identify the Powerhouse Museum site as part of an expanded Central Sydney, and
3. Amend the listing 'Schedule 5 Environmental heritage' to mark the Powerhouse Museum site with an asterisk (*) to indicate that it is eligible for an award of heritage floor space.

Justification

An action in the Central Sydney Planning Strategy is to transfer the following land to Sydney LEP and the SP5 Metropolitan Centre Zone:

- Ultimo south,
- Central Park,
- University of Technology, Sydney,
- Chippendale north-west,
- Surry Hills west,
- Centennial Plaza, and
- The Central Railway Station Group.

The Powerhouse Museum, indicated by the blue dashed polygon in Figure 32 below, is located within Ultimo south and falls within the area identified as an expanded Central Sydney and SP5 Metropolitan Centre Zone in the Central Sydney Planning Strategy.

Central Sydney refers to the land that has been designated as SP5 Metropolitan Centre Zone under Sydney LEP 2012. Land within Central Sydney permits a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community. Central Sydney is the only piece of land attributed this level of zoning in NSW. The NSW Government has prescribed three mandatory objectives for the zone:

- To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.
- To provide opportunities for an intensity of land uses commensurate with Sydney's global status.
- To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.

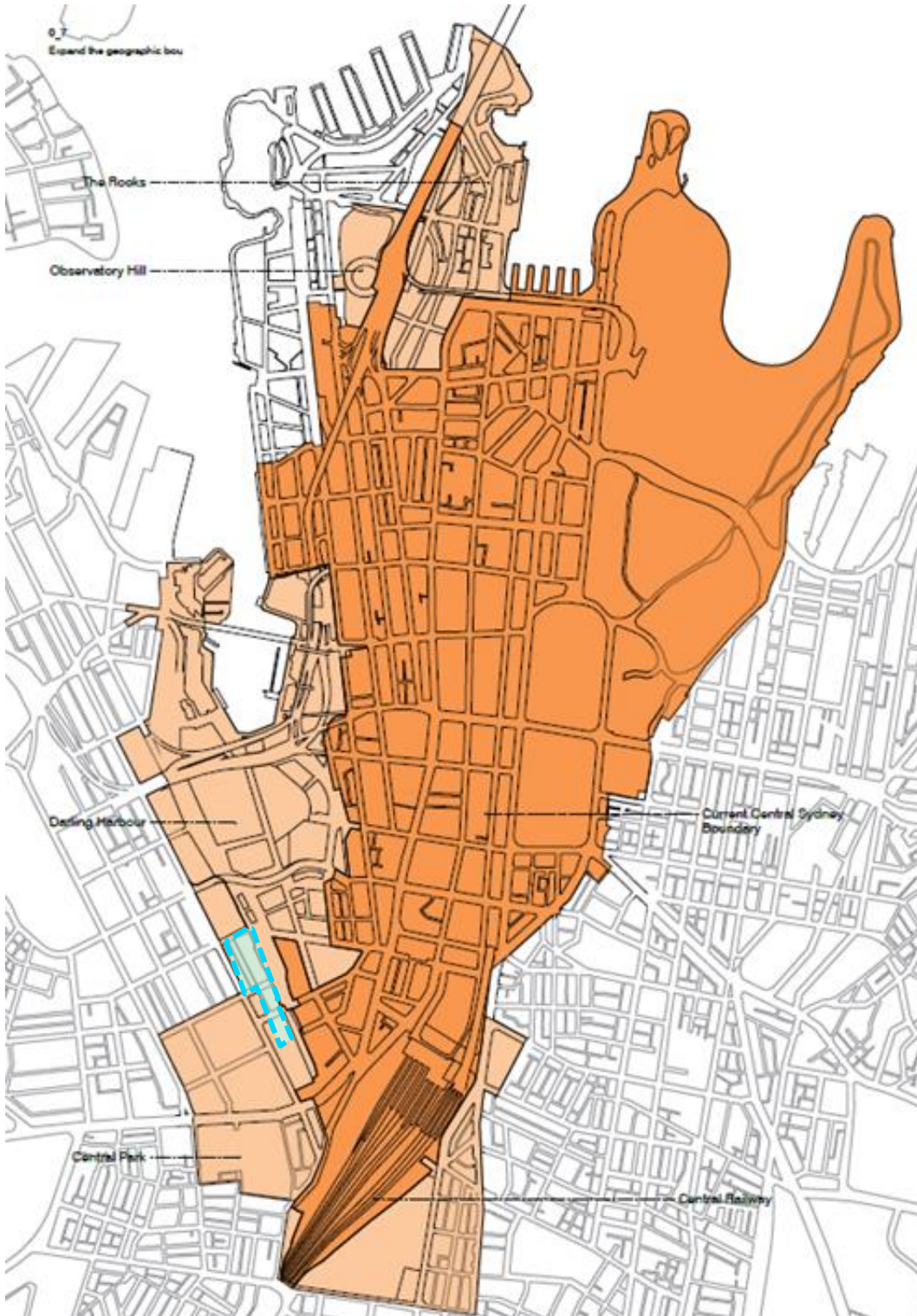
The transfer of the areas that are identified in the Central Sydney Planning Strategy into the SP5 zone may be achieved incrementally over time as a range of strategic planning work is undertaken. The City of Sydney is currently working with the NSW Government to progress the second stage of the Pyrmont Place Strategy. The Central Station Group is subject to a state significant precinct rezoning. Transferring these areas into Central Sydney and the SP5 zone will be considered as part of that work based on final study findings and recommendations. The Powerhouse Museum site can be brought into Central Sydney now without incurring further strategic work. It is not within a state planning instrument, is not subject to other planning investigations and does not require further detailed study.

An effect of the transfer would be to allow the Powerhouse Museum to participate in the City's Heritage Floor Space scheme, which could support the conservation of the building. It will also make more Heritage Floor Space available, contributing to growth opportunities across the rest of Central Sydney.

Rezoning the Powerhouse Museum site to SP5 Metropolitan Centre will not result in an increase in the maximum height of buildings and floor space ratio development standards on the site and will better align with the role that the Powerhouse Museum has as a cultural and tourist facility critical to maintaining the diversity of Global Sydney.

This rezoning will not reduce the site's range of permissible uses, as the SP5 zone supports a wide range of uses consistent with the approved and envisaged future for the site. The Powerhouse Ultimo Renewal project will not be impacted by this rezoning, which simply seeks to bring the site into the SP5 Metropolitan Centre zone to better reflect its important cultural role.

Figure 32. Proposed expanded Central Sydney area (in blue)



Intended provisions and map changes

1. Amend the Land Zoning Map in Sydney LEP 2012 to identify the Powerhouse Museum site as SP5 Metropolitan Centre, as shown in Appendix B Local Environmental Plan Map Book.
2. Amend the Locality and Site Identification Map in Sydney LEP 2012 to identify the Powerhouse Museum site as within 'Central Sydney' as shown in Appendix B Local Environmental Plan Map Book.

Appendix A – Local Environmental Plan Amendments

3. Amend Schedule 5 Environmental heritage in Sydney LEP 2012 to mark the Powerhouse Museum site listing with an asterisk as shown below:

Locality	Item Name	Address	Property	Sig	Item no.
Ultimo	Powerhouse Museum former warehouse buildings, including interiors	500 Harris Street	Lot 1, DP 631345	Local	I2031*

Amendment 10 – Additional uses for accommodation floor space in Central Sydney

Objectives and intended outcomes

To encourage a greater diversity of non-residential land uses in Central Sydney.

Site identification

This amendment applies to the area identified as 'Central Sydney' in the Sydney LEP 2012 Locality and Site Identification Map, Foreshore Building Line Map.

Explanation

This amendment makes five additional strategically important non-residential uses eligible for accommodation floor space to support diverse business, employment, social and cultural uses in Central Sydney.

This amendment will create an incentive for additional non-residential uses in Central Sydney. This will be done by adding specific non-residential uses in the list of uses that may be eligible for accommodation floor space in Central Sydney, including:

- Public administration building
 - Indoor recreation facilities
 - Registered clubs
 - Place of public worship
 - Local distribution premises
-

Justification

Sydney continues to be Australia's leading global and most economically productive city. It attracts global talent and plays a significant role in the national, regional and district economy. To preserve Sydney's economic status, Council's Local Strategic Planning Statement - City Plan 2036 highlights the need to continue fostering economic diversity in Central Sydney to support innovation, collaboration and economic resilience.

Accommodation floor space in Sydney LEP 2012 allows for additional floor space to accommodate strategically important uses. As part of the Central Sydney Planning Framework, Sydney LEP 2012 was amended to include additional enterprise, activity and employment uses eligible for an accommodation floor space bonus. Uses that can currently be awarded the bonus include:

- Business premises
- Educational establishments
- Entertainment facilities
- Function centres
- Health services facilities
- Information and education facilities
- Light industries
- Office premises
- Retail premises
- Hotel or motel accommodation
- Community facilities
- Centre-based child care facilities

These were added to incentivise more and diverse business, employment, social and culture uses to support Central Sydney's metropolitan centre role. As part of its post-exhibition consideration of the Central Sydney Planning Framework, the Council resolved to investigate the inclusion of further non-residential uses that may be eligible for accommodation floor space.

The amendment proposes to allow additional specific non-residential uses to be eligible for accommodation floor space, including:

- Public administration building
- Indoor recreation facilities
- Registered clubs
- Place of public worship
- Local distribution premises

The above uses will positively contribute to the economic vitality and support the global functions of Central Sydney.

Intended provisions

1. Amend clause 6.4(1)(b), (c), (e) and (g) in Sydney LEP 2012 to include the following land uses:
 - Public administration building
 - Indoor recreation facilities
 - Registered clubs
 - Place of public worship
 - Local distribution premises

Amendment 11 – Superseded opportunity sites in Central Sydney

Objectives & intended outcomes

To repeal the opportunity site floor space provisions in Sydney LEP 2012.

Site identification

Opportunity sites identified on the Opportunity Sites Map in Sydney LEP 2012. These sites are all located within Central Sydney.

Explanation

This amendment repeals Opportunity site floor space from Sydney LEP 2012. Other urban design, built form, and design excellence controls will ensure improved streetscape conditions will continue to be delivered.

This amendment repeals the following from Sydney LEP 2012:

1. clause 6.9 ‘Opportunity site floor space’
2. clause 6.11(1)(c)
3. the definitions of ‘opportunity site’ and ‘opportunity site floor space’ from section 6.2 ‘Definitions’ of Sydney LEP 2012
4. the entry of ‘opportunity sites map’ from the Dictionary of Sydney LEP 2012
5. the opportunity sites map sheets (OPS_014; OPS_015)

Buildings on opportunity sites

Clause 6.9 Opportunity site floor space of Sydney LEP 2012 provides for an additional amount of floor space for buildings on nominated ‘opportunity sites’ within Central Sydney. The sites are identified on the Opportunity Sites Map.

Buildings on these sites are eligible for ‘opportunity site floor space’ if development results in an improved interface between the building and the street. Often this involves the infilling of setback areas such as colonnades and the like between the building and the street.

Clause 6.9 is to be repealed, including all other related controls, definitions and maps in Sydney LEP 2012 that are no longer necessary based on its repeal.

Justification

As Central Sydney footpaths become busier they are less comfortable for pedestrians and there are fewer opportunities for activities such as outdoor dining. It is no longer desirable to infill these

street level spaces that can be used. We should retain publicly accessible spaces in front of setback buildings to provide more space for pedestrians and activities which contribute to street life and vibrancy of Central Sydney. This has become more important as outdoor space is increasingly valued.

Background

The opportunity sites clause was originally introduced almost 30 years ago (in Sydney LEP 1996) to incentivise filling in publicly accessible open space at ground level to create a more consistent building alignment and activity within the building. The control provides a floor space ratio incentive of no more than 0.8:1 to encourage development of 33 nominated “opportunity sites” within Central Sydney to improve this interface. The types of development encouraged include:

- infilling colonnades and other ground level setbacks;
- reconfiguring pedestrian and disabled access;
- reconfiguration of public space between the street and the building; and
- relocation of driveways and ramps.

City Plan 2036, the City’s planning statement, identifies that as the City grows there is a need for more space on streets for people. It contains Priorities and Actions to make the City streets ‘people-first’ places, including Priority I1.2 which calls for greater footpath capacity throughout the City. The Central Sydney Planning Strategy recognises the important role the interface between buildings and streets makes to activation of the public domain.

Clause 6.9 Opportunity site floor space in Sydney LEP does not align with the walkability priority in City Plan 2036. It incentivises the enclosure of setback spaces such as colonnades that are currently publicly accessible which undermines the priority need to maintain and enhance existing publicly accessible space in Central Sydney. The continued implementation of this control is no longer desirable because it results in a loss of an existing significant public benefit. In addition to their role of improving city walkability, these spaces can offer opportunities for outdoor dining, night-time economy activities and small-scale greening.

Out of the original identified 33 sites, nine have been refurbished or redeveloped and the opportunity site incentive has either been used or can no longer be applied. Remaining identified opportunities provide clear public benefits such as outdoor dining and pedestrian space and contribute to Central Sydney’s street life by responding to the contemporary needs of city workers and visitors.

Sydney LEP and DCP 2012 contain urban design, built form and design excellence controls which apply to Central Sydney and ensure that the benefits promoted by Clause 6.9, such as improved interface between buildings and the street, universal access and driveway relocation are achieved. Floor space incentives are no longer necessary to drive these improvements.

Intended provisions and map changes

1. Amend Sydney LEP 2012 to remove clause 6.9 Opportunity site floor space and clause 6.11(1)(c).
2. Amend clause 6.3(1)(c) to remove the reference to ‘opportunity site’
3. Remove the definitions of ‘opportunity site’ and ‘opportunity site floor space’ from clause 6.2 of Sydney LEP 2012.
4. Remove the definition of ‘opportunity sites map’ from the Dictionary of Sydney LEP 2012.
5. Delete Opportunity Sites Maps - Sheet OPS_014 and Sheet OPS_015.

Amendment 12 – Heritage Floor Space Scheme

Objectives and intended outcomes

To permit a degree of flexibility in gross floor area of buildings with registered heritage floor space.

Site identification

Land within the SP5 Metropolitan Centre zone in Sydney LEP 2012.

Explanation

This amendment provides for minor increases in gross floor area for a building awarded with heritage floor space, introducing flexibility and minimising some restrictions associated with the scheme to ensure its continued success and conservation of Central Sydney's heritage buildings.

Under cl 6.10(d) of Sydney LEP 2012 heritage floor space (HFS) may be recorded for an owner of a nominated heritage building if certain conditions are met. One of those conditions is that a covenant is registered on title preventing development that increases the total gross floor area of all buildings on the site or that increases the height of the heritage building.

It is proposed to amend this clause to permit a minor increase in the total gross floor area of all buildings on the site on which the heritage building is located, being an additional 5% of the gross floor area, or ~~200~~ 300sqm, whichever is the lesser. The restriction on the height of the building will remain.

Justification

The amendment provides flexibility to allow essential and minor works, such as those needed to achieve accessibility or meet fire safety requirements. Other minor works that can be demonstrated to not adversely affect the heritage significance of the building, and not increase the height of the building, could also be considered.

This amendment addresses concerns of those who have completed the process for an HFS award but are hesitant to enter into a covenant on title arrangement due to the restriction on Gross Floor Area (GFA). This would support the ongoing success of the scheme by removing barriers to increased supply of heritage floor space.

The amendment could be applied to a building that already has an award of HFS registered, subject to approval of the works by Council. Any existing HFS Deed and covenants on title relating to GFA restrictions would also need to be amended.

The base GFA from which the proposed additional GFA is to be calculated from is:

- the GFA of the building when the most recent HFS award was registered,

- if the building was listed at the commencement of Sydney LEP 2012 (14 December 2012) but it had not registered an HFS award—the GFA of the building at the time of the commencement of Sydney LEP 2012 (14 December 2012), or
- If the heritage building was listed as a heritage item on Sydney LEP 2012 after 14 December 2012—the GFA of the building on the date of the listing in Schedule 5.

Any proposed increase in gross floor area under this clause would still be subject to Clause 5.10 of LEP 2012 which requires consideration of impacts on the significance of a heritage item and a conservation management plan. Any works to increase the GFA would still need to be consistent with a conservation management plan approved for the building by the consent authority and be approved by Council.

The proposal is consistent with the Central Sydney Planning Strategy's key move to protect, enhance and expand heritage and public places. The Strategy aims to continue the protection of Sydney's heritage and seek innovative conservation methods, including the consideration of appropriate adaptation of heritage buildings for contemporary, economically productive and sustainable use.

The proposal aligns with City Plan 2036 which seeks to ensure that places of heritage significance are conserved by monitoring and reviewing the heritage floor space scheme as need to deliver conservation of Central Sydney's heritage buildings and places. The proposal is intended to remove some barriers to supply of HFS while ensuring ongoing protection of heritage buildings and support the ongoing success of the heritage floor space scheme.

Intended provisions

1. Amend Clause 6.10(2)(d) in Sydney LEP 2012 to allow for an additional 5% gross floor area, or maximum ~~200~~ 300sqm, whichever is the lesser, above the existing gross floor area of all buildings on the site on which the heritage building is located, without increasing the building height.
2. For the purposes of this clause, the 'existing gross floor area' is the total gross floor area of all buildings on the site which the heritage building is located:
 - on the date that the most recent heritage floor space award was registered, or
 - for buildings without registered heritage floor space awards:
 - i. on 14 December 2012, or
 - ii. on the date that the building was included in Schedule 5 if this occurred after 14 December 2012

~~Amendment 13 – Rezoning part of 9-13 & 22 O’Riordan Street, Alexandria~~

~~Objectives and intended outcomes~~

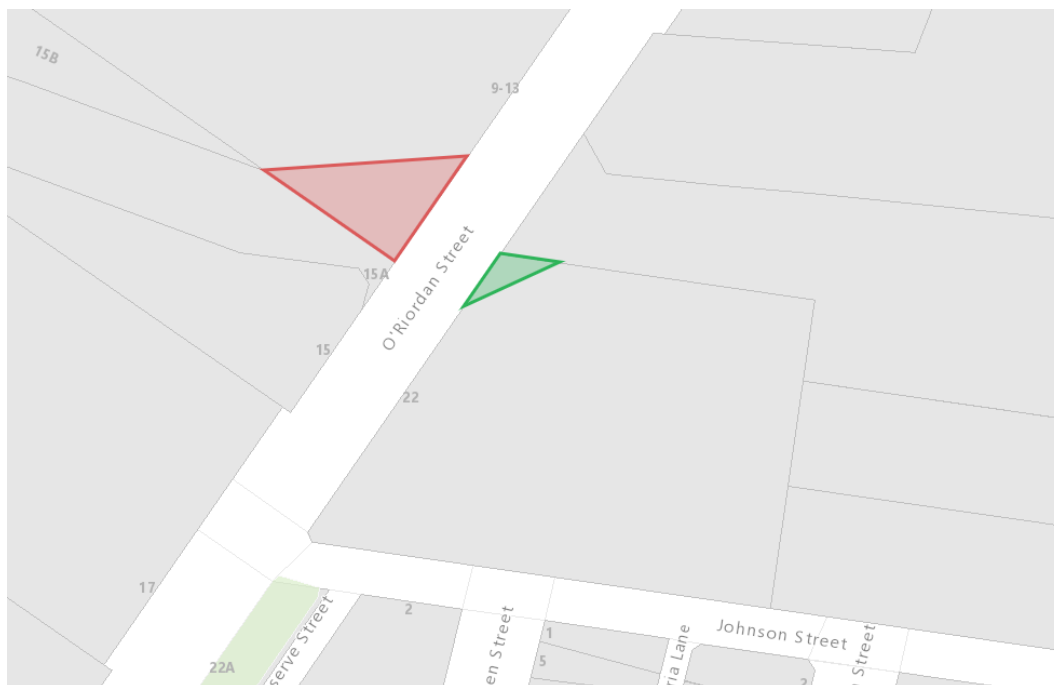
- ~~1. To facilitate construction of a road that is essential infrastructure needed to support development of the Green Square Town Centre.~~
- ~~2. To improve connectivity between the Green Square Town Centre, the Ashmore urban renewal precinct and the Inner West.~~

~~Site identification~~

~~The land to which this amendment applies is:~~

- ~~— a 519.5 square metre portion of the site at 9-13 O’Riordan Street (shown in red in Figure 33)~~
- ~~— a 38.53 square metre portion of 22 O’Riordan Street (shown in green in Figure 33)~~

~~Figure 33. Land identification of 9-13 and 22 O’Riordan Street, Alexandria~~



~~Explanation~~

~~This amendment proposes to rezone a portion of 9-13 O’Riordan Street and a portion of 22 O’Riordan Street, Alexandria from E3 – Productivity Support to SP2 Infrastructure (Local Road).~~

It also proposes to identify these sites for acquisition by a public authority, being the City of Sydney. This requires amendments to Part 5 Miscellaneous provisions in Sydney LEP 2012 as follows:

1. ~~Clause 5.1(2) — adding ‘Zone SP2 Infrastructure’ and marked ‘local road’ under ‘Type of land shown on Map’, and ‘Council’ under ‘Authority of the State’~~
2. ~~Clause 5.1A(3) — adding ‘Zone SP2 Infrastructure’ and marked ‘local road’ under ‘Column 1 Land’, and ‘Earthworks: Public utility undertakings; Roads’ under ‘Column 2 Development’.~~
3. ~~The Zoning Map and Land Reservation Acquisition Maps in Sydney LEP 2012 are to be amended accordingly.~~

~~The permissible use on this land is to be limited to the purpose shown on the Land Zoning Map, being for local road, any development that is ordinarily incidental or ancillary to development for that purpose, and any development that may be approved under Clause 5.3 Development near zone boundaries after the consent authority considers whether the development is compatible with the future use.~~

Justification

Background on the Green Square to Ashmore Connector

Since the late 1990s the Green Square to Ashmore Connector (Connector) road in Alexandria has been identified as a transport solution to improve access to the Green Square Town Centre. It was originally investigated in the ‘Green Square Structural Masterplan 1997’ and is included in the current Sydney Development Control Plan 2012.

The Connector is a 380 m long new local public access road that will connect Bourke Road in the west to Botany Road in the east. The road will initially operate as an active and public transport corridor (bus route with pedestrian and cycle access). A second stage allows for full private vehicle access.

The road is being delivered by the City of Sydney in two sections — the western section between Bourke Road/Bowden Street and O’Riordan Street (224 m), and the eastern section between O’Riordan Street and Botany Road (156 m). The City of Sydney has been acquiring the land required to deliver the Connector with individual sites requiring subdivision to create the road reservation.

The proposed rezoning of these two sites from E3 — Productivity Support to SP2 — Infrastructure secures the last two parcels of privately owned land, to enable full completion of the connector road. These two parcels are shown in Figure 34 below which identifies all sections of road alignment.

The proposed rezoning will ensure delivery of the Connector and:

- support redevelopment of the Green Square town centre, improve connectivity between the town centre, the Ashmore urban renewal precinct and the Inner West, and enable delivery of the Green Square trunk drain;
- support a process that is well advanced, with planning approval under Part 5 of the Environmental Planning and Assessment Act 1979 and detailed design for construction complete. Early works on the western section are underway and main works on the eastern section have commenced;
- ensure that all of the Connector land is secured to build the entire road to the approved design details.

Figure 34. Road alignment of Green Square to Ashmore Corridor

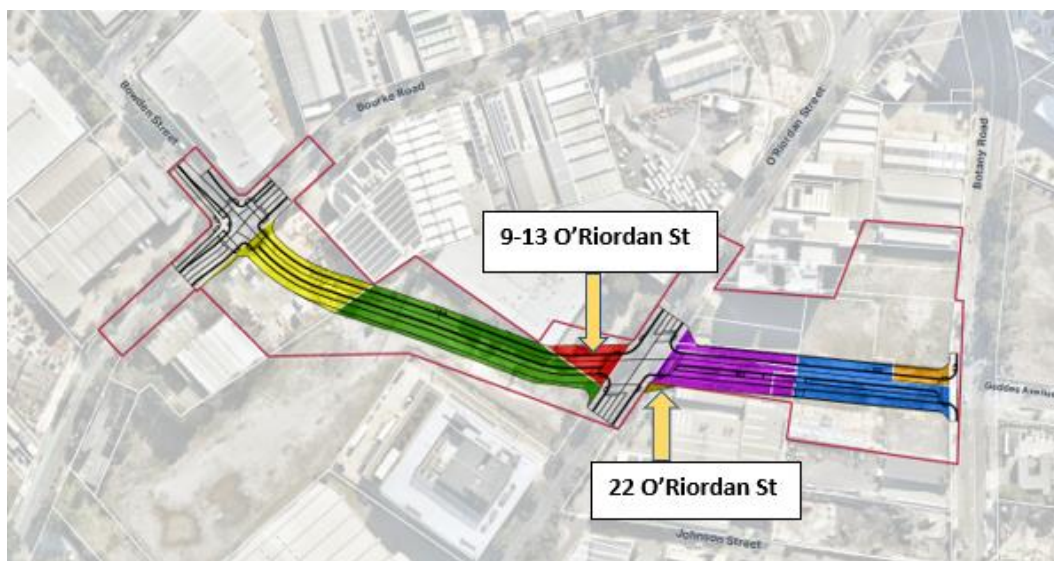


Table 6. Proposed rezoning of 9-13 and 22 O'Riordan Street, Alexandria

Property	Current zoning	Proposed zoning	Description
9-13 O'Riordan Street, Alexandria (portion)	E3-Productivity Support	SP2-Infrastructure (Local Road)	South-eastern corner of the Taxis Combined site, currently consisting of carpark and a small portion of the front of the depot building
22 O'Riordan Street, Alexandria (portion)	E3-Productivity Support	SP2-Infrastructure (Local Road)	North-western corner of a carpark and landscaping which forms part of a car dealership

Intended provisions and map changes

1. Amend the Zoning Map (as shown in Appendix B Local Environmental Plan Map Book) to show the subject land on the Zoning Map as SP2—Infrastructure with a notation as “SP2 Local Road”
2. Amend the Land Reservation Acquisition Map to reflect the above change and identify the subject land with a notation as “SP2 Local Road”.
3. Amend Part 5 Miscellaneous provisions to insert the following wording (or similar):
4. Clause 5.1(2)—adding “Zone SP2 Infrastructure and marked “Local road” under ‘Type of land shown on Map’, and “Council” under ‘Authority of the State’
5. Clause 5.1A(3)—adding “Zone SP2 Infrastructure and marked “Local road” under ‘Column 1 Land’, and “Earthworks; Public utility undertakings; Roads” under ‘Column 2 Development’

Amendment 14 – Development near zone boundaries

Objectives & intended outcomes

To allow land use flexibility adjacent to the SP2 Infrastructure zone boundaries.

Site identification

This amendment applies to land identified as ‘LEP Included’ on the Sydney LEP 2012 Land Application Map.

Explanation

This amendment seeks to amend clause 5.3 to increase the distance where land use flexibility is allowed to 12 metres, and clarify that this distance is from the boundary between the two zones. It seeks to allow flexibility only from the SP2 Infrastructure zone, and not the SP1 Special Activities zone.

The objective of Clause 5.3 Development near zone boundaries is to provide land use flexibility on either side of a zone boundary. It should allow land within an identified zone to access the range of permissible uses in the adjoining zone. Subclause 5.3(2) should identify the distance from the zone boundary where that flexibility can be applied.

However, Subclause 5.3(2) as drafted identifies the distance as being from land within the SP1 or SP2 zone, not from the boundary of the zone. The effect of this is to preclude the clause from applying within the SP2 zones.

To resolve problems with the application of Clause 5.3, subclause 5.3(2) is to be replaced with the following (or similar):

This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 12 metres within the Zone SP2 Infrastructure land from any boundary to adjacent land which has a different zoning.

Justification

Clause 5.3 is intended to allow some flexibility for land uses on either side of a zone boundary. The intention in Sydney LEP 2012 is to apply this flexibility on either side of a boundary with the SP1 or SP2 Infrastructure zones. However as drafted the clause does not function in this way. This amendment will allow the clause to function as intended.

Land use flexibility is important on streets where private properties facing the street are partially zoned SP2 Infrastructure for possible future road widening. This includes significant parts of Cleveland Street, McEvoy Street and Botany Road, where the affected area of the private property is up to 12 metres deep as shown in Figure 35. The effect of the partial SP2 zoning for these properties is to place unreasonable restrictions on the use of the land while waiting for the future

road-widening to be confirmed. The relevant distance from the zone boundary is proposed to be 12 metres. Allowing land use flexibility within a 12 metre distance from the SP2 boundaries will allow for the appropriate use of the land. For flexibility to be applied, the consent authority must be satisfied the use will not be inconsistent with the objectives for the SP2 zone.

As this predominantly impacts land that is zoned SP2 Infrastructure, the amended clause will remove reference to SP1 Special Activities. The objective of the SP1 Special Activities zone is to protect special uses not available in other zones. Within the City of Sydney LGA, this zone primarily comprises Defence lands and other public uses including the Fish Markets, Sydney Cricket Ground and adjacent stadium.

These sites are primarily owned by the state and federal governments with various approval pathways available to them should they wish to expand the range of land uses within those sites. There is no planning purpose served by allowing increased land-use flexibility within the SP1 Special Activities zone.

Figure 35. Land Zoning and Reservation Maps showing SP2 Infrastructure zones



Intended provisions

1. Amend Clause 5.3(2) in Sydney Local Environmental Plan 2012 to:
 - allow the reuse of existing buildings that are affected by the SP2 zone and identified for future road widening
 - specify that the relevant distance is located within land in a Zone SP2 Infrastructure and measured from the boundary of the adjacent land having a different zoning.
2. Identify the relevant distance as 12 metres within the SP2 Infrastructure land.
3. Amend Clause 5.3 to remove reference to the SP1 Special Activities zone.

Amendment 16 – 257 Sussex Street, Sydney: Building Height and Floor Space Ratio

Objectives & intended outcomes

To correct an omission in SLEP 2012 by allocating maximum height of buildings and floor space ratio controls to 257 Sussex Street, Sydney.

Site identification

The site is located on the southern side of the intersection between Sussex Street and Druiitt Street and is legally described as Lot 2 in DP 1031912. The site is shown in Figure 36 below.

This amendment applies only to the southern portion of Lot 2 in DP 1031912 as shown in Figure 37. The Lot is severed by the on-ramp to the Western Distributor at Sussex Street, Sydney. The southern portion is not required for future road purposes while the northern portion of the Lot is required and utilised for road purposes.

The site is owned by Transport for NSW and has an approximate area of 80 square metres. It currently contains a three-storey commercial building with a convenience store on the ground level and Essential Energy substations on the upper levels. The northern portion of the subject site has an approximate area of 360 square metres and is currently used for motorcycle parking.

Figure 36. 257 Sussex Street (subject site)

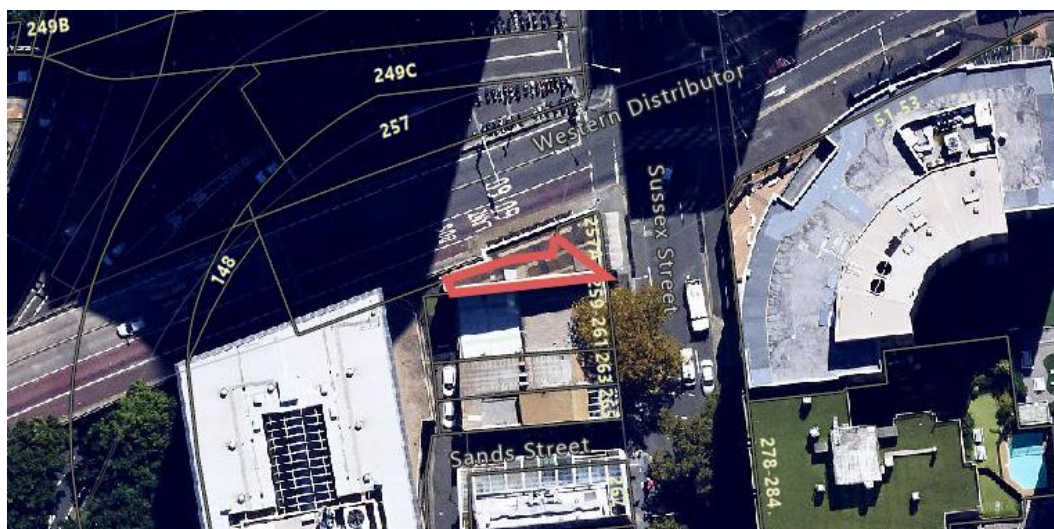
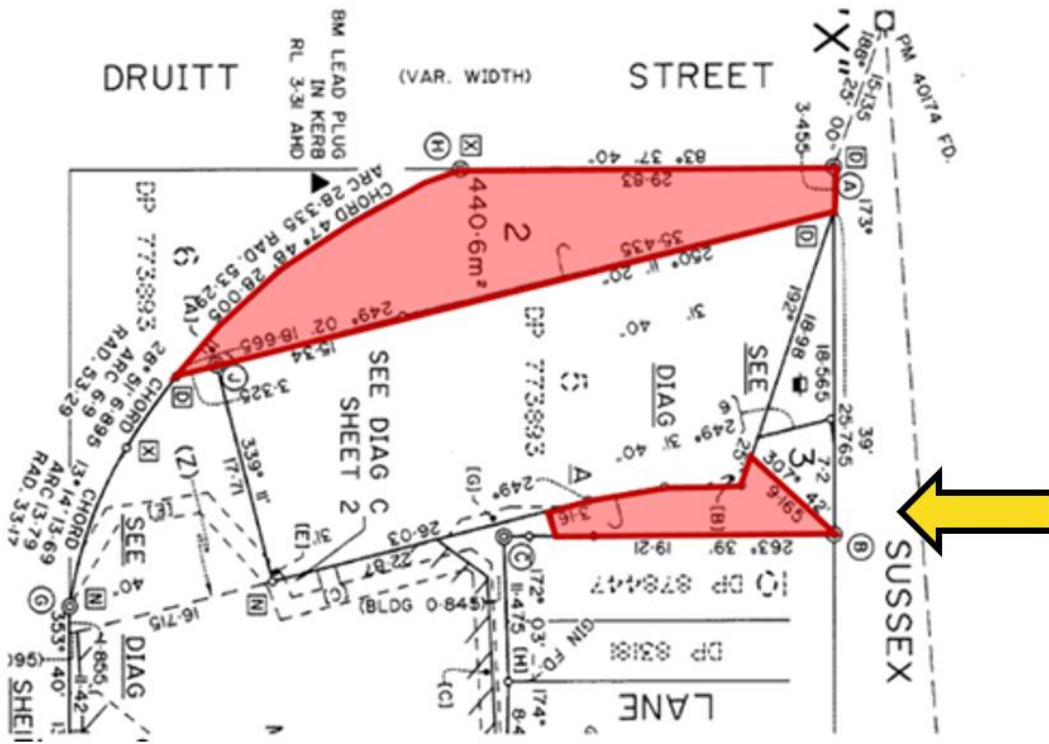


Figure 37. Location of subject site indicated by arrow and northern portion



Explanation

This amendment provides a context-appropriate floor space ratio and height of building control for 257 Sussex Street, Sydney, correcting a Sydney LEP 2012 omission.

The site has no applicable maximum Height of Building or Floor Space Ratio development standards under Sydney LEP 2012. This is shown in Figure 38 below.

It is proposed to amend Sydney LEP 2012 Maps to apply a 45m height of building control and 7.5:1 Floor Space Ratio control to the site to match neighbouring sites.

Figure 38. FSR & Height of Building LEP controls for 257 Sussex Street



Justification

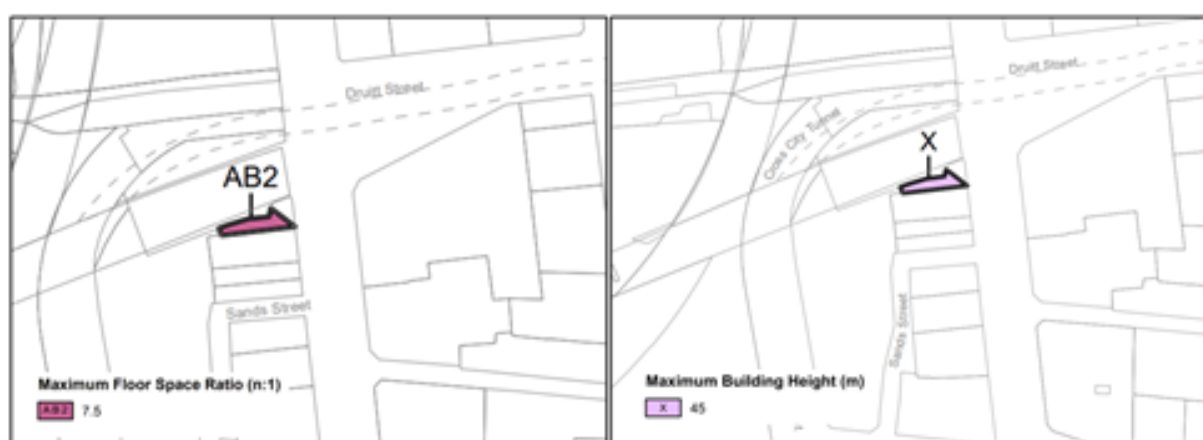
Transport for NSW has requested that errors in height and FSR maps Sydney LEP 2012 affecting 257 Sussex Street are corrected. Sydney LEP 2012 currently does not map a height of building or floor space ratio control for this land, despite being zoned SP5 – Metropolitan Centre and being subject to other provisions in Sydney LEP 2012.

Adjoining properties and other properties within the site's immediate street block have a mapped floor space ratio control of 7.5:1 and height of buildings control of 45m.

It is reasonable for height and FSR development standards for 257 Sussex Street to match these. This change will promote the orderly and economic use and development of land in accordance with objective (c) of the EP&A Act and provide certainty for any future development of the site.

The Height of Buildings and Floor Space Ratio Maps are to be amended as shown in Appendix B Local Environmental Plan Map Book and indicated in Figure 39 below.

Figure 39. Proposed Height and FSR controls for 257 Sussex Street



The site is zoned SP5 Metropolitan Centre and is capable of being developed to the full range of uses of all sites around it. Without Maximum Height of Buildings and Floor Space Ratio controls, development on the site would be assessed on its merit, rather than against specific development standards. This amendment simply ascribes the development standards available to all surrounding sites.

There is no material change to the site's development potential, nor will this amendment result in an intensification of development. The site is small and any major redevelopment would require amalgamation with the adjoining sites. Matching their controls is therefore appropriate for the subject site, otherwise an amalgamated site could take advantage of no FSR control on the subject site.

Similar to the surrounding developed sites, the subject site is likely to be flood prone. However, as the proposed controls match those of adjoining sites, they are unlikely to result in significant flood impacts that cannot be managed through development conditions. Furthermore, future development is able to comply with the City's Interim Floodplain Management Policy.

Intended provisions and map changes

1. Amend Height of Building and Floor Space Ratio Maps in accordance with the maps in Appendix B Local Environmental Plan Map Book.

Amendment 16 – Affordable housing contributions

Objectives and intended outcomes

To clarify the types of applications that may be subject to an affordable housing contribution in Central Sydney and on residual land.

Site identification

This amendment applies to land subject to the provisions of Clause 7.13 Contribution for purpose of affordable housing in Sydney LEP 2012.

Explanation

This amendment clarifies that an affordable housing contribution on residual land or in Central Sydney applies to both a development application and any associated modification of a development consent where additional floor space is approved, consistent with how affordable housing contributions are applied across rest of the LGA.

It is proposed to amend Clause 7.13 to clarify that an affordable housing contribution may apply to a development application or an application for modification of a development consent for development on land in Central Sydney or on residual land.

Justification

Subclauses 7.13(2A) and (2B), which apply to Green Square, employment lands and Ultimo-Pyrmont, allow for an affordable housing contribution to apply to a development, including a development application or an associated application for modification of a development consent.

However, for subclause 7.13(2C), which applies to Central Sydney or land identified as residual land, it is not clear that an affordable housing contribution should apply to a modification of a development consent associated with a development application lodged after 1 July 2021.

Affordable housing contribution requirements in Central Sydney or on residual land were introduced when the City's Affordable Housing Program came into effect on 1 July 2021. The affordable housing contribution was phased-in to allow the market to adjust. This means an affordable housing contribution in Central Sydney or on residual land commenced at half rate for development applications lodged from 1 July 2021 up until 1 July 2022 when the full rate then came into effect.

It is proposed to amend the clause to make clear an affordable housing contribution applies to both a development application and any associated modification of a development consent where it is in relation to a development application lodged after 1 July 2021. This will ensure that where a modification application is lodged after 2 July 2022 the full contribution rate will be applied to newly approved gross floor area in any consent, even if the reduced rate applied to the original development application. This will ensure consistency with how affordable housing contributions are applied across the council area.

Updating the provisions to include modifications to a development consent clarifies that modifications in Central Sydney or on residual lands that result in an increase to the approved floor area will be subject to an affordable housing contribution. It is noted that this additional contribution will only apply to the increase in floor area. Some general examples are included below to clarify the intent of this amendment.

Example

A development application on residual land approved the construction of a new building comprising 10,000m² of residential floor area.

This consent was the subject to a modification that approved an additional 500m² of residential floor area. In this instance, the additional 500m² will be subject to an affordable housing contribution.

Example

A modification for a new mezzanine with 200m² of non-residential floor area, is made for an existing commercial building in Central Sydney. The existing total floor area is 2,000m². An affordable housing contribution would therefore be applied on the additional 200m².

The City's Affordable Housing Program applies an affordable housing contribution to new floor area, or to a more intense land use for development in Central Sydney or on residual lands. For modifications that approve a change to a more intense land use, the approved floor area for the new use would therefore be subject to an affordable housing contribution.

Example

Development consent for a mixed use building on residual land approved a mix of 50% residential and 50% hotel use.

This consent was subsequently modified to change the land use mix, resulting in 1,500m² of additional residential floor space. An affordable housing contribution would be applied to the 1,500m² residential floor space as this is considered a more intense land use.

This amendment seeks to clarify instances where affordable housing contributions are applicable in Sydney LEP 2012 for development in Central Sydney and residual lands, no change is being made to the City's Affordable Housing Program.

Intended provisions

1. Amend clause 7.13(2C)(b) of Sydney Local Environmental Plan 2012 to include the following wording or similar after 'development application': 'or an associated application for modification of a development consent'

~~Amendment 17 – Cross City Tunnel ventilation stack~~

~~Objectives and intended outcomes~~

~~To repeal the provision in Sydney LEP 2012 that requires development near the Cross City Tunnel ventilation stack to consider impacts on emissions dispersal.~~

~~Site identification~~

~~Land identified as “Land Affected by Cross City Tunnel Ventilation Stack” on the Locality and Site Identification Map in Sydney LEP 2012. This land is located in Sydney, Haymarket, Ultimo and Pyrmont as shown in Figure 40 below.~~

~~Explanation~~

~~This amendment repeals the outdated Development near Cross City Tunnel ventilation stack provisions that apply in Sydney, Haymarket, Ultimo and Pyrmont. It is proposed to remove the following from Sydney LEP 2012:~~

- ~~1. clause 7.24 Development near Cross City Tunnel ventilation stack~~
- ~~2. The “Land Affected by Cross City Tunnel Ventilation Stack” layer in the Locality and Site Identification Map, (CL1_007; CL1_008; CL1_014; CL1_015).~~

~~Related provisions in the Sydney DCP 2012 will also be repealed. Proponents will no longer be required to submit an air quality assessment with a development application.~~

~~Justification~~

~~Clause 7.24 Development near Cross City Tunnel ventilation stack of Sydney LEP 2012 requires the consent authority to be satisfied that development will not adversely affect the dispersal of emissions from the ventilation stack and to ensure that persons using the future development are not unduly affected by those emissions. Sites affected by this provision are identified on the Locality and Site Identification Map in Sydney LEP 2012 with a 500 metre radius from the ventilation stack that captures sites in Sydney, Haymarket, Ultimo and Pyrmont. To support this clause, Sydney DCP 2012 requires an air quality report by a suitably qualified expert be submitted detailing the impact of future development on and from the dispersal of emissions from the ventilation stack.~~

~~Background~~

~~The Cross City Tunnel links the Eastern Distributor to the Western Distributor and connects Kings Cross to Darling Harbour. Vehicle emissions are removed via a ventilation stack at the western end of the tunnel adjacent to the Western Distributor viaducts in Darling Harbour. During the initial project stages, concern was raised regarding the impact of new buildings on the dispersal of emissions. Wind tunnel and computer-based dispersion modelling that accompanied the project's Environmental Impact Statement found potential impacts to be acceptable. Notwithstanding, a~~

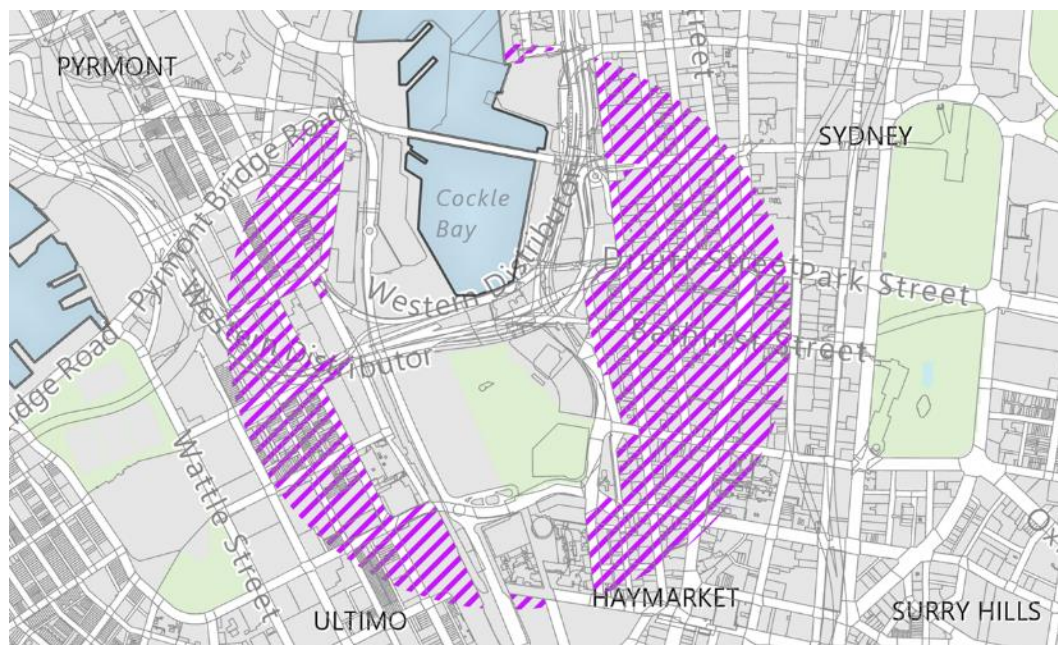
~~condition of consent was imposed on the tunnel approval requiring new buildings near to the ventilation stack to be subject to air quality considerations as part of the assessment process, resulting in the subject clause.~~

~~City staff have reviewed air quality assessment reports that accompanied affected development applications. The review found that no air quality assessment reports identified a material impact on the dispersal of emissions from the ventilation stack, nor was any development adversely impacted by the ventilation stack. Submitted air quality reports found that measured concentrations of emissions both prior to and following commissioning of the tunnel were relatively similar, and that the ventilation stack is unlikely to be a major contributor to pollutant concentrations.~~

~~Recent vehicle ownership trends towards fuel efficient, hybrid and electric vehicles suggest overall emissions will continue to reduce. Local air quality, including emissions from the ventilation stack will continue to be monitored by the NSW Environmental Protection Agency (EPA).~~

~~This amendment is consistent with the relevant directions of City Plan 2036, the City's local strategic planning statement in that it helps streamline the development application assessment process. Where directed by the consent authority, an air quality report may still be required to be submitted with a development application, particularly when in close proximity to a ventilation stack as has been the case with other ventilation stacks in the LGA.~~

~~Figure 40. Land affected by Cross City Tunnel ventilation stack~~



~~Intended provisions and map changes~~

~~Remove the following from Sydney LEP 2012:~~

- ~~1. Clause 7.24 Development near Cross City Tunnel ventilation stack~~
- ~~2. The “Land Affected by Cross City Tunnel Ventilation Stack” layer in the Locality and Site Identification Map—sheets CL1_007; CL1_008; CL1_014 and; CL1_015.~~

Amendment 18 – Integration of planning controls

Objectives and intended outcomes

1. To simplify the City of Sydney's planning framework by reducing the number of other planning instruments that apply.
 2. To integrate the planning controls for Harold Park, the Glebe Affordable Housing Project, Central Park, 216 – 412 Gardeners Road, Rosebery and parts of Redfern, Waterloo and Eveleigh into the Sydney Local Environmental Plan 2012.
 3. To ensure that the new controls in the LEP are translated from the relevant planning instruments, development approvals and existing built form within the framework of the Standard Instrument Local Environmental Plan.
 4. To ensure affordable housing contributions are captured for development that occurs on land to be integrated.
-

Site identification

This amendment applies to areas identified as 'Integration Area', which are currently not subject to Sydney LEP 2012, and is shown in Figure 41 below, and in the Land Application Map in the Map Book.

Explanation

This amendment integrates 'legacy' planning controls for major development precincts into Sydney LEP 2012. The areas to be integrated include the former Carlton United Brewery site on Broadway (Central Park), Harold Park, Glebe Affordable Housing Project and certain Redfern Waterloo Authority Area sites. It also brings sites along Gardeners Road, Rosebery into Sydney LEP 2012.

Some areas within the City of Sydney local government area are not covered by the provisions of Sydney LEP 2012. Development on these sites are subject to 'legacy' planning control frameworks, including Part 3A Concept Plans, state significant development approvals, or separate site-specific planning instruments. This has resulted in a fragmented and complex set of planning controls that apply to the City of Sydney.

In most instances the purpose of the planning controls for these areas has been to shape their redevelopment. The redevelopment of these areas is now largely complete, and it is now appropriate that the planning controls are integrated into the Sydney LEP 2012.

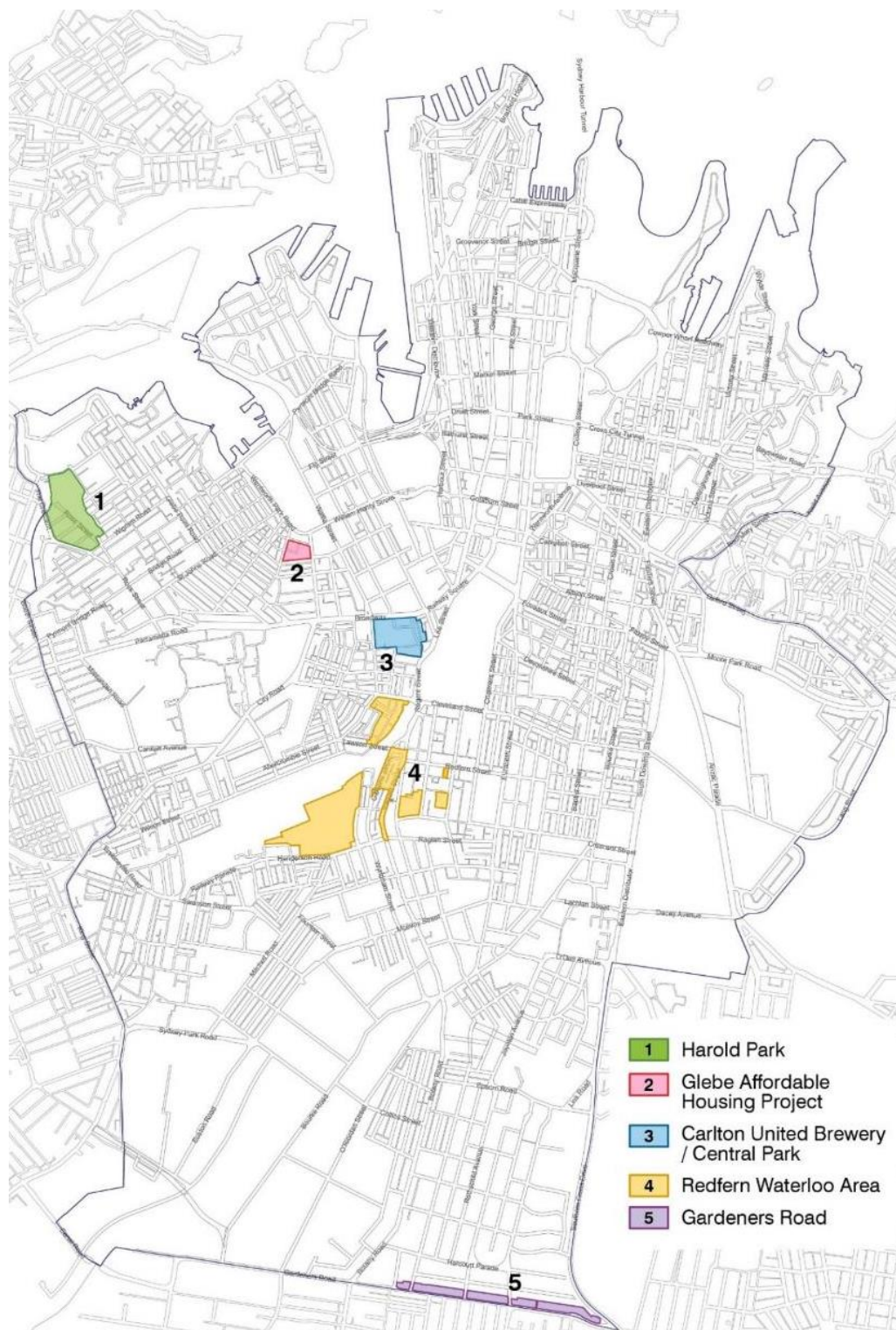
This amendment brings the existing building control or approved built form for the integration area sites into Sydney LEP 2012. It does this within the confines of the NSW Standard Instrument Local Environmental Plan, which requires the use of mapped Maximum Height of Building and Maximum Floor Space Ratio controls. In bringing the sites into Sydney LEP, an important consideration has been limiting the number of new Height of Building and Floor Space Ratio map categories that need to be created and mapped.

Due to the complexities of State Significant Development Approvals, land ownership and site identification within Central Park, the approach will be to use RL values for building heights and approved Gross Floor Area instead of Floor Space Ratio maps. A new map, "Special Provisions

Map” and accompanying schedule in the LEP will be introduced to clearly detail the approved gross floor area for sites in the Central Park precinct.

The affected areas, respective planning frameworks and planning controls proposed to be integrated into the Sydney LEP 2012 are shown in Figure 41, outlined below and summarised in Table 7. The proposed changes to maps are shown at Appendix B Local Environmental Plan Map Book.

Figure 41. Integration Areas to be incorporated into Sydney LEP 2012



The approaches used to integrate these precincts into Sydney LEP are summarised in Table 7 and in further detail below.

Table 7. Integration areas and controls to be incorporated into Sydney LEP 2012

Integration area / precinct	Central Park / Broadway (CUB)	Harold Park	Glebe Affordable Housing Project	Redfern Waterloo Authority Areas			216 – 412 Gardeners Road, Rosebery
				NCIE, Rachel Forster, South Eveleigh, Pemulwuy Regent & Gibbons St	Rowley Street	Eveleigh Street Precinct	
Planning instrument	Sydney LEP 2005 State Environmental Planning Policy (Planning Systems) 2021	Sydney LEP (Harold Park) 2011	Sydney LEP (Glebe Affordable Housing Project) 2011	State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021			South Sydney Local Environmental Plan 1998
Reason for inclusion	Renewal complete. Reflects approved and delivered development.	Renewal complete. Reflects approved and delivered development.	Renewal complete. Reflects approved and delivered development.	Renewal has largely been completed. Reflects approved and delivered development or current controls where renewal has not yet been carried out.			Previously deferred. Controls to match surrounding built form character.
Land zoning	Matches use and approval	Matches use and approval	Matches use and approval	Matches use and approval	Matches use	Matches use and approval	Matches surrounding area
Building height	Approved building height (RL) mapped	Approved building height mapped	Approved building height mapped	Approved building height mapped	Mapped	Mapped	Mapped
Floor space	Approved GFA in LEP	Mapped FSR (approx. approved GFA)	Mapped FSR (approx. approved GFA)	Mapped FSR (approx. approved GFA)	Mapped FSR	Mapped FSR	Mapped FSR
Heritage	Mapped	Mapped	N/A	Mapped	Mapped	Mapped	N/A
Acid sulfate soils	Mapped	Mapped	Mapped	Mapped	Mapped	Mapped	Mapped
Affordable housing	Mapped	Mapped	Mapped	Mapped	Mapped	Mapped	Mapped
LUTI	Matches surrounding area	Matches surrounding area	Matches surrounding area	Matches surrounding area Updates reflect recent projects (Waterloo Metro, Redfern south)		Matches surrounding area	Matches surrounding area
PTAL	Matches surrounding area	Matches surrounding area	Matches surrounding area	Matches surrounding area Updates reflect recent projects (Waterloo Metro, Redfern south)		Matches surrounding area	Matches surrounding area

Planning instruments

Harold Park / Glebe Affordable Housing Project / 216 – 412 Gardeners Road, Rosebery

It is proposed the planning instruments for these integration areas, Sydney LEP (Harold Park) 2011 and Sydney LEP (Glebe Affordable Housing Project) 2011 will be revoked as part of this planning proposal and integrated in Sydney LEP 2012.

The South Sydney Local Environmental Plan 1998 will be updated to remove the sites along Gardeners Road, Rosebery from the applicable maps as detailed in the Intended Provisions for this amendment. The 1998 LEP will continue to apply to sites in the Redfern Estate.

These Integration Areas will be identified on the Sydney LEP 2012 Land Application Map, which will enable proposed Sydney LEP 2012 development controls and maps to come into effect.

Central Park

Central Park (formerly known as the CUB site) is identified as a State Significant Development (SSD) site in State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP). The provisions of Sydney LEP 2005 also apply to the site. A Concept Approval came into force in 2007 and details gross floor area and mix, parking, open space and public domain, heritage and developer contributions. As all buildings are now approved or built, it is proposed to insert planning controls that align with Concept Plan approvals into Sydney LEP 2012 and request the Concept Plan be revoked. This amendment also proposes to revoke Sydney LEP 2005.

It is noted that the City has no power to rescind an approved SSD Concept Plan, which can only be surrendered voluntarily with owners consent. The City has received preliminary support from the Department of Planning and Environment regarding the intent to revoke the Concept Plan, subject to approval from landowners.

Following approval of this planning proposal, the City will formally write to landowners and the Department to gain consent and begin the process of having the Concept Plan revoked.

Redfern-Waterloo Authority Areas

The sites that comprise the former Redfern Waterloo Authority area sit under State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021 (Eastern Harbour SEPP) and land at South Eveleigh is subject to an SSD approval.

The City requests the Department amend the Eastern Harbour SEPP to delete the subject Redfern Waterloo land and facilitate its inclusion in Sydney LEP 2012. Following the revocation of the planning instruments, the integration areas shall be identified on the Sydney LEP 2012 Land Application Map and the planning controls for these integrated areas under Sydney LEP 2012 will come into effect.

Floor Space Ratio and Gross Floor Area controls

Floor space and gross floor area controls will be brought into Sydney LEP consistent with Standard Instrument practice to map floor space ratio (FSR) within existing FSR categories where possible. The exception is Central Park, where a Gross Floor Area (GFA) control will be applied.

The approach has been to minimise the creation of new development potential. A new FSR category has been created where the difference between approved or built floor space and the nearest existing FSR category is greater than 10%. A difference of up to 10% is considered acceptable for these sites, which have all recently completed redevelopment and which will be very unlikely to redevelop again in the medium term.

Table 8 summarises the floor space ratio controls proposed.

Central Park

For the Central Park precinct, the floor space is expressed as a gross floor area quantum for each block. Due to the detail required to clearly illustrate the GFA that applies within each development block, a new “Special Provisions Map” is to be introduced to identify the development blocks.

The Sydney LEP 2012 will be updated to include a new schedule which prescribes the maximum gross floor area for each development block in the Central Park precinct and will be identified on the Special Provisions Map. The proposed schedule can be found in the intended provisions section of this amendment.

Harold Park / Glebe Affordable Housing Project

In their respective planning instruments, each precinct was attributed a base floor space ratio, i.e. Harold Park - 1.15:1 and Glebe – 1.3:1, which included incentives for social housing delivery and sustainability improvements. Now that each precinct has largely been completed, this figure does not best reflect the distribution of development across the sites. For both the Harold Park and Glebe Affordable Housing precincts, the Sydney LEP 2012 Floor Space Ratio Map will be updated to include a mapped FSR control for each site. The proposed controls reflect the approved gross floor area for each building, expressed as a mapped FSR.

Redfern-Waterloo Authority Areas

National Centre for Indigenous Excellence (NCIE), Pemulwuy Project, Rachel Foster Hospital, Regent & Gibbons Street, and South Eveleigh

Floor space controls are based on State Significant Development and Major Project approvals for these sites, which have now largely been completed or have had substantial construction work commenced. The approved floor area for each building will be expressed as a mapped FSR control shown on the Sydney LEP 2012 Floor Space Ratio Map closely matching the approved gross floor area.

Eveleigh Street precinct

The mapped FSRs assigned to properties for this precinct in the SEPP will be directly transferred to the Sydney LEP 2012 Floor Space Ratio Map. This is consistent with the existing and future desired character and density of the area.

The transfer of the above sites to Sydney LEP 2012 requires the sites to be removed from the Eastern Harbour City SEPP Gross Floor Area and Floor Space Ratio maps. These map changes are detailed in the intended provisions section of this amendment and shown in Appendix B to this planning proposal, where the affected lands have been removed.

Rowley Street

A mapped FSR of 1.5:1 will be assigned to the subject sites on Rowley Street in the Sydney LEP 2012 Floor Space Ratio Map, based on floor plans of the buildings. This will reflect the as built development, its character and density.

216 – 412 Gardeners Road, Rosebery

An FSR of 0.6:1 currently applies to this land under South Sydney DCP 1997, consistent with that adjoining development in Rosebery to the north. It is proposed to transfer this 0.6:1 FSR control into the Sydney LEP 2012 Floor Space Ratio Map. This will ensure the existing low density character of the land is retained and that it matches the surrounding area.

Table 8. Translation of Floor Space Ratio controls for Integration Areas

Integration area and address	Approved Gross floor area	Equivalent FSR	Proposed FSR	GFA difference (%)
<u>Harold Park</u>				
2 Scotsman Street	28,712 m ²	3.08:1	V2 – 3.12:1	1.36%
95-105 Ross Street	8,932 m ²	4.65:1	Y3 – 4.68:1	0.55%
119-137 Ross Street	9,673 m ²	4.41:1	Y1 – 4.5:1	1.97%
164 Ross Street	30,200 m ²	3.05:1	V2 – 3.12:1	2.27%
6 Maxwell Road	4,854 m ²	1.80:1	S4 – 1.85:1	1.00%
139-159 Ross Street	10,595 m ²	4.67:1	Y3 – 4.68:1	0.27%
1 Cullen Close	20,381 m ²	3.30:1	V4 – 3.41:1	3.20%
110 Ross Street	5,519 m ²	2.21:1	T2 – 2.25:1	1.92%
86 Wigram Road	7,518 m ²	1.96:1	T1 – 2:1	1.78%
Tramsheds – 1 Dalgai Way	14,625 m ²	1.23:1	P2 – 1.25:1	1.28%
Public space – 1 Dalgai Way	0 m ²		N/A	
<u>Glebe Affordable Housing Project</u>				
4-6 Elger Street	11,345 m ²	3.31:1	V4 – 3.41:1	9.86%
1-5 Wentworth Street	8,140 m ²	4.14:1	X2 – 4.16:1	1.75%
2 Elger Street	3,370 m ²	2.63:1	U5 – 2.65:1	1.72%
1-3 Elger Street	7,615 m ²	2.67:1	U6 – 2.75:1	7.81%
5 Elger Street	7,750 m ²	2.40:1	T3 – 2.4:1	0.00%
Elger Street (private street section)	0 m ²		N/A	
<u>Redfern Waterloo Authority Area</u>				
2 Locomotive Street	42,055 m ²	1.55:1	S2 – 1.55:1	0.29%
6 Cornwallis Street	1,300 m ²	1.15:1	P1 – 1.2:1	4.22%
2-4 Cornwallis Street	6,947 m ²	1.85:1	S4 – 1.85:1	0.00%
13 Garden Street	12,805 m ²	3.98:1	X1 – 4:1	0.43%
25 Garden Street	3,976 m ²	1.78:1	S4 – 1.85:1	4.23%

Appendix A – Local Environmental Plan Amendments

Integration area and address	Approved Gross floor area	Equivalent FSR	Proposed FSR	GFA difference (%)
27 Garden Street	2,840 m ²	2.32:1	T3 – 2.4:1	3.44%
1 Central Street	8,305 m ²	3.05:1	V2 – 3.12:1	2.45%
6-8 Central Street	46,830 m ²	2.92:1	V1 – 3:1	2.75%
1-3 Locomotive Street	56,686 m ²	4.78:1	Y5 – 4.8:1	0.34%
5-7 Central Street	44,000 m ²	5.30:1	Z2 – 5.31:1	0.15%
2 Davy Road	4,317 m ²	2.23:1	T2 – 2.25:1	0.96%
77-123 Eveleigh Street	16,530 m ²	7.38:1	AB2 – 7.5:1	1.68%
Publicly accessible open space	0 m ²		N/A	
1 Lawson Square	12,993 m ²	7.67:1	AB3 – 7.78:1	1.49%
157-161 Redfern Street	11,531 m ²	6.99:1	AB1 – 7:1	0.16%
7-9 Gibbons Street	11,326 m ²	7.00:1	AB1 – 7:1	0.00%
11 Gibbons Street	13,216 m ²	9.47:1	AD2 9.5:1	0.35%
13-15 Gibbons Street	10,601 m ²	7.60:1	AB3 – 7.78:1	2.38%
66 Regent Street	9,885 m ²	6.92:1	AB1 – 7:1	1.12%
80-88 Regent Street	7,377 m ²	9.41:1	AD2 – 9.5:1	0.96%
100 Regent Street	9,001 m ²	7.65:1	AB3 – 7.78:1	1.65%
104-116 Regent Street	9,557 m ²	7.00:1	AB1 – 7:1	0.05%
134-144 Pitt Street	15,592 m ²	2.25:1	T2 – 2.25:1	0.08%
103-105 Redfern Street	1,843 m ²	1.13:1	P1 – 1.2:1	6.20%
various – Hudson, Eveleigh & Woodburn Streets		N/A	V1 – 3:1	N/A
various – Eveleigh & Holden Streets		N/A	T1 – 2:1	N/A
Pemulwuy precinct		N/A	S1 – 1.5:1	N/A
160-202 George Street		N/A	T1 – 2:1	N/A
117-123 Cope Street		N/A	T1 – 2:1	N/A
various – Rowley Street		N/A	S1 – 1.5:1	N/A

Height of Buildings

Height of building controls will be brought into Sydney LEP consistent with Standard Instrument practice to map maximum Height of Building (HOB) within existing HOB categories where possible. The exception is Central Park, where heights will be mapped as RL values. The approach taken minimises the creation of any new development opportunity.

Table 9 summarises the proposed height of building controls.

Central Park

For the Central Park precinct, it is proposed that the Height of Buildings development control will be expressed as RL heights rather than above ground heights. These controls will more accurately reflect the development approval and will minimise errors in interpretation.

The heritage listed retail terraces fronting Kensington Street in the Central Park precinct are proposed to be assigned an “existing height” control to ensure their heritage context is protected.

No height of building control will apply for public domain areas to protect streets, parks and public open space.

Redfern-Waterloo Authority Areas

Former Redfern Courthouse, NCIE, Pemulwuy Project, Rachel Foster Hospital, Regent & Gibbons Street, and South Eveleigh

The Height of Buildings development control has been determined based on a review of SSD and Major Project approvals and examination of existing built form.

It is proposed the heritage listed former Redfern Courthouse, NCIE (former Redfern Public School building) and former Locomotive Workshop in South Eveleigh are assigned an “existing height” control on the Sydney LEP Height of Buildings Map. This reflects the general approach taken across the Integration Areas and will help protect the heritage values of the buildings.

Rowley Street

A mapped building height of 18 metres will be included for the sites on Rowley Street in the Sydney LEP 2012 Height of Buildings Map, and accommodates the tallest building in the project, reflecting the existing height.

Eveleigh Street precinct

It is the proposed that the height of building development control for the residential and warehouse sites in this precinct are directly transferred from the SEPP and translated from a height in storeys into a height in metres control.

The transfer of these sites into Sydney LEP requires the sites to be removed from the Eastern Harbour City SEPP Height of Buildings Map, which is detailed in the intended provisions section of this amendment and shown in Appendix B to this planning proposal, where the affected lands have been removed.

216 – 412 Gardeners Road, Rosebery

The height control for the Gardeners Road sites is set by the accompanying South Sydney DCP 1997 at 5.2 metres. Much of the adjoining development in Rosebery already exceeds this height, as does some buildings on Gardeners Road.

To ensure that this land is subject to the same control as the rest of Rosebery, a 7.5m mapped Height of Building control is proposed in the Sydney LEP 2012 Height of Building Map

Table 9. Translation of Height of Building controls for Integration Areas

Integration area and address	Approved height of building (RL)	Proposed height of building control (m)
<u>Harold Park</u>		
2 Scotsman Street	30 / 36 RL	R – 22m / T2 – 27m
95-105 Ross Street	36 RL	T2 – 27m
119-137 Ross Street	36 RL	T2 – 27m
164 Ross Street	28 / 36 RL	R – 22m / 27m
6 Maxwell Road	22.5 RL	O – 15m
139-159 Ross Street	36 RL	T2 – 27m
1 Cullen Close	10.9 / 25.5 / 34.9 RL	R – 22m / 28m
110 Ross Street	27 RL	Q2 – 20m
86 Wigram Road	26.75 RL	P – 18m
Tramsheds – 1 Dalgai Way	16 RL	A – 3m / M – 12m
Public space – 1 Dalgai Way	N/A	A – 3m
<u>Glebe Affordable Housing Project</u>		
4-6 Elger Street	19.8 / 20.4 / 33 / 33.75 RL	R – 22m / T3 – 28m
1-5 Wentworth Street	31.1 / 32.5 / 34.15 RL	T3 – 28m / U1 – 30m
2 Elger Street	31.1 RL	R – 22m
1-3 Elger Street	28.3 / 34.5 RL	Q2 – 20m / T4 – 29m
5 Elger Street	27 / 28.1 / 37.1 RL	P – 18m / S2 – 24m
Elger Street (private street section)	N/A	A – 3m
<u>Redfern Waterloo Authority Area</u>		
2 Locomotive Street	Existing height	Area 12
6 Cornwallis Street	Existing height	Area 12
2-4 Cornwallis Street	Existing height	Area 12
13 Garden Street	44.5 RL	T3 – 28m
25 Garden Street	30 RL	O – 15m

Appendix A – Local Environmental Plan Amendments

Integration area and address	Approved height of building (RL)	Proposed height of building control (m)
27 Garden Street	30 RL	O – 15m
1 Central Street	44.5 RL	T4 – 29m
6-8 Central Street	34 / 64.5 RL	P – 18m / Y – 50m
1-3 Locomotive Street	52 RL	V1 – 35m
5-7 Central Street	61 RL	X – 45m
2 Davy Road	38.5 RL	S1 – 23m
77-123 Eveleigh Street	48 / 96.67 RL	AA3 – 70m
Publicly accessible open space	19 / 19.5 / 20 / 21 / 23 / 24.5 / 32 RL	A – 3m
1 Lawson Square	98.85 RL	AA3 – 70m
157-161 Redfern Street	94 RL	AA3 – 70m
7-9 Gibbons Street	90.5 RL	AA3 – 70m
11 Gibbons Street	85.75 RL	AA1 – 60m
13-15 Gibbons Street	84.6 RL	AA1 – 60m
66 Regent Street	88 RL	AA3 – 70m
80-88 Regent Street	93.1 RL	AA3 – 70m
100 Regent Street	88.35 RL	AA2 – 65m
104-116 Regent Street	87.5 RL	AA2 – 65m
134-144 Pitt Street	38.5 / 45 / 46 / 56 RL	M – 12m / Q1 – 19m / S1 – 23m
103-105 Redfern Street		Area 12 / M – 12m / R – 22m
various – Hudson, Eveleigh & Woodburn Streets		J – 8m / M – 12m / O – 15m
various – Eveleigh & Holden Streets		O – 15m
Pemulwuy precinct	30 / 34.95 / 39 / 44.48 / 50.1 RL	J – 8m / I – 9m / L – 11m / O – 15m / S2 – 24m
160-202 George Street	Existing height / 46 RL	Area 12 / O – 15m
117-123 Cope Street		O – 15m
various – Rowley Street		P – 18m

Land Zoning

Central Park / Glebe Affordable Housing Project

It is proposed to repeal the current Sydney LEP 2005 'City Edge' zoning that applies to the Central Park site and zone the land MU1 Mixed Use. Consistent with the existing zoning and that of the surrounding area and allows for a wide range of uses that supports the approved uses.

The Glebe Affordable Housing Project site is proposed to be zoned as M1 Mixed Use in the Sydney LEP 2012 Land Zoning Map. This is consistent with adjoining zoning to the north and best reflects development and its intended use.

Existing public open spaces will be zoned RE1 Public Recreation, consistent with the approach for parks owned by the City.

Harold Park

This amendment will zone land within Harold Park precinct to align with the existing approved uses. It is proposed to zone in the Sydney LEP 2012 Land Zoning Map as follows:

- Public open space – existing parkland will be rezoned RE1 Public Recreation, this will retain and protect 3.8 hectares of public open space.
- Tram Sheds – will be rezoned E2 Commercial Centre which supports for retail, business, entertainment and community uses. Residential development is prohibited in this zone.
- Residential development – land primarily approved for residential purposes and originally zoned for mixed uses is to remain as MU1 Mixed Use, consistent with the existing uses.
- Footpath widening – land along the western boundary of the precinct on Crescent and Minogue Crescent will be rezoned to SP2 Infrastructure to match the zoning on the adjacent road.

Redfern-Waterloo Authority Areas

Former Redfern Courthouse, NCIE, Pemulwuy Project, Rachel Foster Hospital, Regent & Gibbons Street, and South Eveleigh

Regent & Gibbons Street, and Pemulwuy and precincts are to be zoned MU1 Mixed Use as it best matches the existing and approved uses, being a mix of retail, business, residential and student accommodation uses.

National Centre for Indigenous Excellence site is to be zoned SP1 Special Activities Community to best match its existing and approved use and current zoning in the SEPP. A schedule of permitted additional uses will be included under Schedule 1 of Sydney LEP 2012 detailing the existing uses available for the site and adjoining recreation space.

The former Redfern Courthouse is to be zoned E1 Local Centre. This is consistent with its current Business Zone – Local Centre zoning, existing approval as a medical facility and matches zoning of the adjacent area on Redfern Street.

Rachel Foster Hospital is to be zoned R1 General Residential consistent with surrounding zoning.

South Eveleigh will be zoned E3 Productivity Support as it is closest to its existing and approved uses and the current zoning in the Eastern Harbour City SEPP, a schedule of permitted uses will be included under Schedule 1 of Sydney LEP 2012 detailing the existing uses available for the site.

Public open space in South Eveleigh is subject to a planning agreement between Council and the landowner that secured its construction, maintenance and future dedication to Council at no cost. It is proposed that the recreation space will be zoned RE1 Public Recreation by this planning proposal. This zoning is consistent with its existing use as recreation space and the approach taken for other Integration Areas. This zoning is supported by the planning agreement for the public open space in South Eveleigh and its eventual transfer to Council ownership.

Rowley Street

It is proposed to zone the sites on Rowley Street as R1 General Residential, consistent with its existing and approved use as multi-dwelling residential and that of the adjoining sites.

Eveleigh Street precinct

It is proposed to zone land in this precinct as MU1 Mixed Use in Sydney LEP 2012 as it best matches the zone that applies in the SEPP and provides for a mix of uses compatible to the existing approved uses.

The transfer of these sites into Sydney LEP requires the sites to be removed from the Eastern Harbour City SEPP Land Zoning Map to reflect the transfer of these areas to Sydney LEP 2012. This map change is detailed in the intended provisions section of this amendment and is shown in Appendix B to this planning proposal, where the affected lands have been removed from the Map.

216 – 412 Gardeners Road, Rosebery

Due to its deferral from Sydney LEP 2012, the land is currently zoned 2(a) Residential under South Sydney LEP 1998. The zone does not allow for dense forms of housing. Development that fronts Gardeners Road primarily consists of single storey single dwelling houses.

It is proposed to zone this land R2 Low Density Residential consistent with existing uses and zoning of adjoining residential areas of Rosebery.

Heritage

Central Park / CUB

The heritage items identified in Sydney LEP 2005 for the precinct are to be integrated and mapped in Sydney LEP 2012. The following items have been combined to reflect their existing ownership and usage:

- County Clare Hotel and Administration building – now one listing
- Australian Hotel and Abercrombie Street terraces – now one listing.

Harold Park

Existing heritage items will be transferred and mapped in the Sydney LEP 2012 Heritage Map and listed in Schedule 5 Environmental Heritage.

Redfern-Waterloo Authority Areas

Existing heritage items from the SEPP will be listed in Sydney LEP 2012, with updates to addresses.

The intended provisions section of this amendment details the proposed change to the Eastern Harbour City SEPP to achieve this transfer. The heritage item list in Schedule 4 of the SEPP will be updated, removing the heritage items which are proposed to be listed in Sydney LEP 2012. The SEPP Heritage Map will be updated to reflect this transfer, removing the affected heritage items from the Map.

The former Rachel Forster Hospital on Pitt Street will not be transferred as a heritage item as it has experienced a detrimental loss in heritage fabric following its redevelopment. This site and the commercial terraces fronting Abercrombie and Lawson Streets will be included in their surrounding heritage conservation areas. This reflects the planning controls for the sites prior to the creation of the SEPP.

Acid Sulfate Soils

Integration Areas

Each of the Integration Areas – Harold Park, Glebe Affordable Housing Project, Central Park, Redfern Waterloo Authority Areas and 216-412 Gardeners Road, Rosebery, will be included into the Sydney LEP 2012 Acid Sulfate Soils Map. With the exception of Harold Park and the Glebe Affordable Housing Project, each area is identified as being affected by Class 5 Acid Sulfate Soils, consistent with soil risk data derived from the NSW Planning Portal.

Residual Lands

Integration Areas

It is proposed to identify all of the Integration Areas as Residual Lands in the Sydney LEP 2012 Site Identification Map. This will ensure affordable housing contributions are captured for future development in accordance with the City's affordable housing program.

The integration of the Redfern-Waterloo Authority sites to the City's affordable housing program will not impact the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006, which will continue to apply to the following development in Redfern and Waterloo:

- that is a project to which Part 3A of the EP&A Act applies; or
- for which the Minister is the consent authority under Part 4 of the EP&A Act by operation of clause 9A(1) of the State Environmental Planning Policy (Major Projects) 2005.

For other development in Redfern Waterloo where the City is the consent authority, new affordable housing contributions under the City's program would be applied to development for additional floor space or to change of use to a more intense use, such as from a commercial use to a residential one.

Restricted Retail Development

Redfern-Waterloo Authority Areas

NCIE and Rachel Foster Hospital

It is proposed that these sites are identified as Restricted Retail Development in the Sydney LEP 2012 Special Character Map as they will be subject to the provisions of Clause 7.23 Large retail development outside of Green Square Town Centre and other planned centres.

Development control plan

Integration Areas

To complement the integrated LEP controls, relevant provisions in the Sydney DCP 2012 will be applied to each of the precincts. The DCP controls have been derived from existing approvals and built form in the same manner as the LEP controls.

Justification

This amendment will integrate several sites within the City of Sydney local government area that are currently excluded from Sydney LEP 2012. The planning frameworks for these areas were primarily devised to encourage renewal, with their development largely complete, the planning controls can now be integrated. Notwithstanding this, the planning controls for Gardeners Road, Rosebery were deferred from inclusion in Sydney LEP 2012.

The controls for the Integration Areas are better placed within Sydney LEP 2012 to simplify the City's planning control framework and to make it more user friendly.

This amendment aligns with Planning Priority G1 – Open, accountable and collaborative planning in City Plan 2035: Local Strategic Planning Statement and responds to Action G1.4 to “Work with the NSW Government to reintegrate selected precincts and sites into the City’s planning framework.”

The rationale to integrate planning control for each Area into Sydney LEP 2012 is outlined in detail below.

Central Park / CUB

Central Park is a listed SSD site in the Planning Systems SEPP informed by the 2007 Concept Plan approval and prescribes the maximum gross floor area and mix, vehicle parking, open space and public domain, heritage and developer contributions.

As all buildings are now approved or built, it is proposed to insert planning controls that align with Concept Plan approvals into Sydney LEP 2012. The integration of these controls into Sydney LEP 2012 results in a simpler and streamlined approval process. The City intends to obtain owners consent to revoke the SSD Concept Plan and request the Department facilitate this process. This amendment will also revoke Sydney LEP 2005.

This eliminates minor amendments needing approval from NSW Department of Planning and Environment and consultation with the Concept Plan original architects, Foster and Partners.

The integrated controls will ensure no additional floor space or building height will apply than what can currently be achieved under the existing approval. Existing public domain and open space will be protected and land zoning will align with existing land use and development.

Harold Park

In 2009, the City commenced the process to rezone the former Harold Park Paceway and former Rozelle Tram Depot to facilitate its redevelopment. Sydney Local Environmental Plan (Harold Park) 2011 (Harold LEP 2011) came into effect as a site-specific local environmental plan prior to Sydney LEP 2012.

With redevelopment of Harold Park now complete, this amendment proposes to integrate the planning controls into Sydney LEP 2012. The proposed controls are a direct translation of the final development outcome on the Harold Park site within the limitations of the NSW Standard Instrument LEP. The approach taken minimises creating additional floor space or building height beyond the “as built” development. Existing public domain and open space will be protected and zoning will align with existing land uses.

Glebe Affordable Housing Project

In 2010, the City commenced the process to rezone the land comprising the Glebe Affordable Housing Project, parallel to that of Sydney LEP 2012. Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011 (GAHP LEP 2011) came into effect as a site-specific local environmental plan prior to Sydney LEP 2012 to enable the timely redevelopment of the site. The GAHP LEP 2011 incentivised social housing and enabled the development of residential buildings with ground floor retail.

As redevelopment of the site is now complete, this amendment integrates the planning controls into Sydney LEP 2012, existing development will be included and mapped in Sydney LEP 2012. The approach taken minimises additional floor space or building height beyond the “as built” development. Existing public domain and open space will be protected and zoning will align with existing land use and development. This includes the section of Elger Street owned by NSW Land and Housing Corporation. Until this land is transferred to the City and classed as a street section, this approach will ensure the area remains as intended by its approval, as publicly accessible street space.

216-412 Gardeners Road, Rosebery

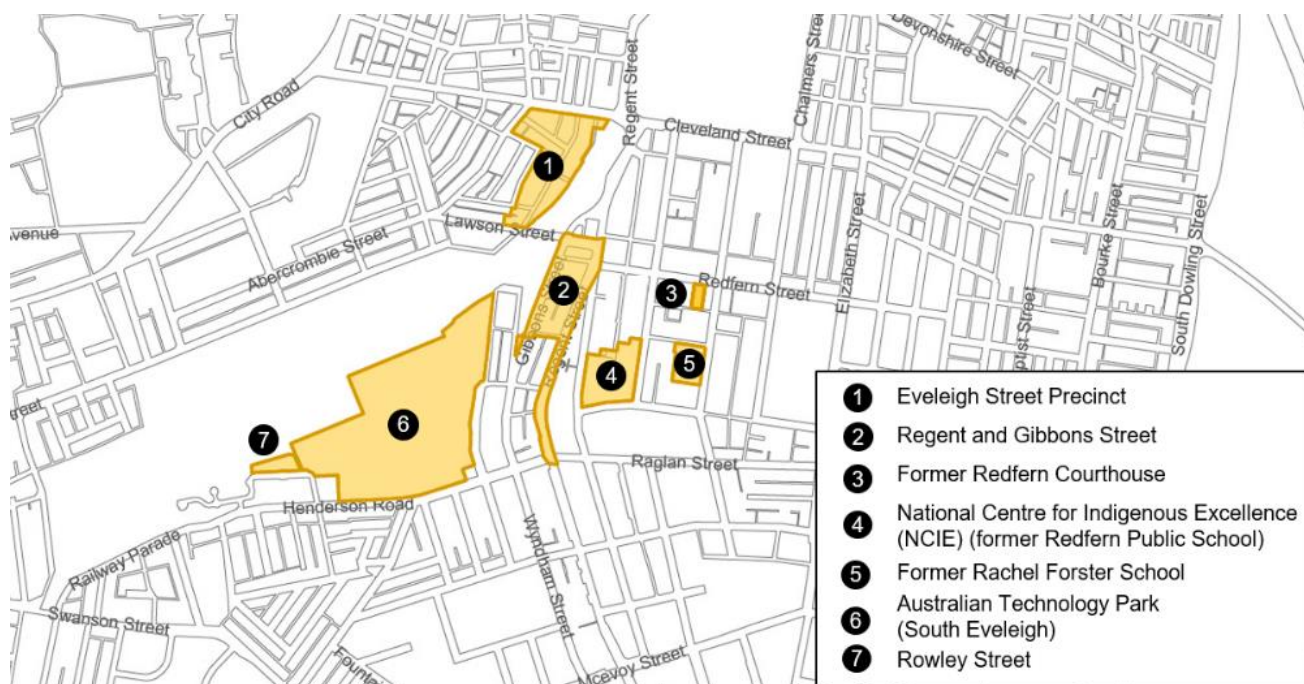
South Sydney Local Environmental Plan 1998 (South Sydney LEP 1998) currently applies to 216 – 412 Gardeners Road, Rosebery between Durdans Avenue and Southern Cross Drive. This land was deferred from Sydney LEP 2012 as the Council resolved not to proceed with increases to height and FSR at the time. It is proposed to match the controls to those apply to the rest of the Rosebery Estate.

Redfern Waterloo Authority

This amendment seeks to incorporate planning controls for sites that comprise the former Redfern Waterloo Authority area and are currently within Eastern Harbour SEPP. The sites are detailed below and identified in Figure 42:

- Eveleigh Street precinct
- Former Rachel Forster Hospital
- Former Redfern Court House
- National Centre for Indigenous Excellence (NCIE)
- Pemulwuy Precinct
- South Eveleigh / Australian Technology Park
- Regent and Gibbons Street precinct
- Rowley Street

Figure 42. Redfern Waterloo Authority Sites



Development on these sites are subject to the requirements of the SEPP and a number of SSD approvals and Concept Plans. These controls and approvals have formed the basis of the proposed controls to be integrated into Sydney LEP 2012, as well as an analysis of the approved built form, noting that development across the sites is largely complete. The City intends to formally seek owners consent to revoke the SSD Concept Plan and request the Department amend the SEPP to allow for the Redfern Waterloo land to be included in Sydney LEP 2012. Appendix B to this planning proposal and the intended provisions section of this amendment detail the Eastern Harbour SEPP maps which are to be updated to remove the subject sites.

The approach taken minimises the creation of any additional floor space or building height beyond the approved development. The controls will ensure existing public domain and public open space are protected and zoning will be consistent with the approvals and existing land use.

Rowley Street

The Rowley Street sites are existing social housing will be integrated as part of this amendment as they are not planned for urban renewal. The translated development controls reflect the built form as approved and constructed, consistent with the current controls.

Land zoned for a public purpose

The following land is proposed to be zoned for a public purpose:

- Harold Park – parks and open space. This land is in the ownership of the City of Sydney Council.
- Harold Park – road reservation along Minogue Crescent – this land is already owned by the relevant roads authority.
- Glebe Affordable Housing Project – open space along Elgar Street. This land is already owned by the City of Sydney Council.
- Central Park – park. This land is already owned by the City of Sydney Council.
- Redfern Waterloo Authority – Botany, Gibbons and Regent Street road reservations. This land is already owned by the relevant roads authority.
- Redfern Waterloo Authority – National Centre of Indigenous Excellence. The land is proposed to be zoned Special Purpose 1 – Community Infrastructure, reflecting its existing use. The land is already owned by the NSW Aboriginal Land Council.
- Redfern Waterloo Authority – open space at South Eveleigh. This land is subject to a planning agreement which will transfer ownership to the City of Sydney Council after a period of no less than 15 years.

No land needs to be identified on the Sydney LEP 2012 Land Reservation Acquisition Map as a consequence of this planning proposal.

Intended provisions and map changes

1. Amend the following maps in Sydney Local Environmental Plan 2012 in accordance with the maps in Appendix B Local Environmental Plan Map Book:
 - Acid Sulfate Soils Map (sheets 001, 008, 009, 010, 012, 016, 017, 019)
 - Locality and Site Identification Map, Key Sites Map, Foreshore Building Map (sheets 010, 008, 009, 010, 012, 016, 017, 019)
 - Special Character Areas Map Retail Premises Map (sheets 009, 010, 017)
 - Floor Space Ratio Map (sheets 001, 008, 009, 010, 012, 016, 017, 019)
 - Heritage Map (sheets 001, 009, 010, 016, 017)
 - Height of Buildings Map (sheets 001, 008, 009, 010, 012, 016, 017, 019)
 - Land Zoning Map (sheets 001, 008, 009, 010, 012, 016, 017, 019)
2. Introduce a new 'Special Provisions Area Map' in Sydney Local Environmental Plan 2012 in accordance with maps in the Map Book. This map will identify development blocks within the Integration Areas identified as 'Central Park / CUB' and is to make reference to provisions in Sydney LEP that prescribe the maximum gross floor area for each development block in these areas.

3. Introduce new clause in Division 5 Site Specific Provisions in Sydney LEP 2012 that specifies the gross floor area that applies to each development block that are identified on the Special Provisions Area Map as follows:

6.XX Floor area on identified sites

- (1) This clause applies to sites located within areas identified as “Central Park/CUB”, shown on the Special Provisions Map.
- (2) Despite clause 4.4, the gross floor area or floor space ratio must not exceed the about specified in Schedule XX – Floor area on identified sites.

4. Insert a new clause in Schedule 1 Additional permitted uses of Sydney LEP 2012 for the following land permitting development for the purposes listed below:
 - a. South Eveleigh at 2-4, 6 and 6A Cornwallis Street, 13, 13A, 25 and 27 Garden Street, 1-3, 2 Locomotive Street, 1, 5-7, 6-8 Central Avenue, 2 Davy Road,

The additional permitted uses include development for the purposes of food and drink premises, retail premises,

- b. National Centre for Indigenous Excellence at 160-202 George Street, Redfern, being Lot 1 DP 817283, Lot 2 DP 817283, Lot 100 DP 1155453, Lot 1 DP 1154860.

The additional permitted uses include development for the purposes of advertisements; advertising structures; boarding houses; car parks; centre-based child care facilities; community facilities; educational establishments; entertainment facilities; environmental facilities; environmental protection works; function centres; hostels; information and educational facilities; kiosks; medical centres; office premises; passenger transport facilities; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); registered clubs; restaurants; telecommunications facilities; temporary structures; tourist and visitor accommodation related or ancillary to community facilities, recreation facilities (indoor) or recreation facilities, kiosks; passenger transport facilities.

5. Insert a new schedule in Sydney LEP 2012 which includes the maximum GFA for development blocks in the following tables:

Central Park / CUB

Development Block	Maximum non-residential gross floor area (sqm)	Maximum residential gross floor area (sqm)
C1	22,831	3,473
C2	1,289	22,913
C3	19,288	48,497
C4	867	21,658
C5	6,266	0
C6	0	0
C7	1,260	10,284
C8	341	16,458
C9	5,121	6,043
C10	117	14,479
C11	0	0
C12	0	26,598
C13	1,515	23,842
C14	2,000	0
C15	969	0
C16	303	1,541
C17	0	0

Appendix A – Local Environmental Plan Amendments

6. Amend Part 1 Heritage item in Schedule 5 Environmental heritage to include the following heritage items including interiors:

Locality	Item Name	Address	Significance	Item no
Forest Lodge	Former Rozelle Tramway Depot	1 Dalgat Way	Local	I641
Forest Lodge	Tram Numbered 1995 (movable item)		Local	I2305
Forest Lodge	Tram Numbered 1753 (movable item)		Local	I2306
Forest Lodge	Tram Numbered 1923 (movable item)		Local	I2307
Forest Lodge	Tram Number 2050 (movable item)		Local	I2308
Forest Lodge	Paceway cutting	74 Ross Street	Local	I2309
Chippendale	Australian Hotel and Abercrombie Terraces (Part of former Carlton United Brewery site)	102 Broadway, 8-12 Abercrombie Street	Local	I2310
Chippendale	Former Irving Street Brewery Chimney stack,	3-5 Central Park Avenue	Local	I2311
Chippendale	The Old Clare Hotel Administration Building (part of former Carlton United Brewery site)	3 Kensington Street	Local	I2312
Chippendale	Former Carlton & United Breweries Main Gate	Carlton Street	Local	I2313
Chippendale	Terraces (46-48 Kensington Street).	46-48 Kensington Street	Local	I2314
Redfern	Former Redfern Public School	160-202 George Street	Local	I2315
Redfern	Former Redfern Courthouse	103-105 Redfern Street	Local	I2316
Eveleigh	Locomotive Workshops	13A Garden Street, 2 Locomotive Street	Local	I2317
Eveleigh	Works Manager's Office	2-4 Cornwallis Street,	Local	I2318
Eveleigh	New Locomotive Workshop	6 Cornwallis Street, 6A Cornwallis Street	Local	I2319

7. Amend Part 2 Items in the Eveleigh Precinct in State Environmental Planning Policy (Precincts–Eastern Harbour City) 2021 to remove the heritage items being transferred to Sydney LEP 2012, shown in strikethrough below:

Schedule 4 Heritage items

Part 2 Items in the Eveleigh precinct

~~1 Locomotive Workshops – Bays 1–15, including machinery in Bays 1–4, Eveleigh Rail Yard~~

~~2 New Locomotive Shop, Eveleigh Rail Yard~~

~~3 Works Manager's Office, Eveleigh Rail Yard~~

4 1 Large Erecting Shop, Eveleigh Rail Yard

5 2 Administration Building, Former Chief Mechanical Engineer's office, Wilson Street

6 3 Gasometer and Pump, Eveleigh Rail Yard

7 4 Booking Office, Redfern Station, Lawson Street

8. Amend the following maps in State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021 in accordance with Appendix B Local Environmental Plan Map Book:
 - a. Land Application Map (sheet 001)
 - b. Additional Permitted Uses Map (sheet 001)
 - c. Floor Space Ratio Map (sheet 001)
 - d. Gross Floor Area Map (sheet 001)
 - e. Height of Buildings Map (sheet 001)
 - f. Heritage Map (sheet 001)
 - g. Land Zoning Map (sheet 001)
9. Revoke the following environmental planning instruments:
 - Sydney Local Environmental Plan 2005;
 - Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011
 - Sydney Local Environmental Plan (Harold Park) 2011

Attachment B2

**Local Environmental Plan Map Book
(Appendix B to the Planning Proposal)**

Appendix B – Local Environmental Plan Map Book



Amendment 3 – Parking in new developments

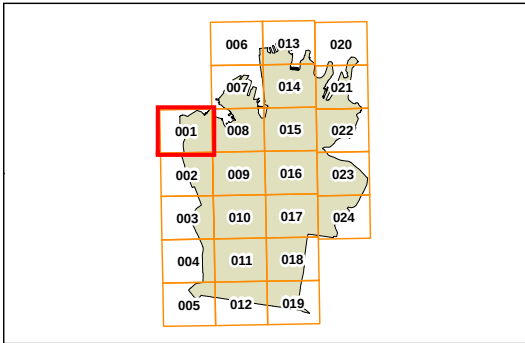
Land Use and Transport Integration
Map - Sheet LUT_001

Land Use and Transport Integration

- Category A
- Category B
- Category C

Cadastre

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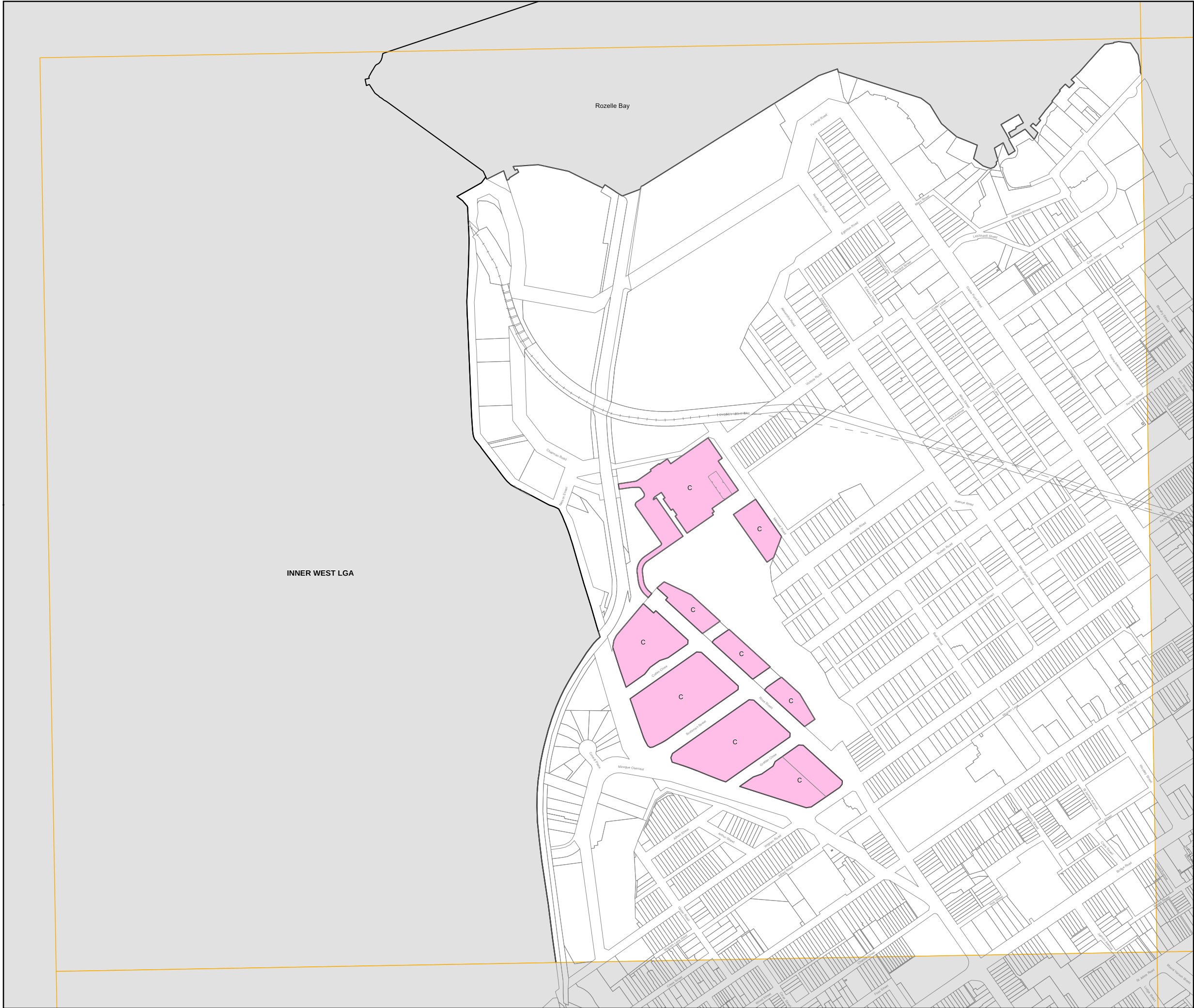


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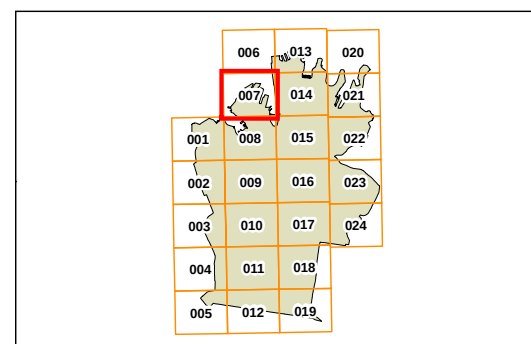
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Map - Sheet LUT_007

Land Use and Transport Integration

- Category A
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- Category C

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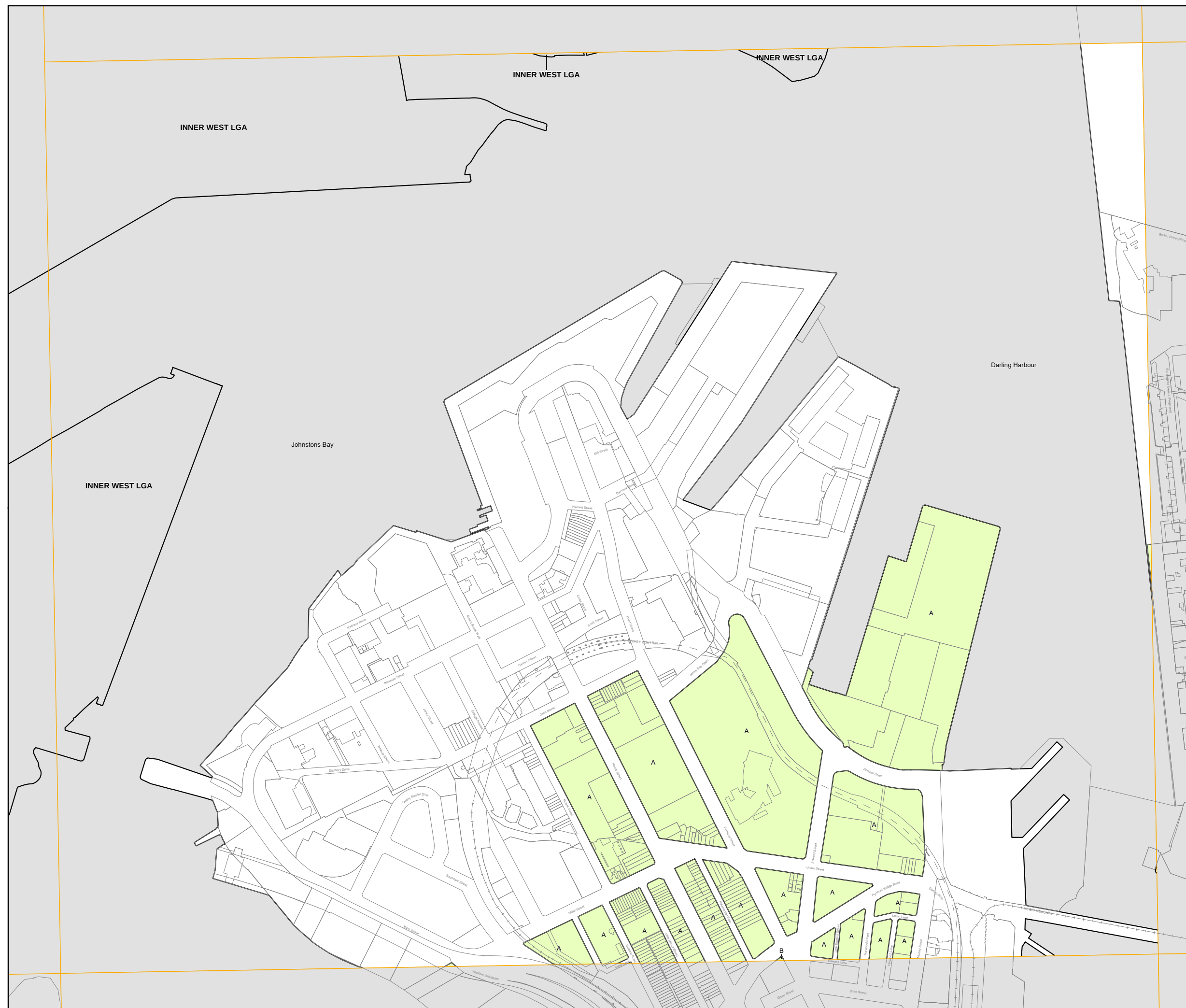


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Land Use and Transport Integration
Map - Sheet LUT_008

Land Use and Transport Integration

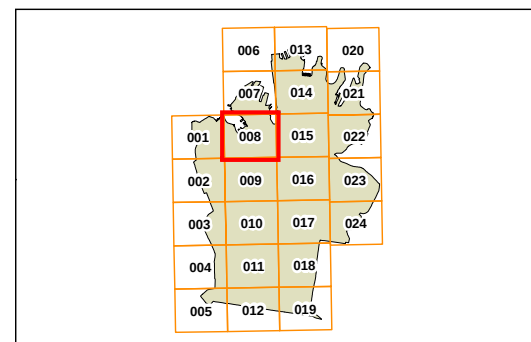
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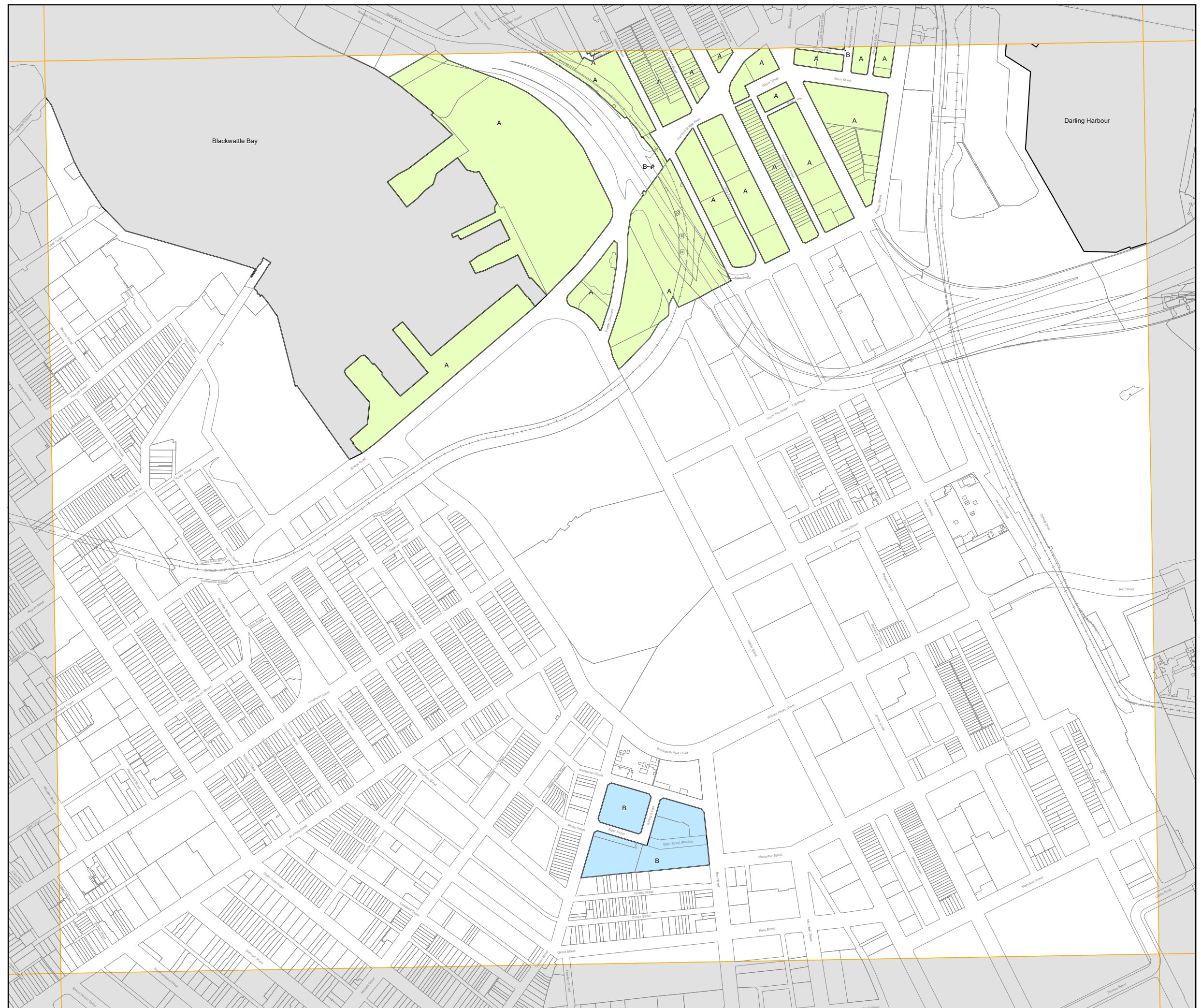
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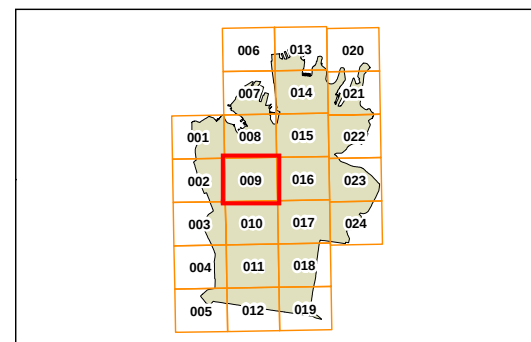
Land Use and Transport Integration
Map - Sheet LUT_009

Land Use and Transport Integration

- A** Category A
B Category B
C Category C

Cadastre

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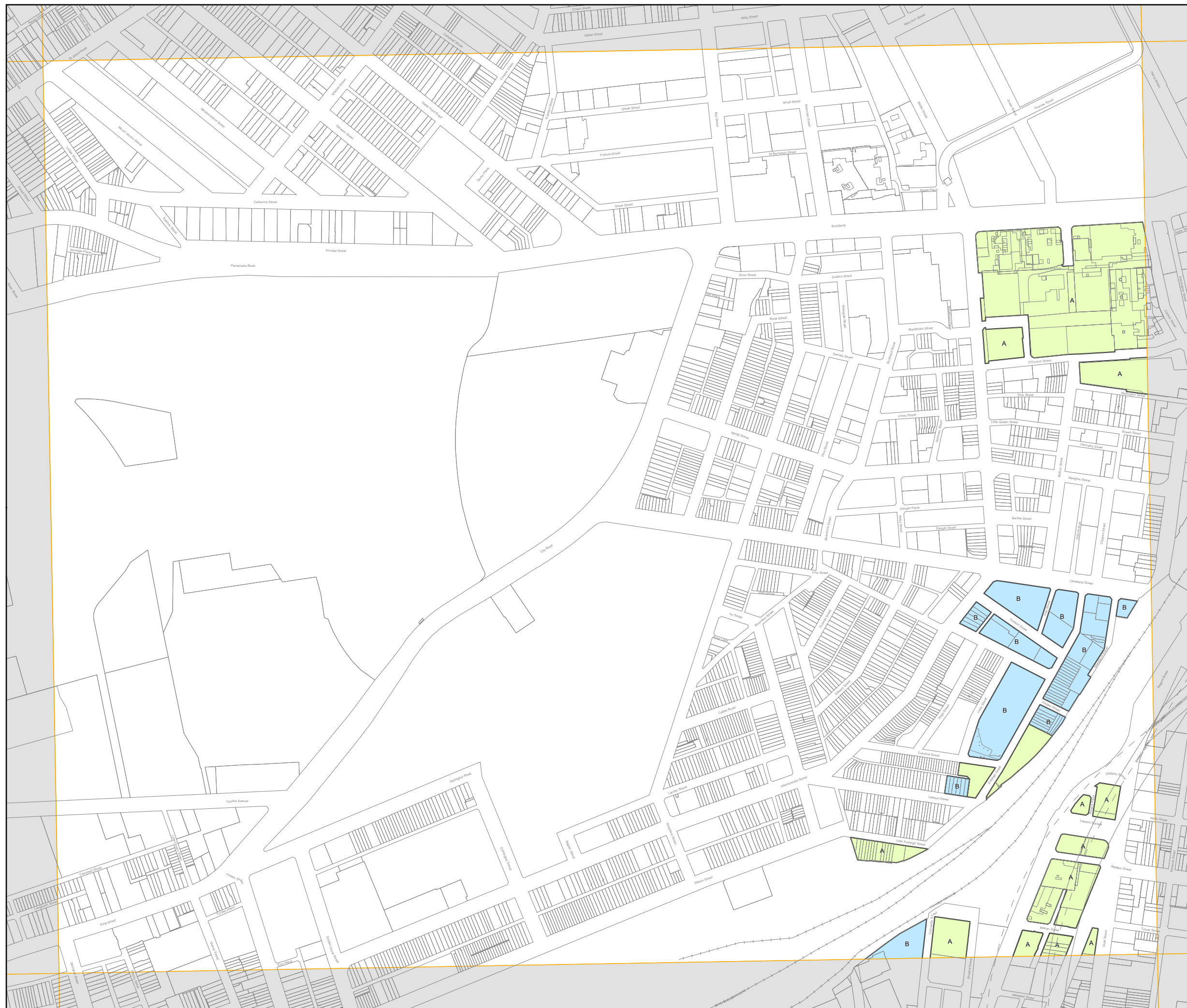


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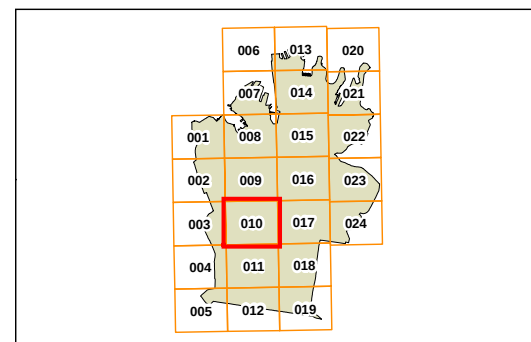
Land Use and Transport Integration
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Land Use and Transport Integration

- Category A
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- Category C

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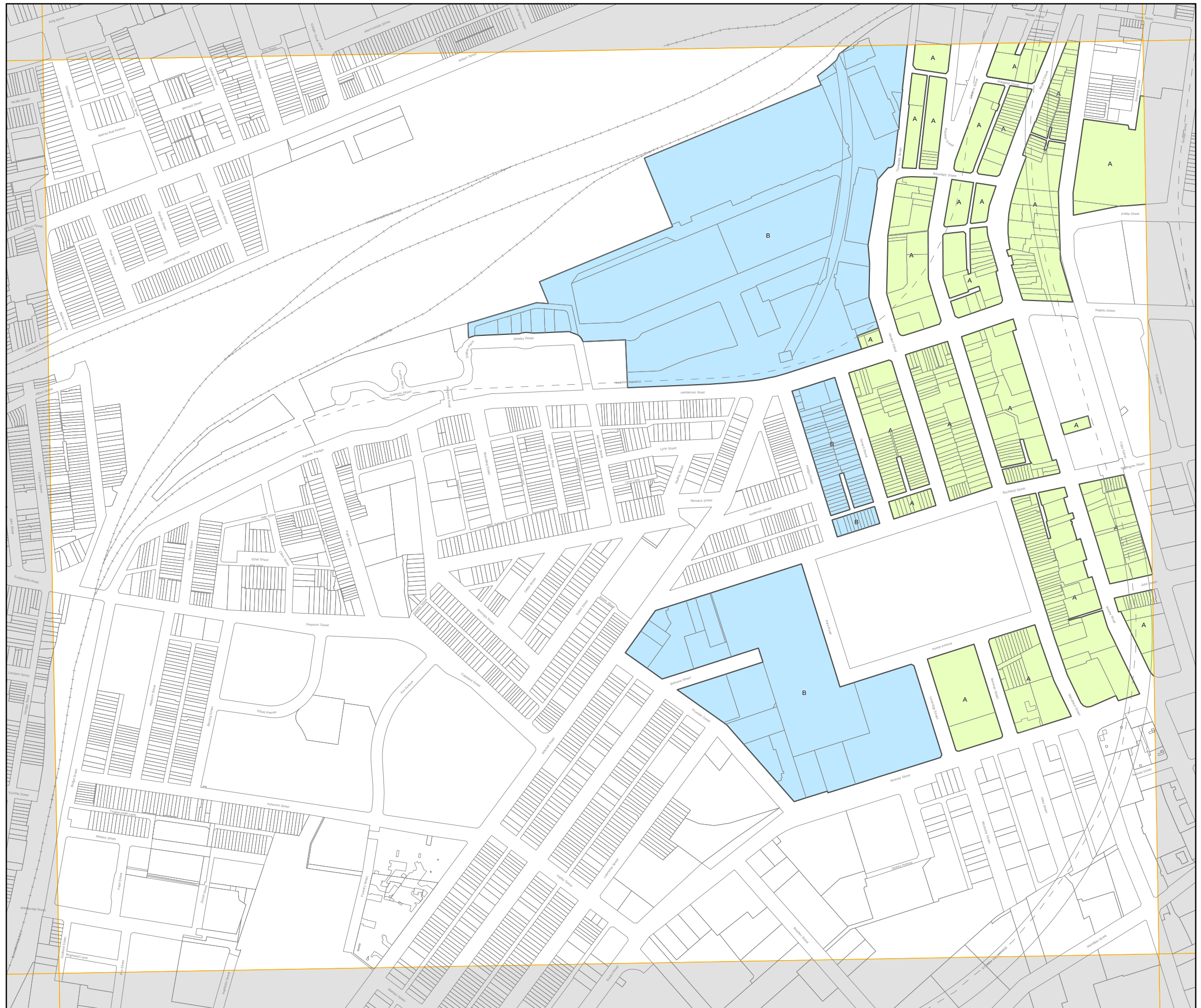


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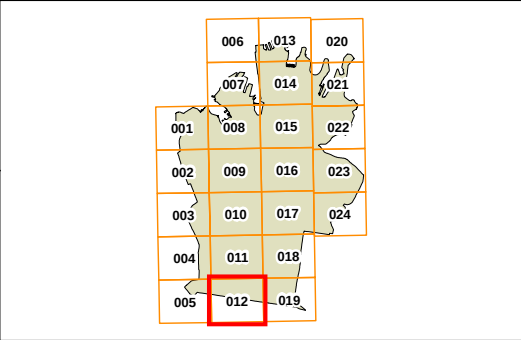
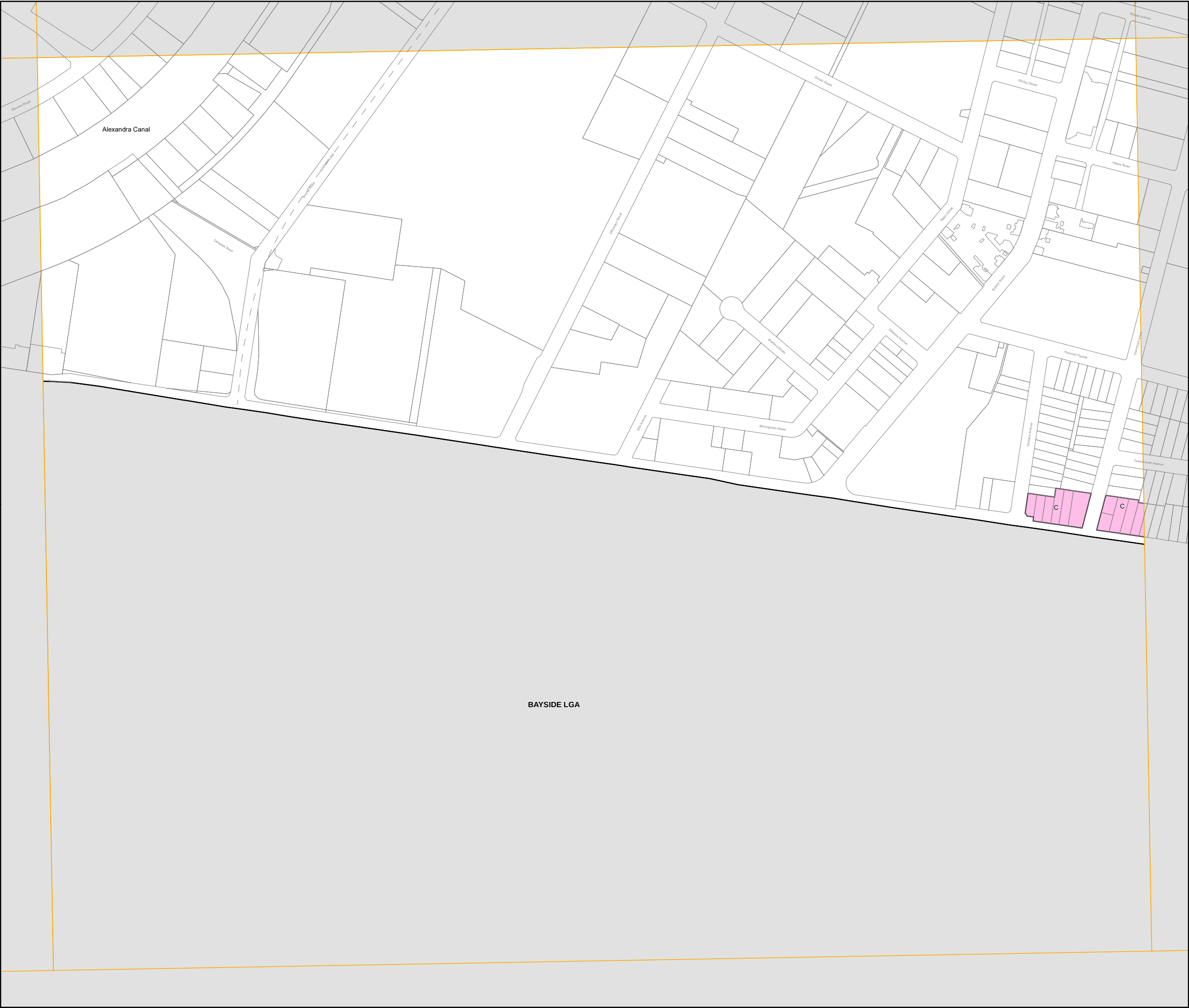
Land Use and Transport Integration Map - Sheet LUT_012

Land Use and Transport Integration

- Category A
- Category B
- Category C

Cadastre

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Projection: GDA 1994
Zone 56

Map identification number:
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Land Use and Transport Integration
Map - Sheet LUT_014

Land Use and Transport Integration

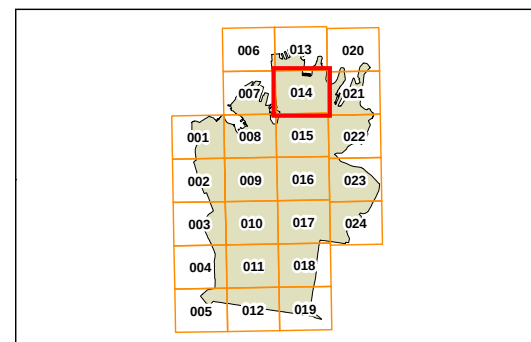
A Category A

B Category B

C Category C

Cadastre

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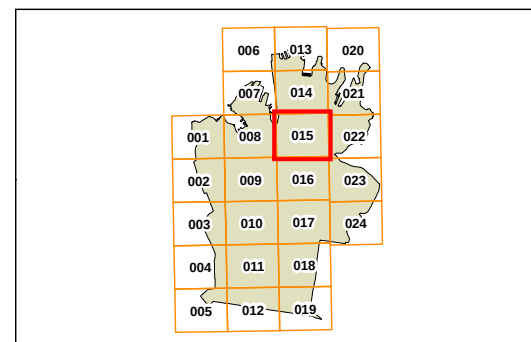
Land Use and Transport Integration
Map - Sheet LUT_015

Land Use and Transport Integration

- A** Category A
B Category B
C Category C

Cadastre

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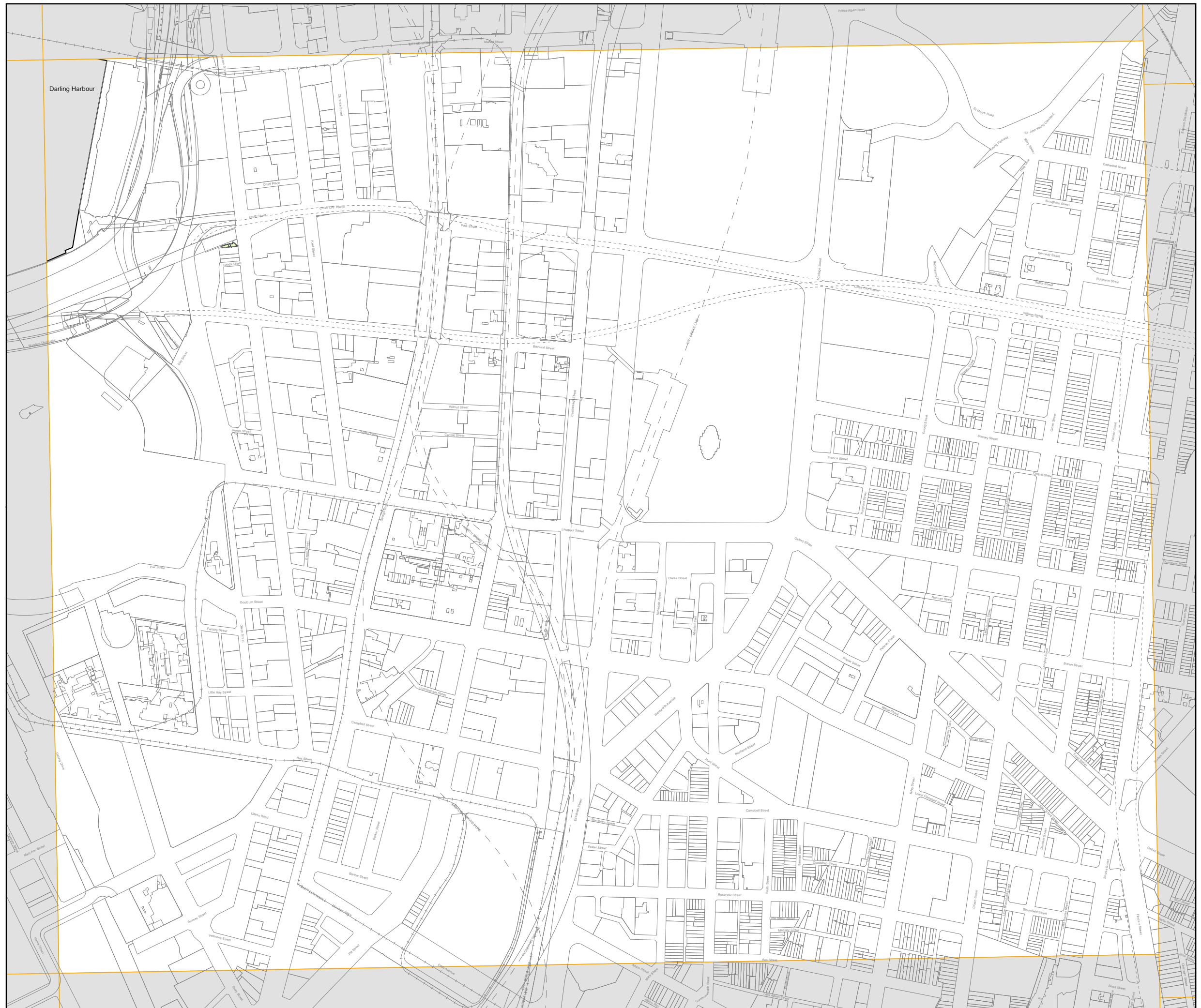


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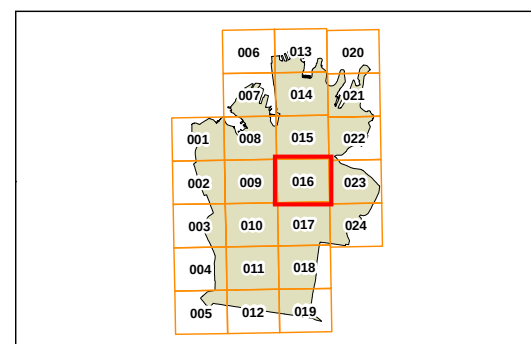
Land Use and Transport Integration
Map - Sheet LUT_016

Land Use and Transport Integration

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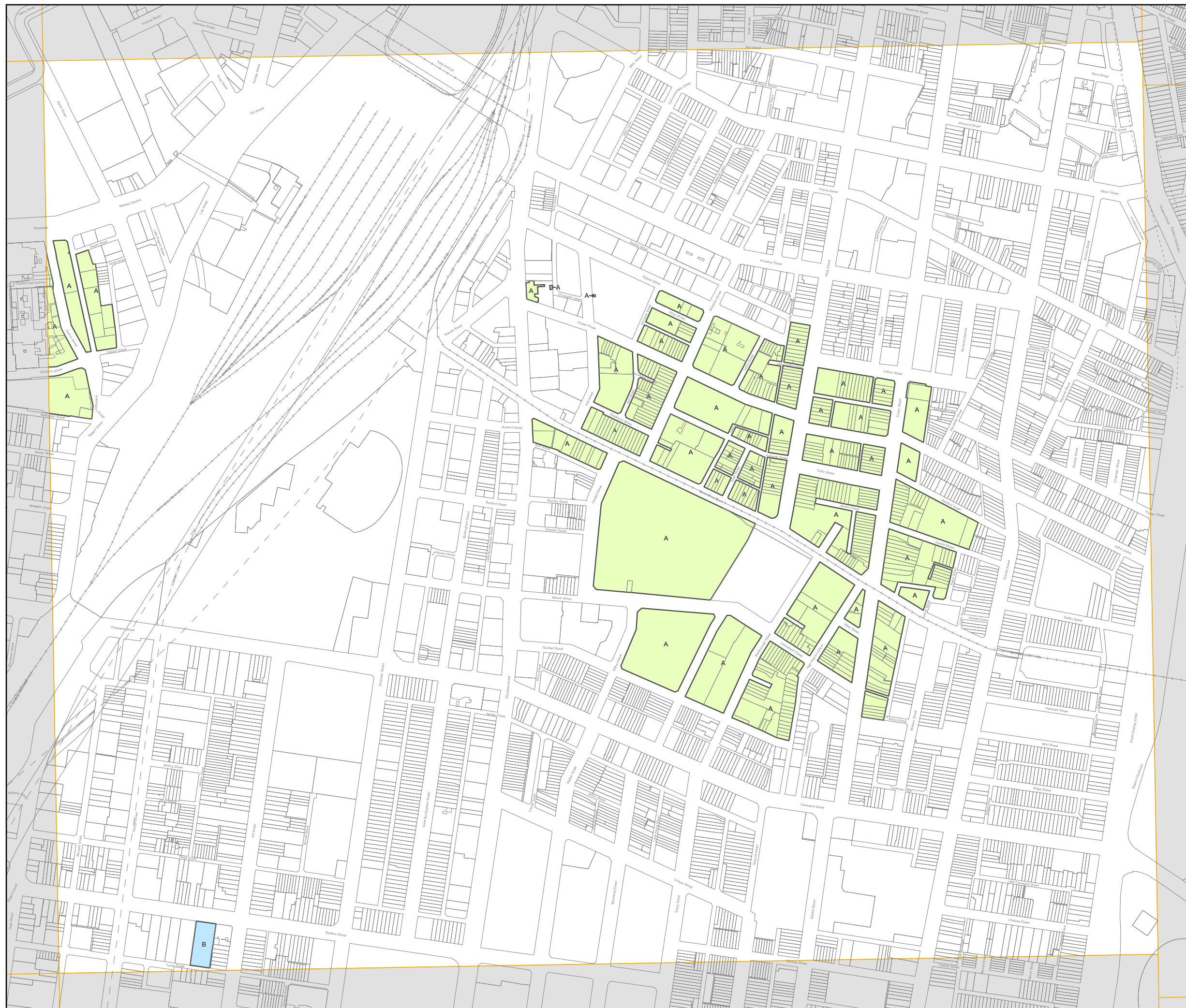


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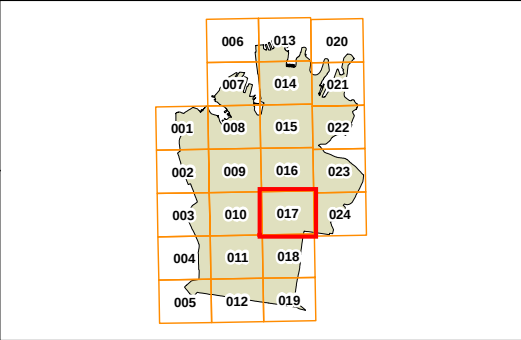
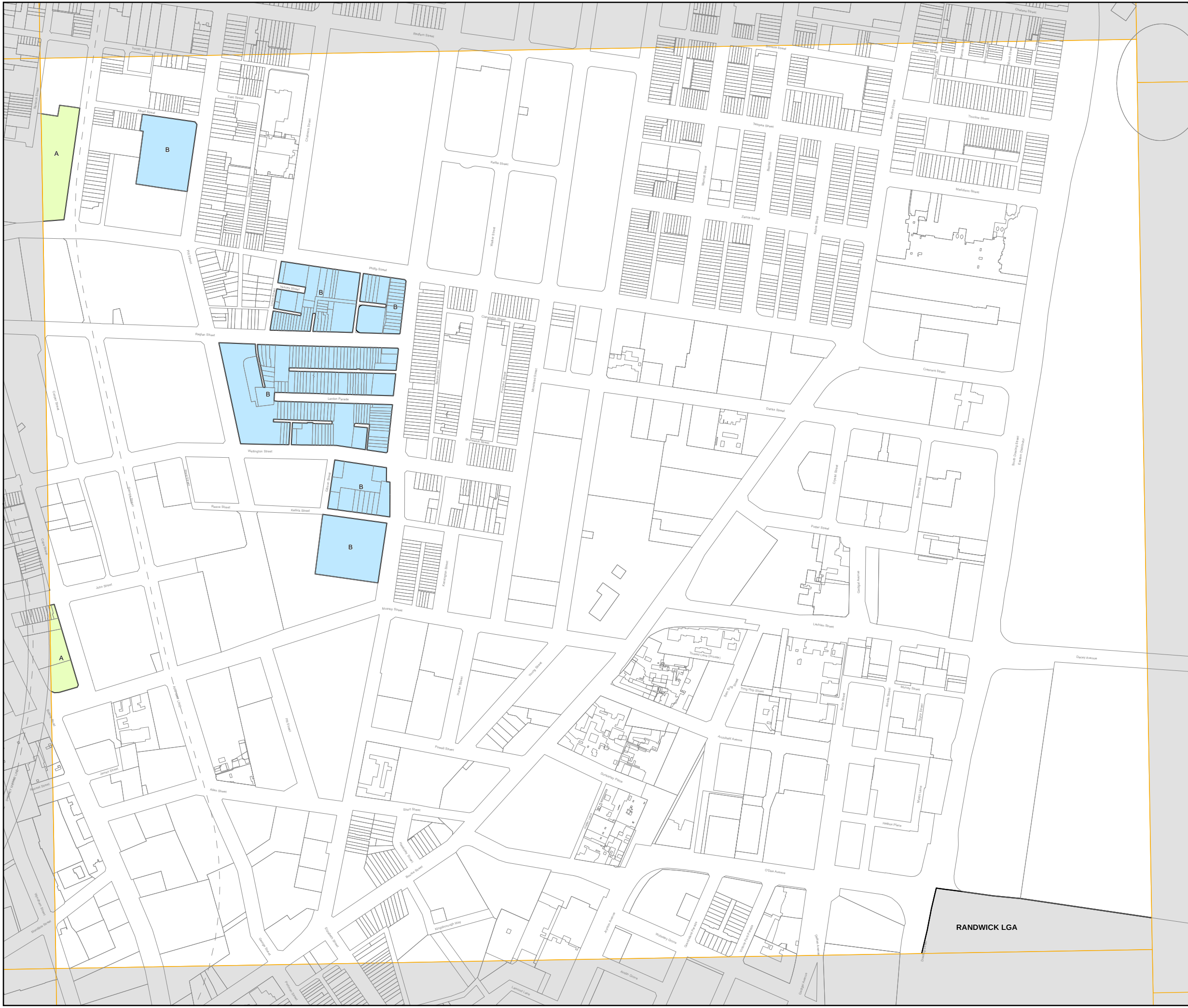
Sydney Local Environmental Plan 2012

Land Use and Transport Integration Map - Sheet LUT_017

Land Use and Transport Integration

- Category A
- Category B
- Category C

Cadastre
 Cadastre 21/04/2023 © City of Sydney



0 200m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_LUT_017_005_20230421

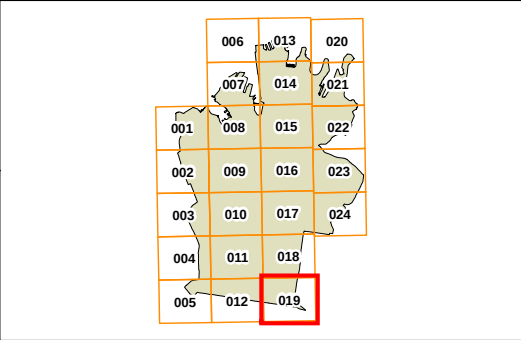
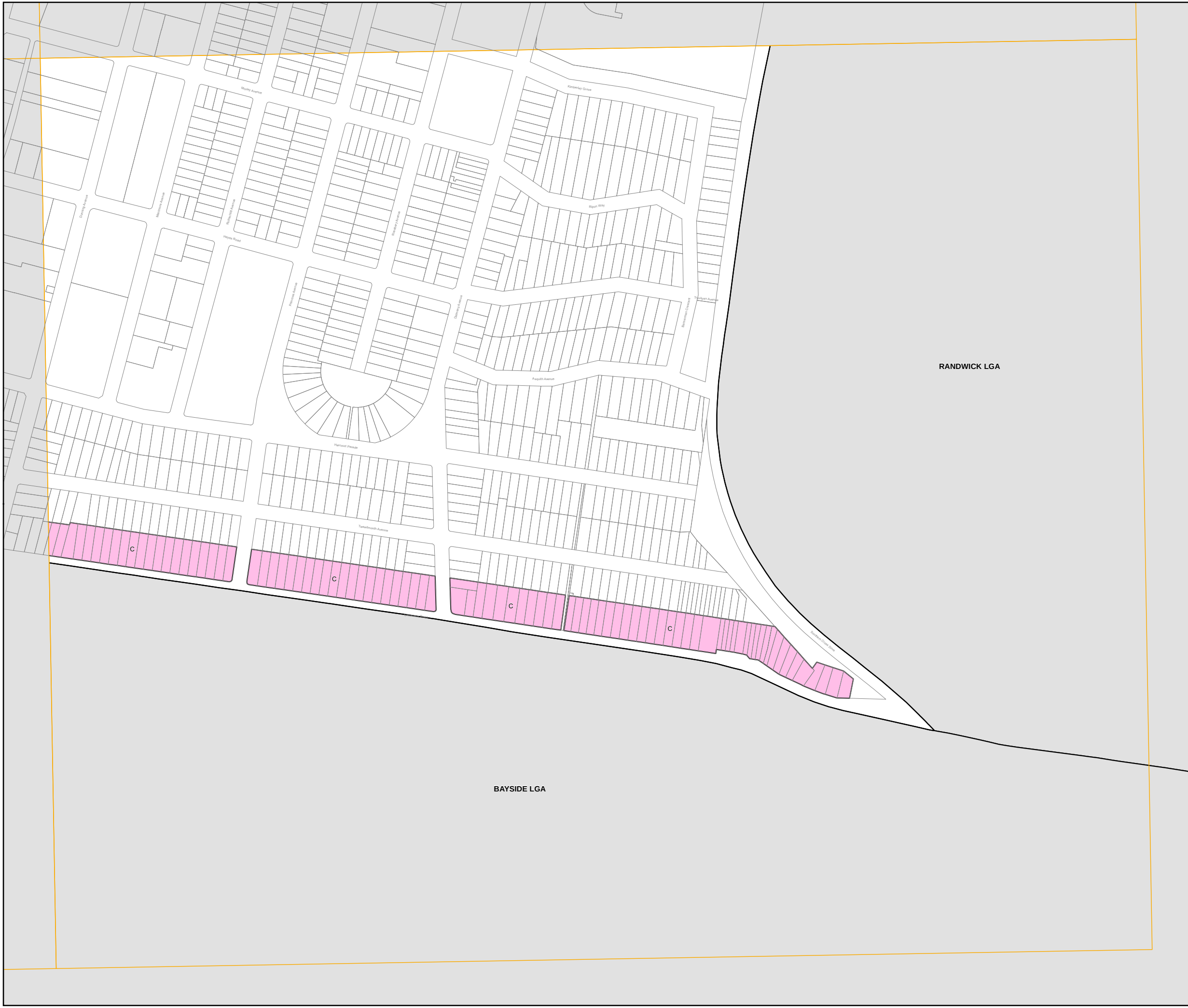
Land Use and Transport Integration Map - Sheet LUT_019

Land Use and Transport Integration

- A Category A
- B Category B
- C Category C

Cadastre

Cadastre 21/04/2023 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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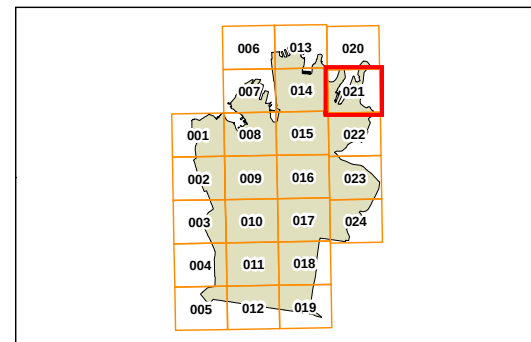
Land Use and Transport Integration
Map - Sheet LUT_021

Land Use and Transport Integration

- A Category A
B Category B
C Category C

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Cadastre 21/04/2023 © City of Sydney



0 200m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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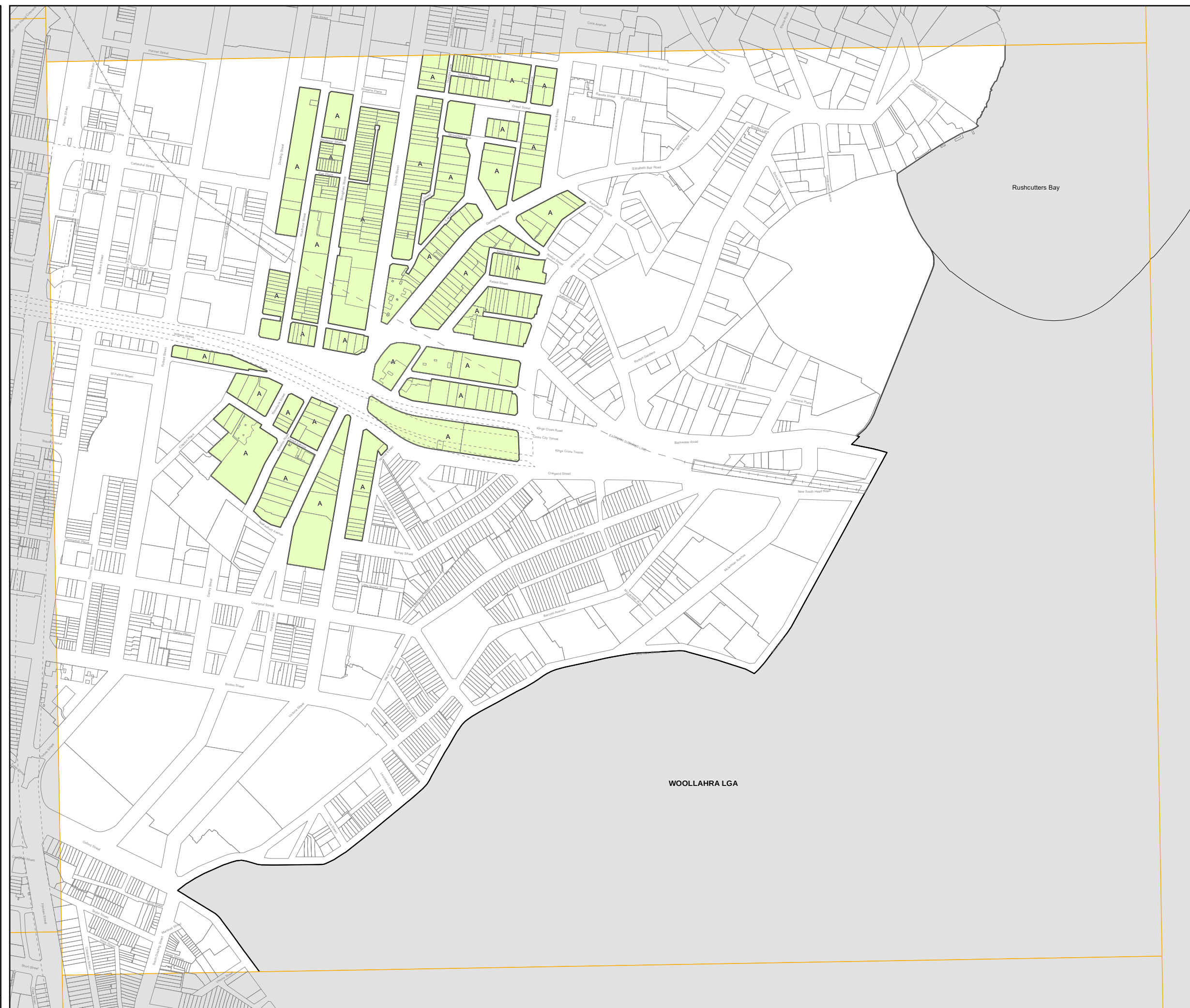
Land Use and Transport Integration

C Category C

 Cadastre 21/04/2023 © City of Sydney



Map identification number:
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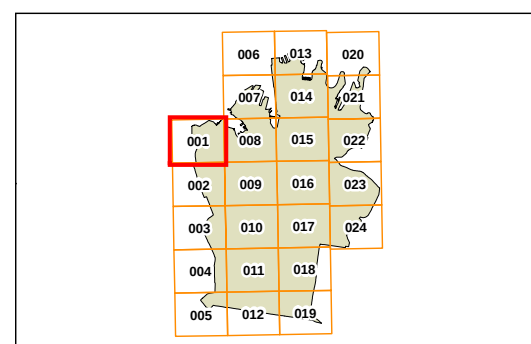
Public Transport Accessibility Level Map - Sheet TAL_001

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre

Cadastre 21/04/2023 © City of Sydney

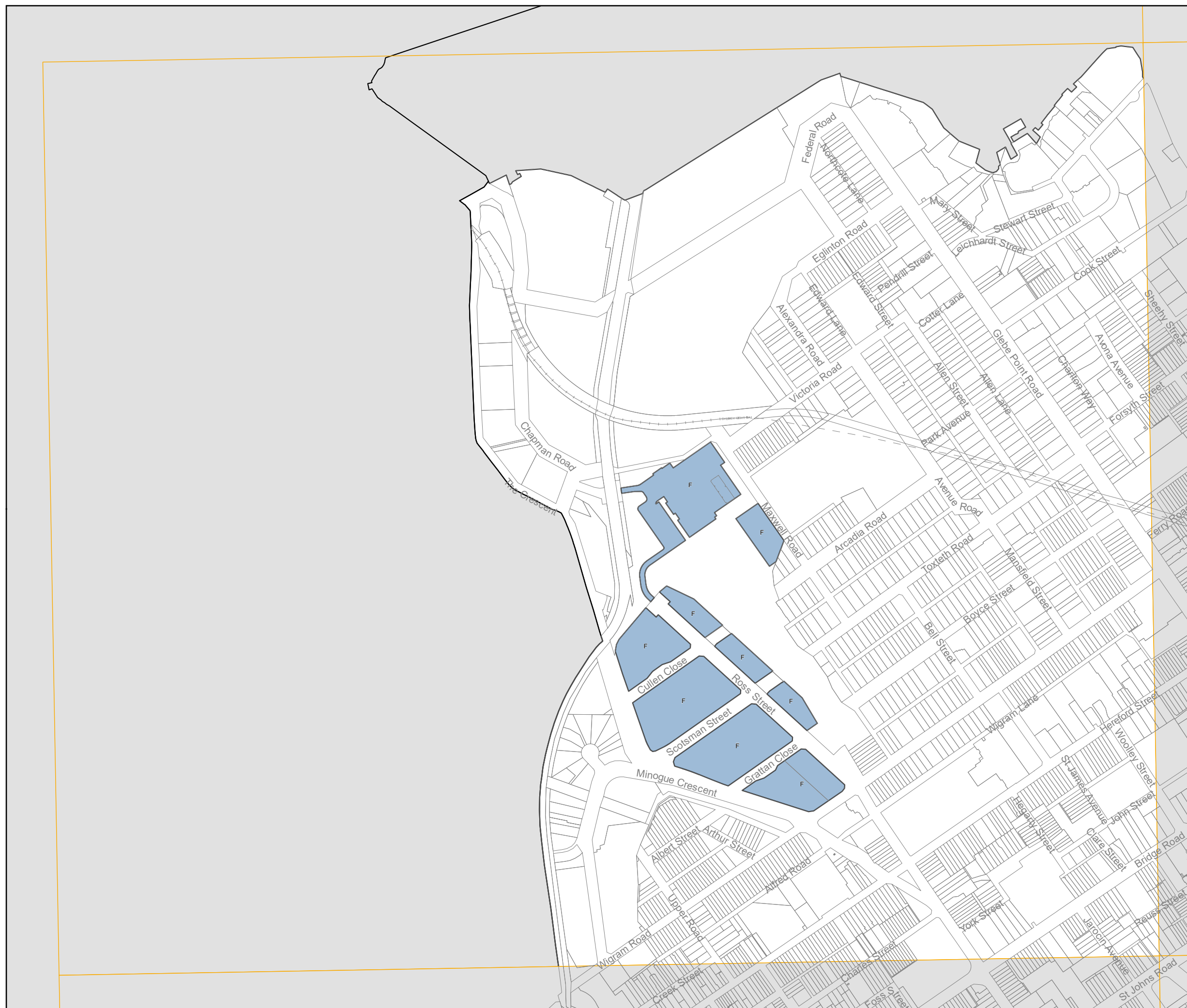


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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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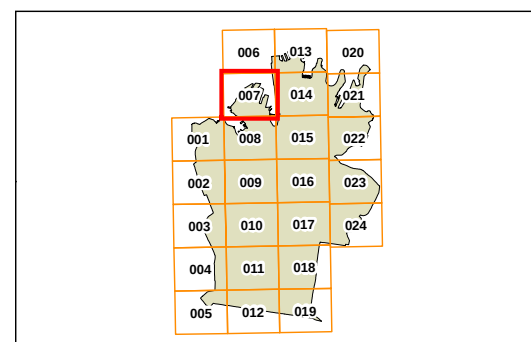
Public Transport Accessibility Level
Map - Sheet TAL_007

Public Transport Accessibility Level

- D** Category D
E Category E
F Category F

Cadastre

Cadastre 21/04/2023 © City of Sydney

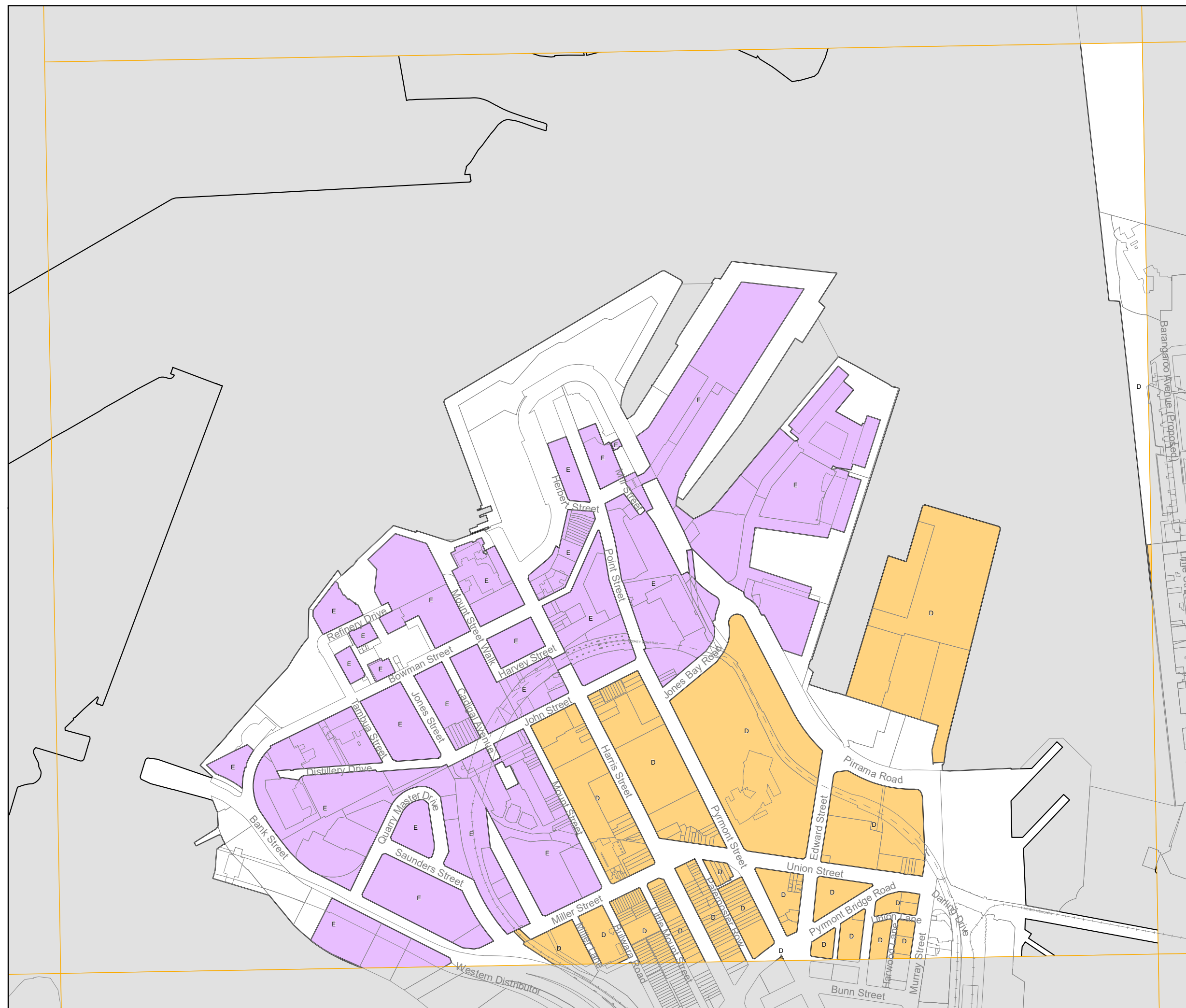


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Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

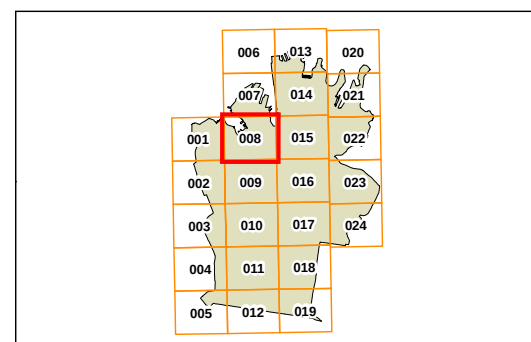
Public Transport Accessibility Level Map - Sheet TAL_008

Public Transport Accessibility Level

- D** Category D
E Category E
F Category F

Cadastre

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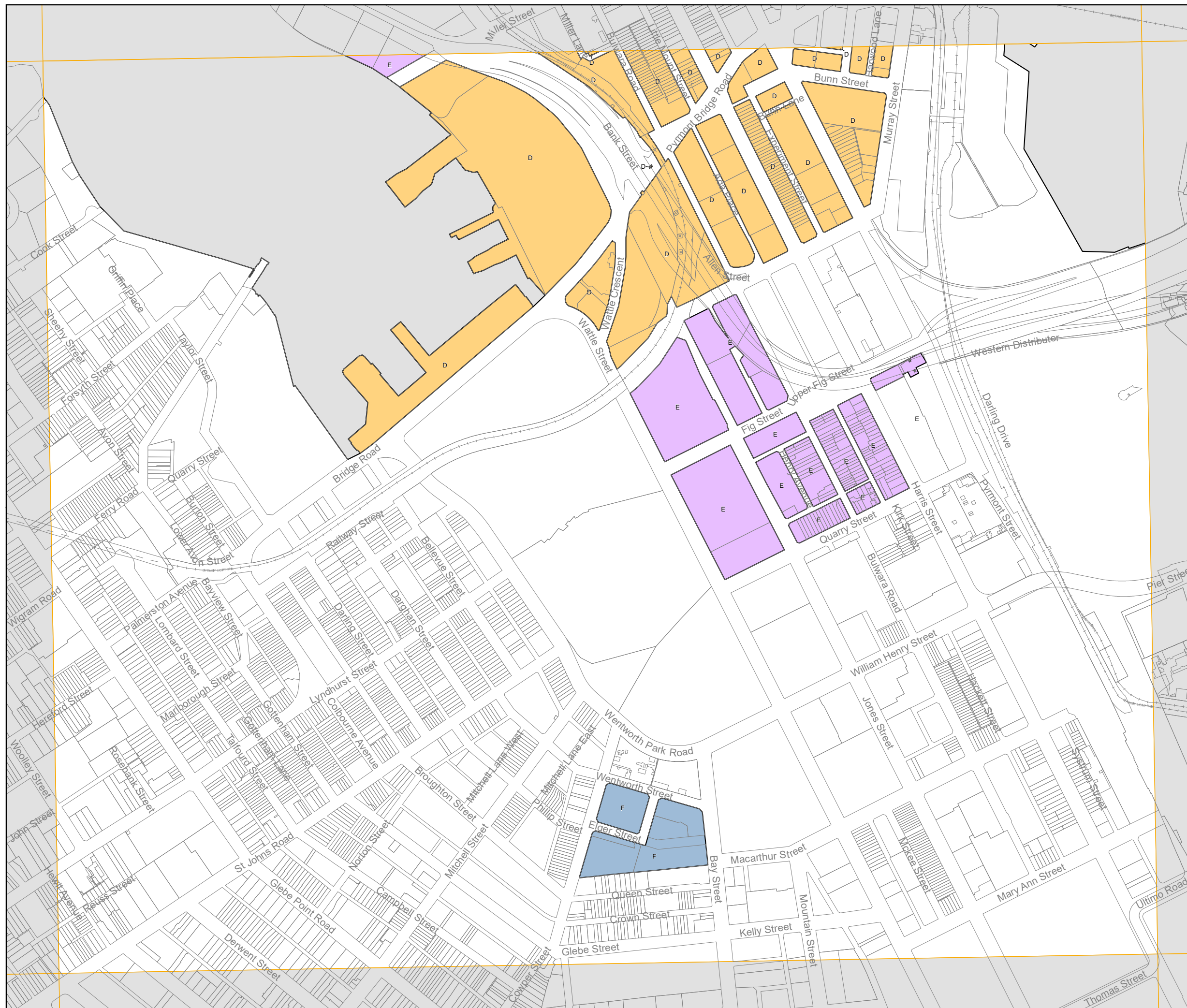


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Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

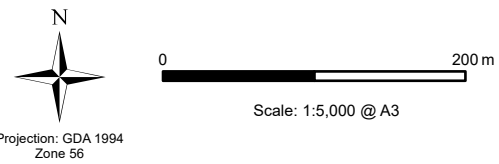
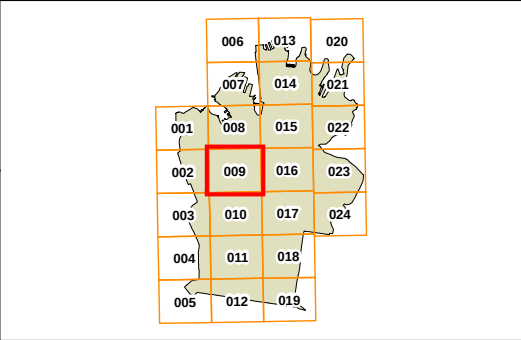
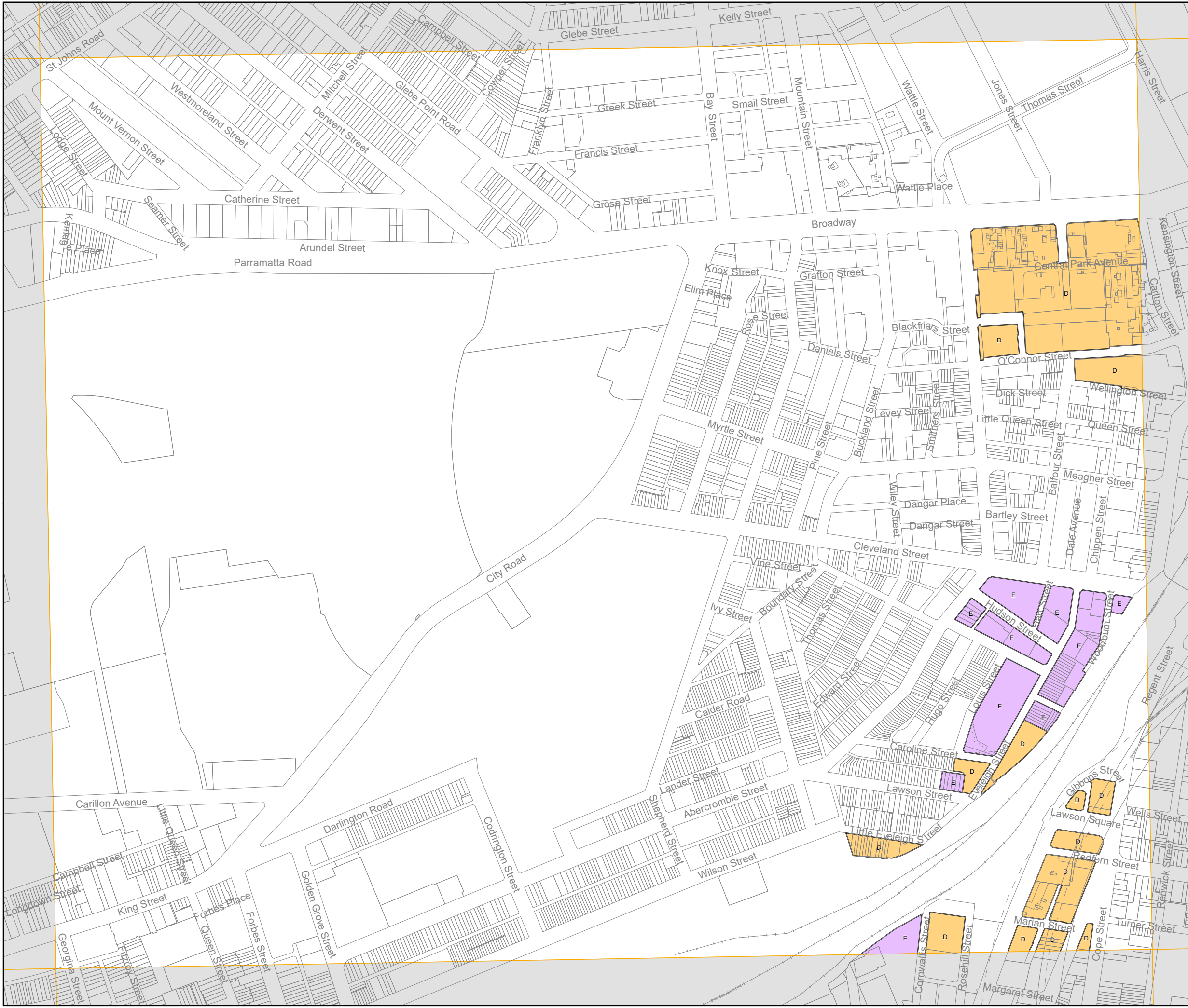
Public Transport Accessibility Level Map - Sheet TAL_009

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre

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Sydney Local Environmental Plan 2012

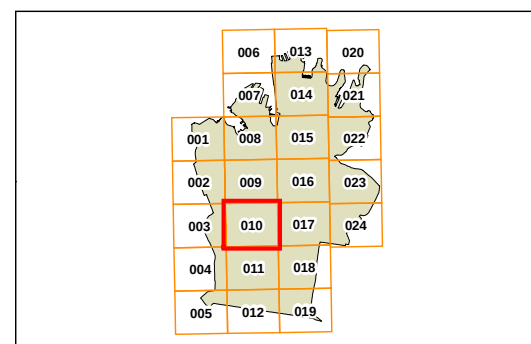
Public Transport Accessibility Level Map - Sheet TAL_010

Public Transport Accessibility Level

- D** Category D
E Category E
F Category F

Cadastre

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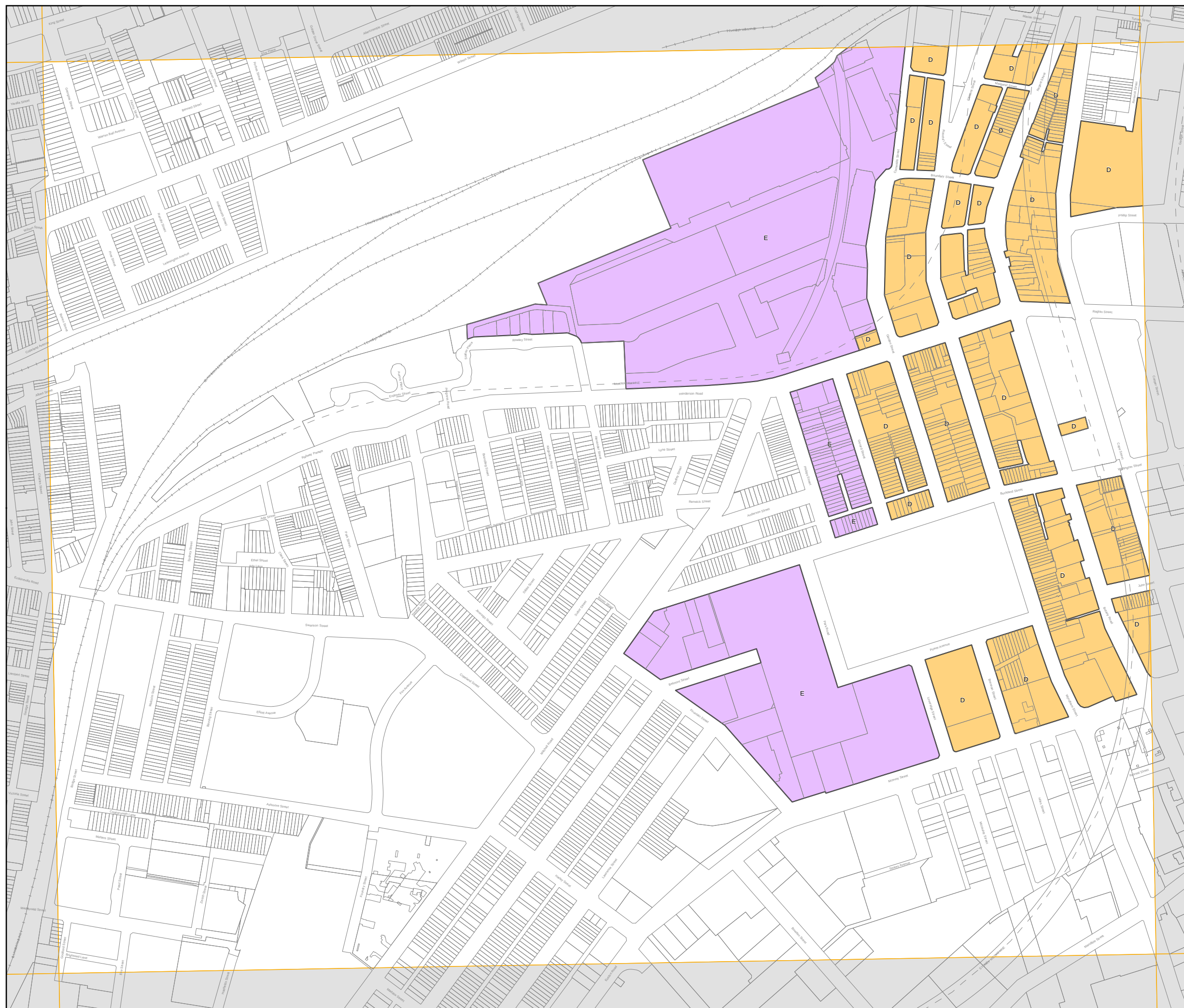


Projection: GDA 1994
Zone 56

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Scale: 1:5,000 @ A3

Map identification number:
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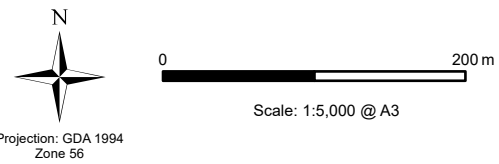
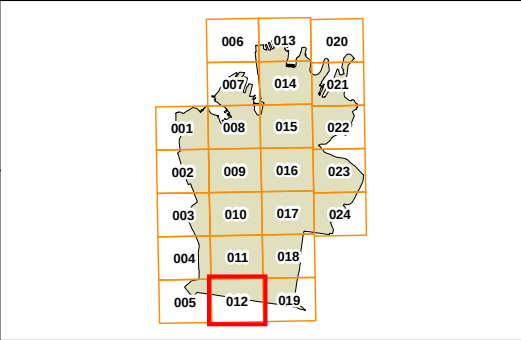
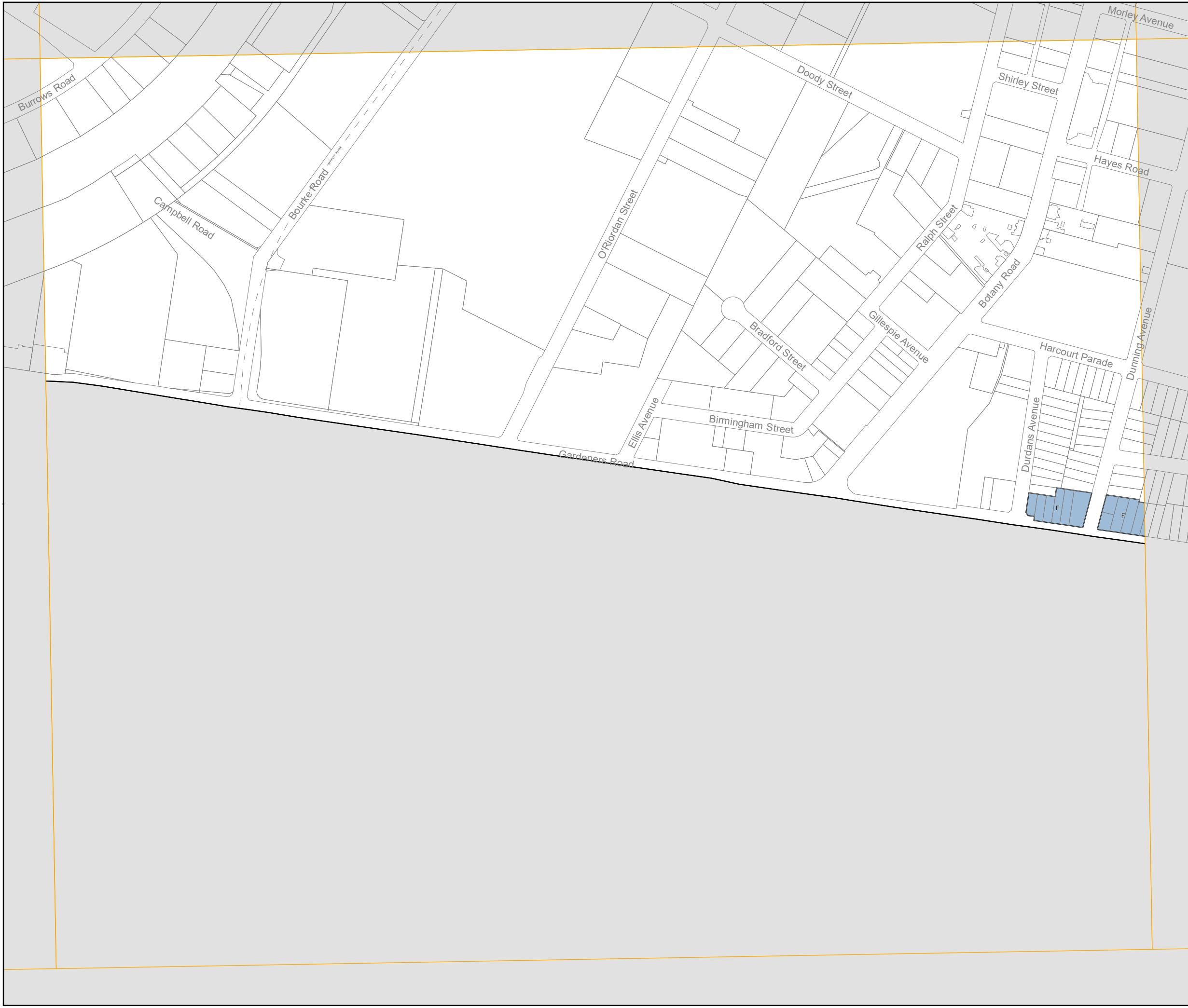
Sydney Local Environmental Plan 2012

Public Transport Accessibility Level Map - Sheet TAL_012

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre
 Cadastre 21/04/2023 © City of Sydney



Sydney Local Environmental Plan 2012

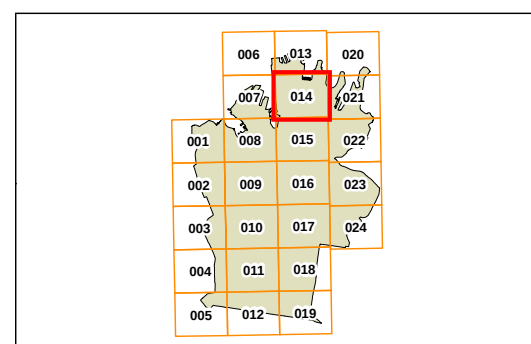
Public Transport Accessibility Level Map - Sheet TAL_014

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre

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0 200 m
Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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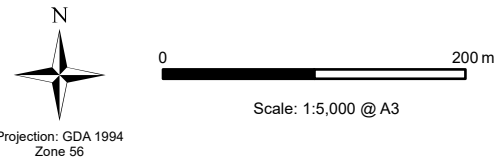
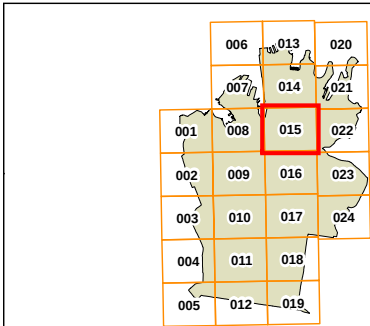
Sydney Local Environmental Plan 2012

Public Transport Accessibility Level Map - Sheet TAL_015

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

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 Cadastre 21/04/2023 © City of Sydney



Sydney Local Environmental Plan 2012

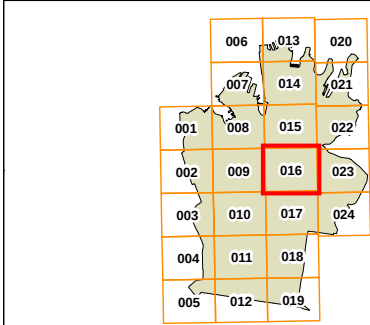
Public Transport Accessibility Level Map - Sheet TAL_016

Public Transport Accessibility Level

- D** Category D
- E** Category E
- F** Category F

Cadastre

Cadastre 21/04/2023 © City of Sydney

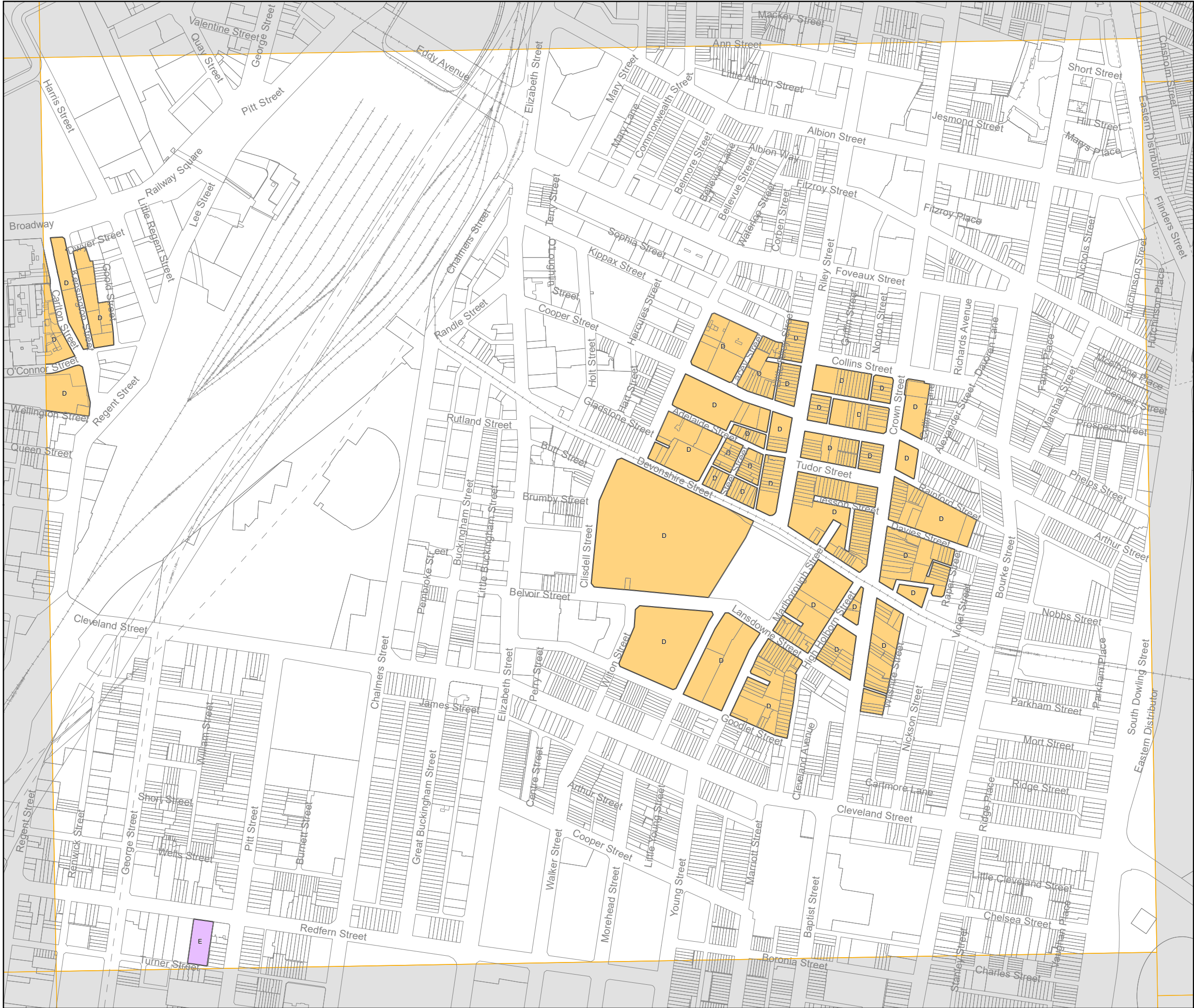


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Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

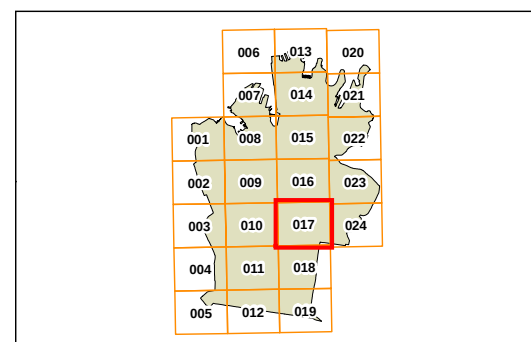
Public Transport Accessibility Level Map - Sheet TAL_017

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre

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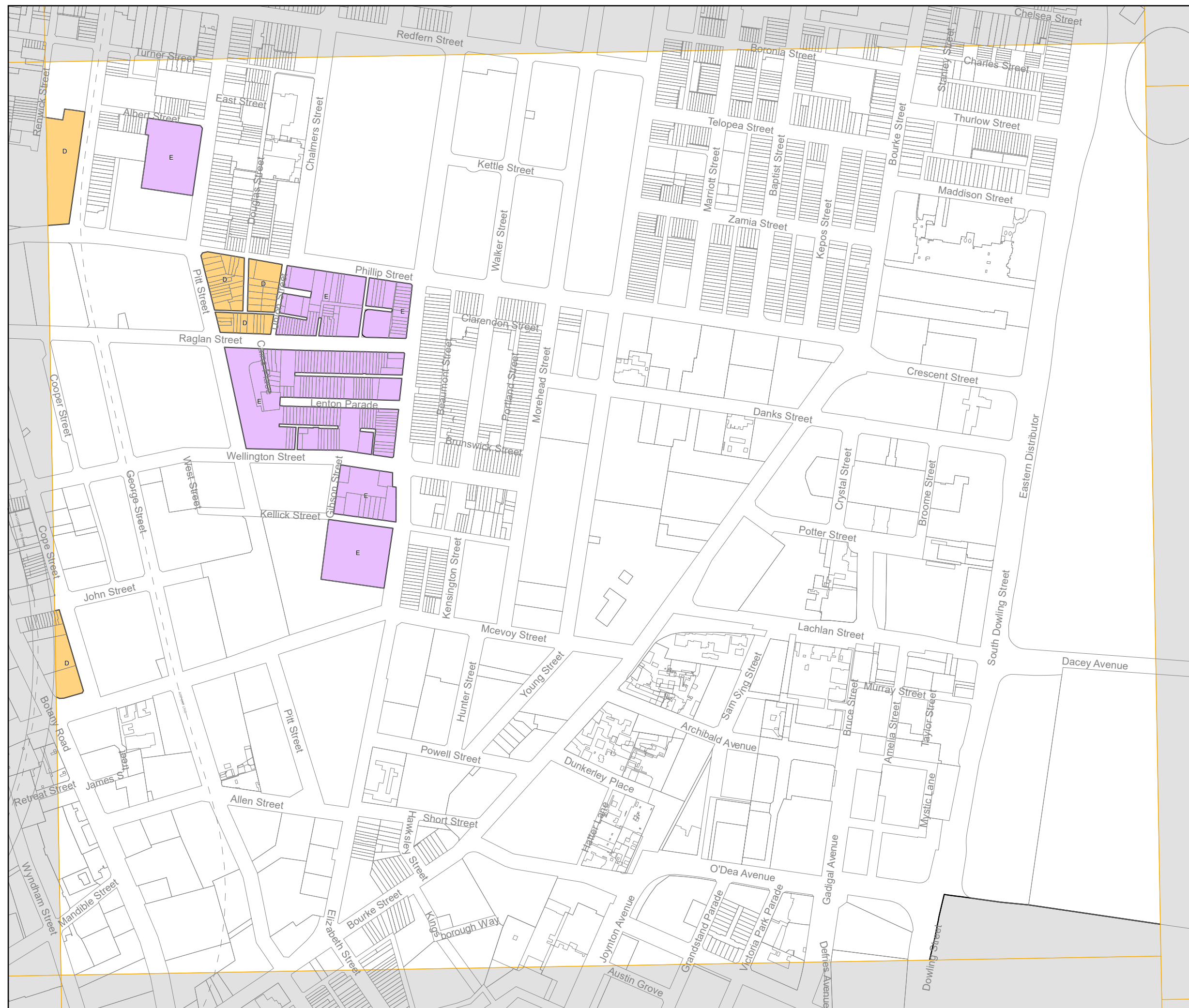


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Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

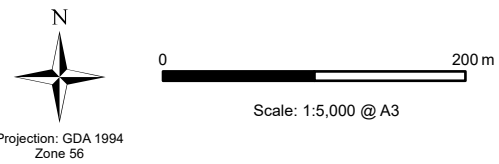
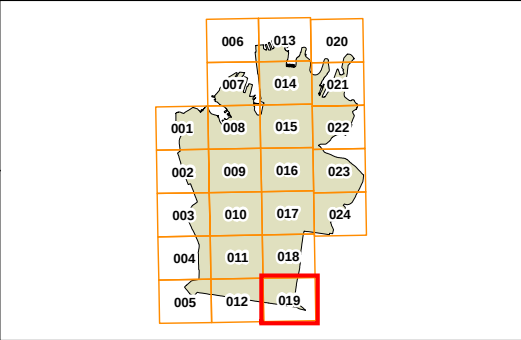
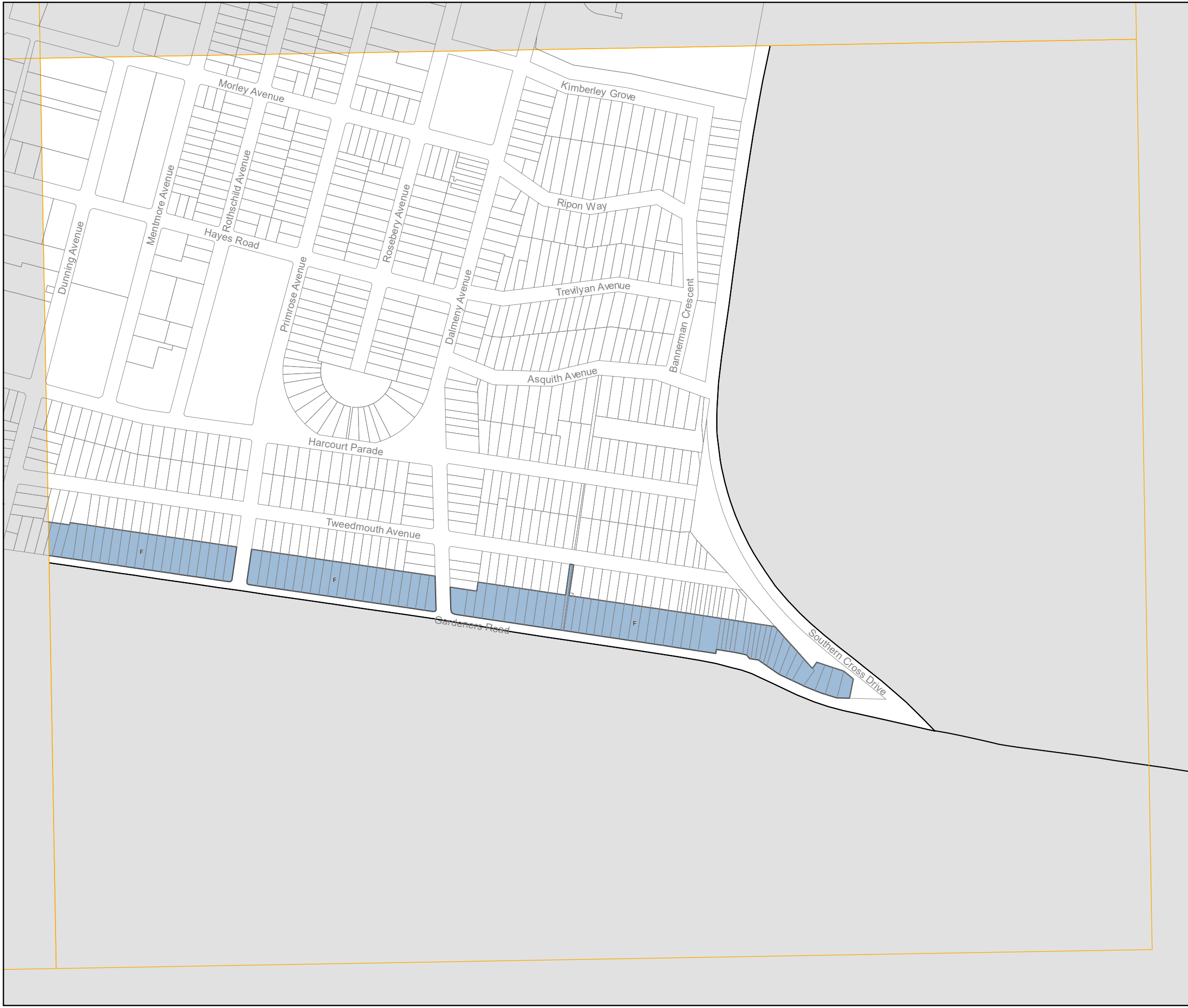
Public Transport Accessibility Level Map - Sheet TAL_019

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastral

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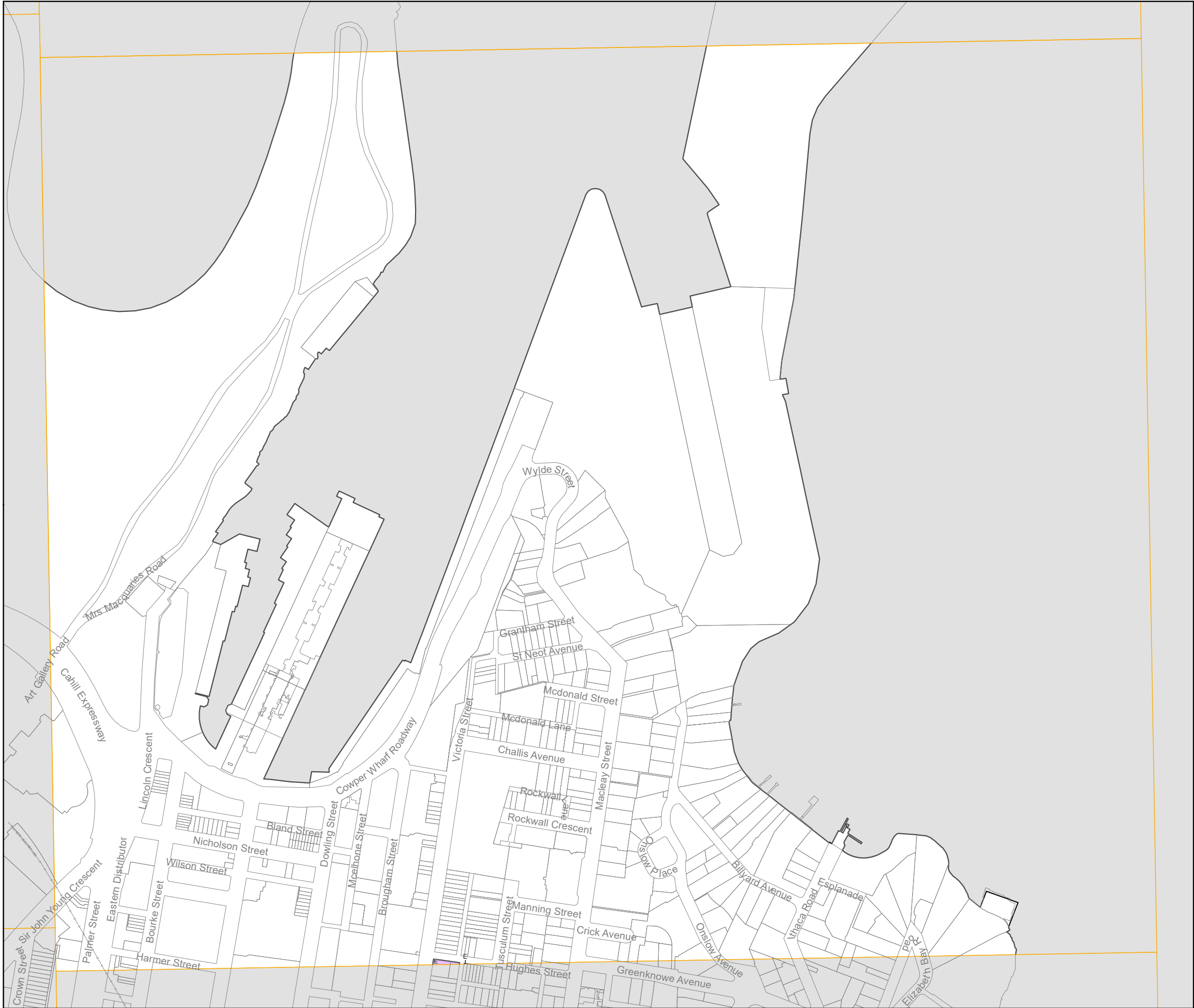
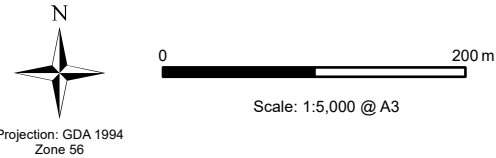
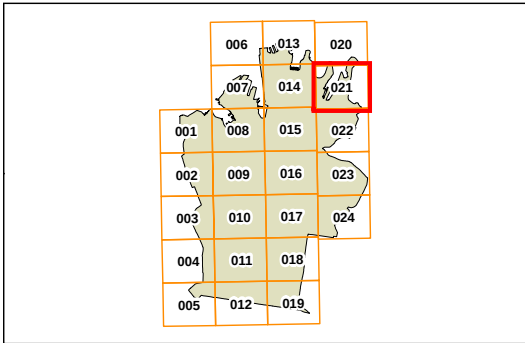
Sydney Local Environmental Plan 2012

Public Transport Accessibility Level Map - Sheet TAL_021

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre
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Sydney Local Environmental Plan 2012

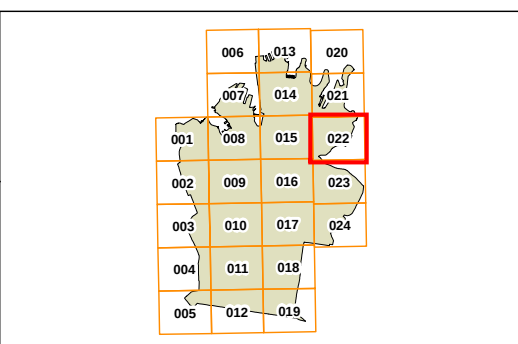
Public Transport Accessibility Level Map - Sheet TAL_022

Public Transport Accessibility Level

- D Category D
- E Category E
- F Category F

Cadastre

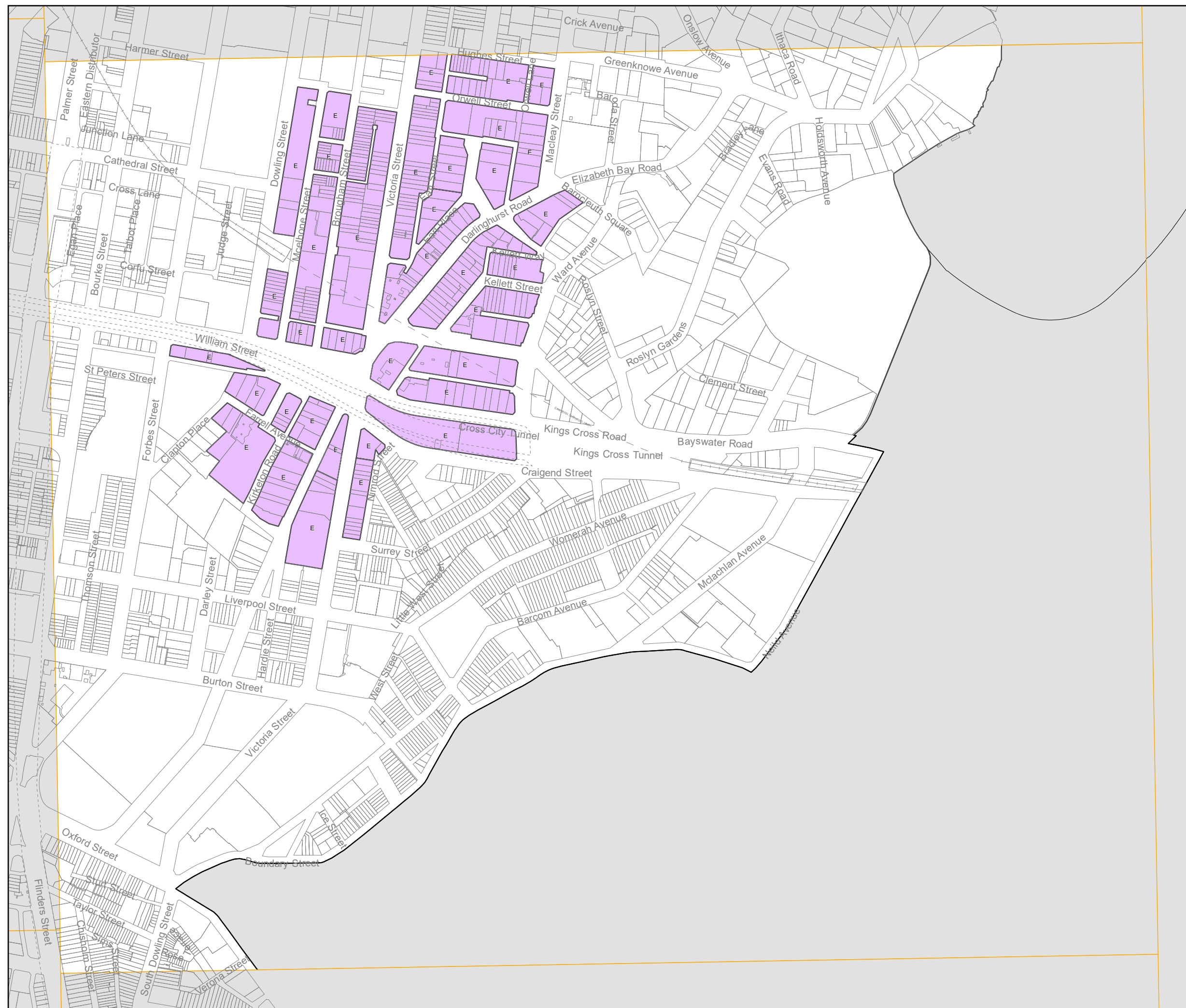
Cadastre 21/04/2023 © City of Sydney



0 200m
Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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Amendment 4 – Protection of sun access to Gunyama Park and Cook and Phillip Park

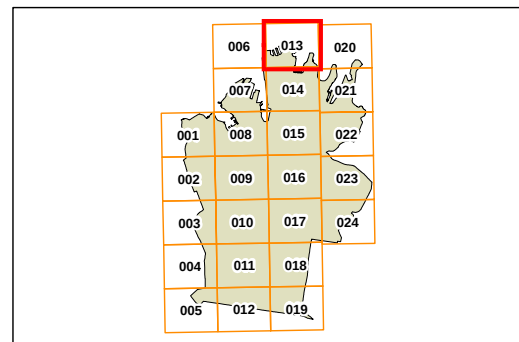
Sun Access Protection Map - Sheet SAP_013

Protected Places

-  Land Protected by Sun Access Planes
-  Land Protected by Clause 6.18

Cadastral

-  Cadastral 27/09/2022 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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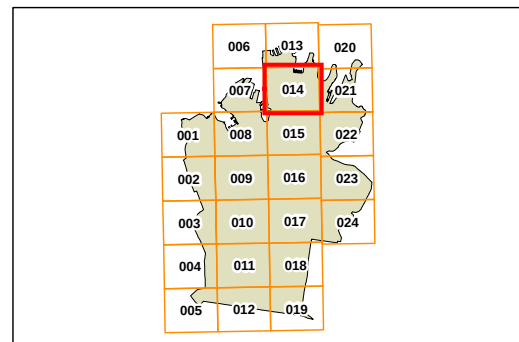
Sun Access Protection Map - Sheet SAP_014

Protected Places

- Land Protected by Sun Access Planes
- Land Protected by Clause 6.18

Cadastral

- Cadastral 27/09/2022 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

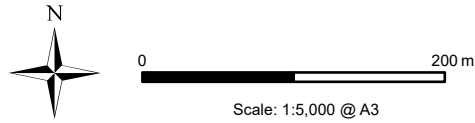
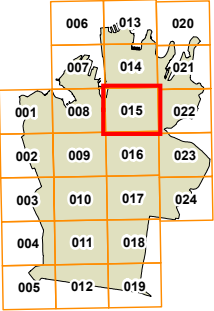
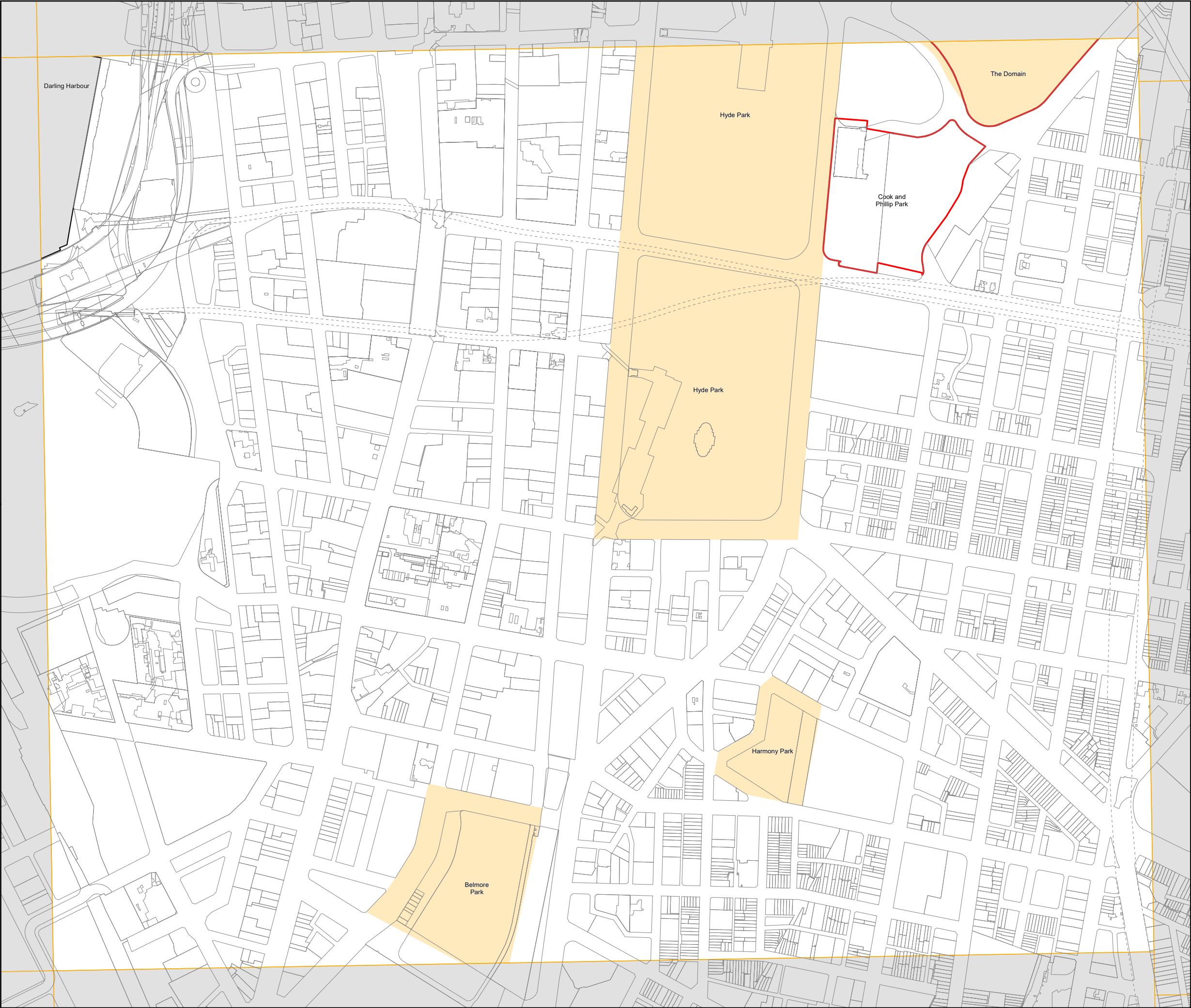
Projection: GDA 1994
Zone 56

Map identification number:
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Sydney
Local Environmental
Plan 2012

Sun Access Protection Map
- Sheet SAP_015

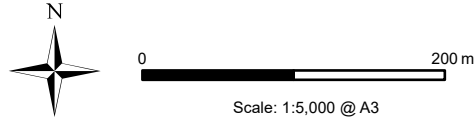
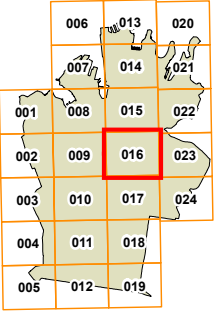
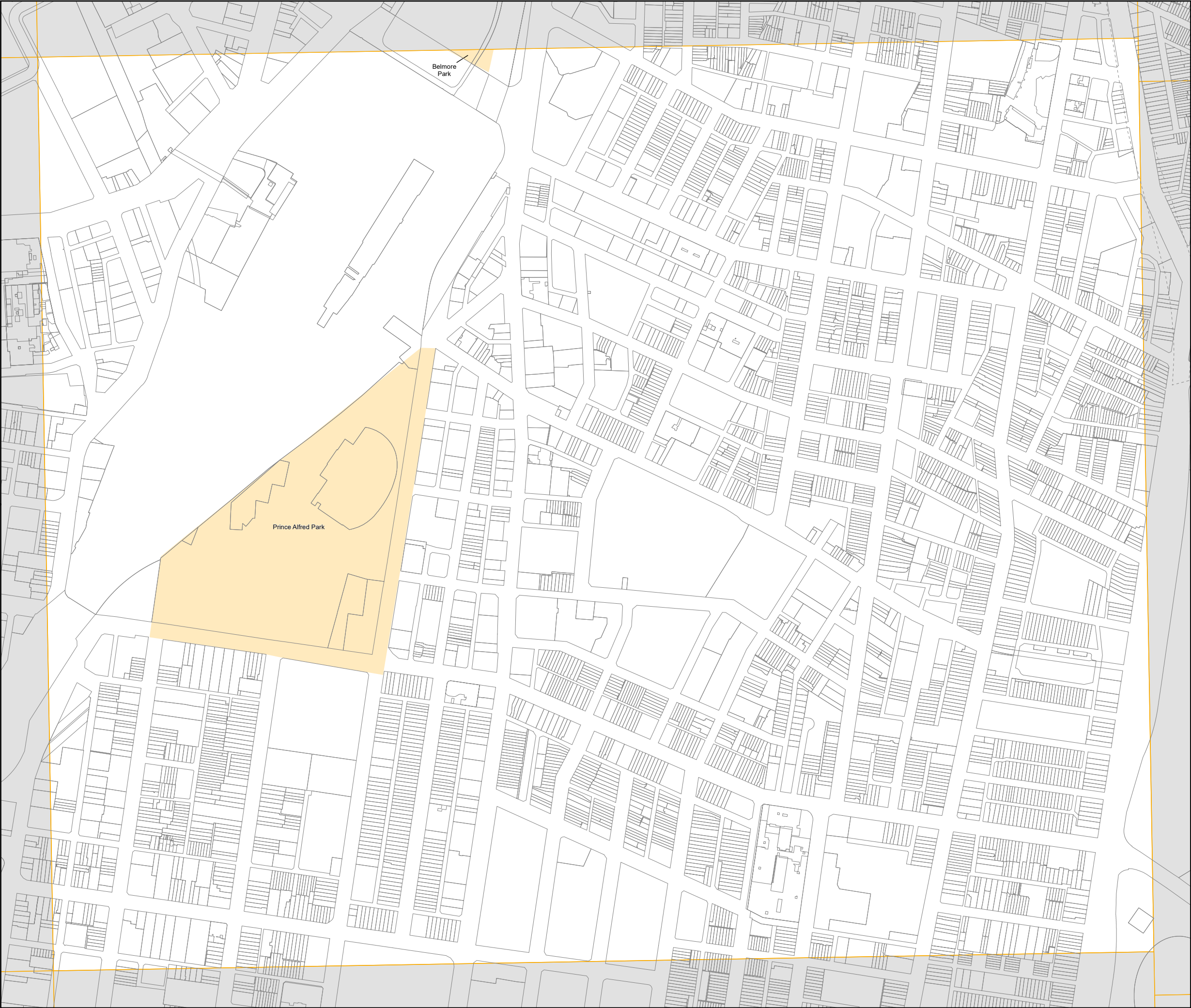
- Protected Places**
- Land Protected by Sun Access Planes
 - Land Protected by Clause 6.18
- Cadastral**
- Cadastral 11/10/2024 © City of Sydney



Sydney Local Environmental Plan 2012

Sun Access Protection Map - Sheet SAP_016

- Protected Places**
- Land Protected by Sun Access Planes
 - Land Protected by Clause 6.18
- Cadastral**
- Cadastral 11/10/2024 © City of Sydney



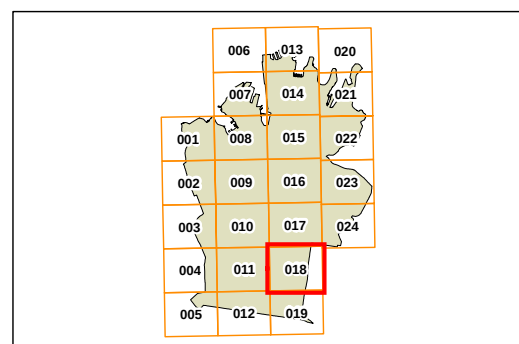
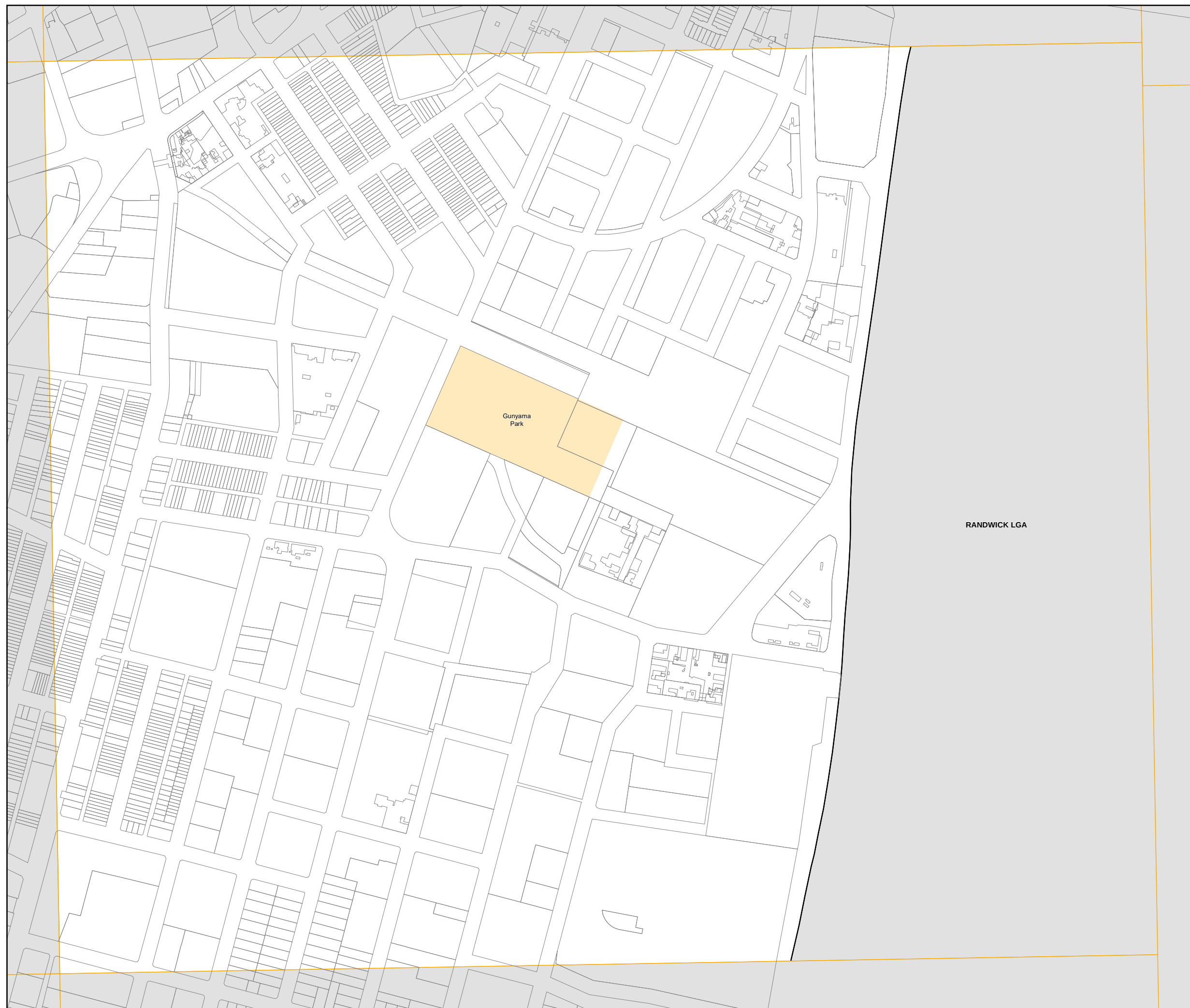
Sun Access Protection Map - Sheet SAP_018

Protected Places

- Land Protected by Sun Access Planes
- Land Protected by Clause 6.18

Cadastral

- Cadastre 27/09/2022 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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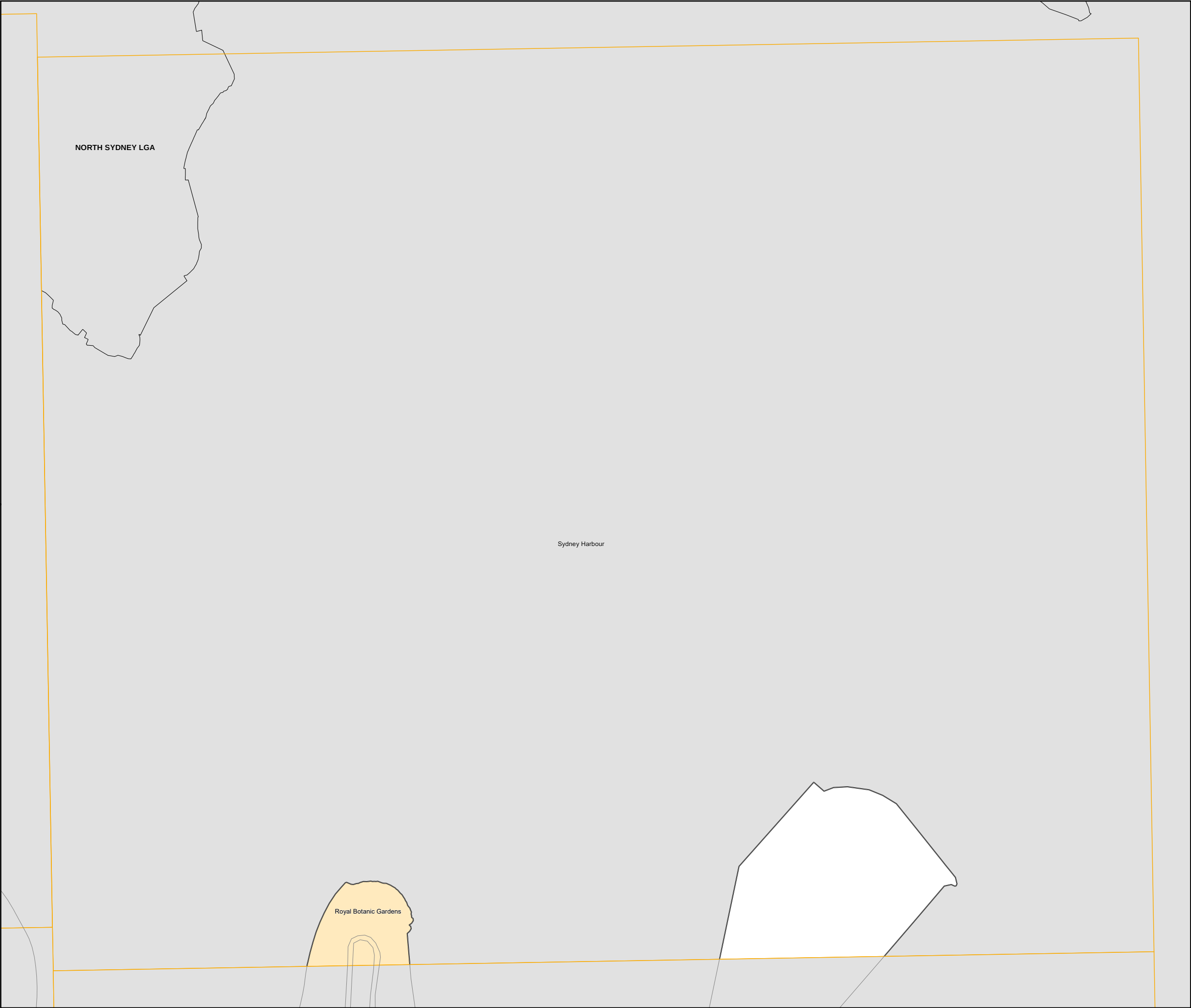
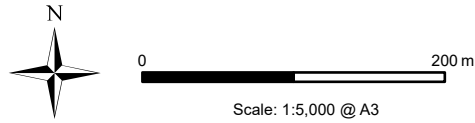
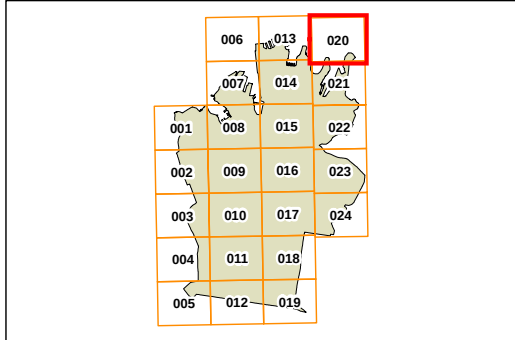
Sun Access Protection Map
- Sheet SAP_020

Protected Places

- Land Protected by Sun Access Planes
- Land Protected by Clause 6.18

Cadastral

- Cadastral 27/09/2022 © City of Sydney



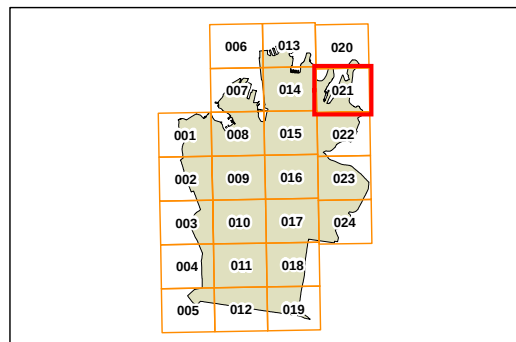
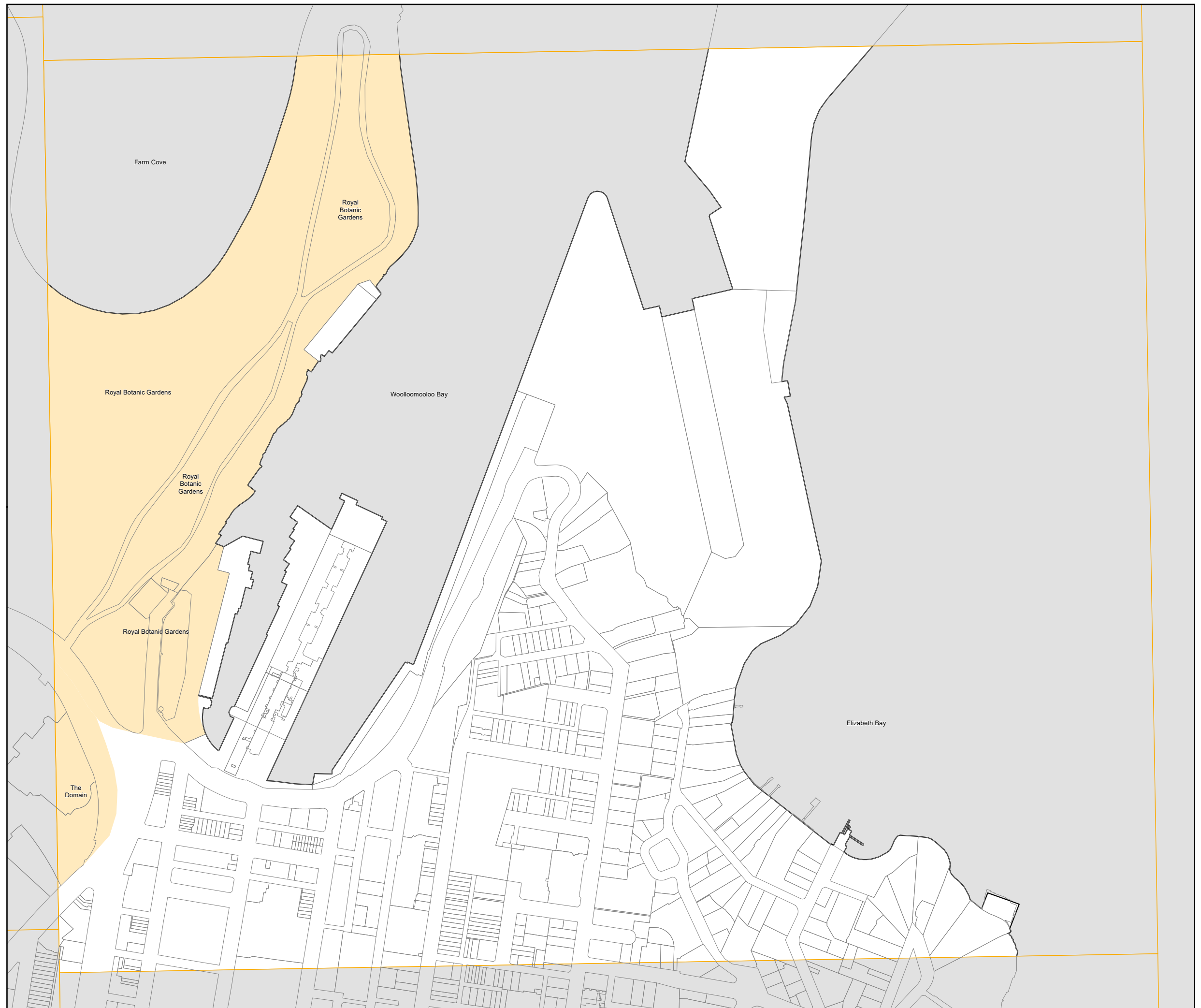
Sun Access Protection Map - Sheet SAP_021

Protected Places

- Land Protected by Sun Access Planes
- Land Protected by Clause 6.18

Cadastral

- Cadastre 27/09/2022 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_SAP_021_005_20220927

Amendment 9 – Change to boundaries of SP5 Metropolitan Centre zone

Sydney Local Environmental Plan 2012

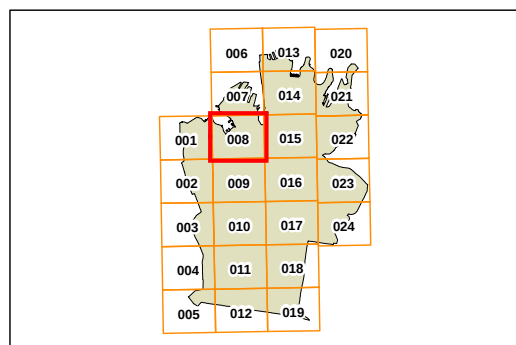
Locality and Site Identification Map Key Sites Map Foreshore Building Line Map

Locality and Site Identification Map

- Central Sydney
- Ultimo-Pyrmont

Cadastre

- Cadastre 08/03/2022 © City of Sydney

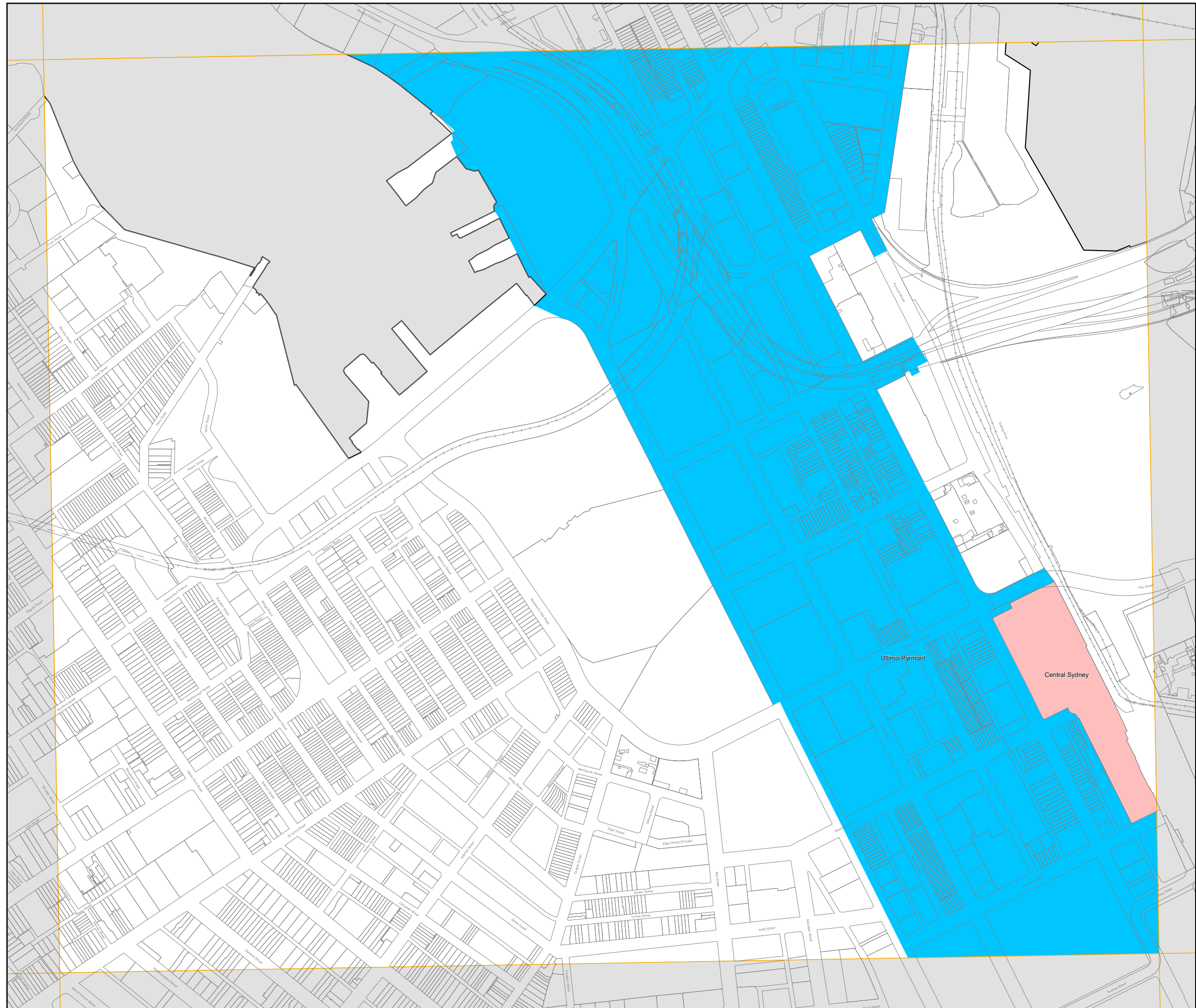


Projection: GDA 1994
Zone 56

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Scale: 1:14,000 @ A3

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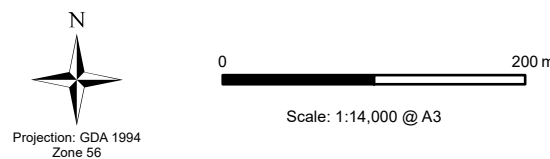


Locality and Site Identification Map

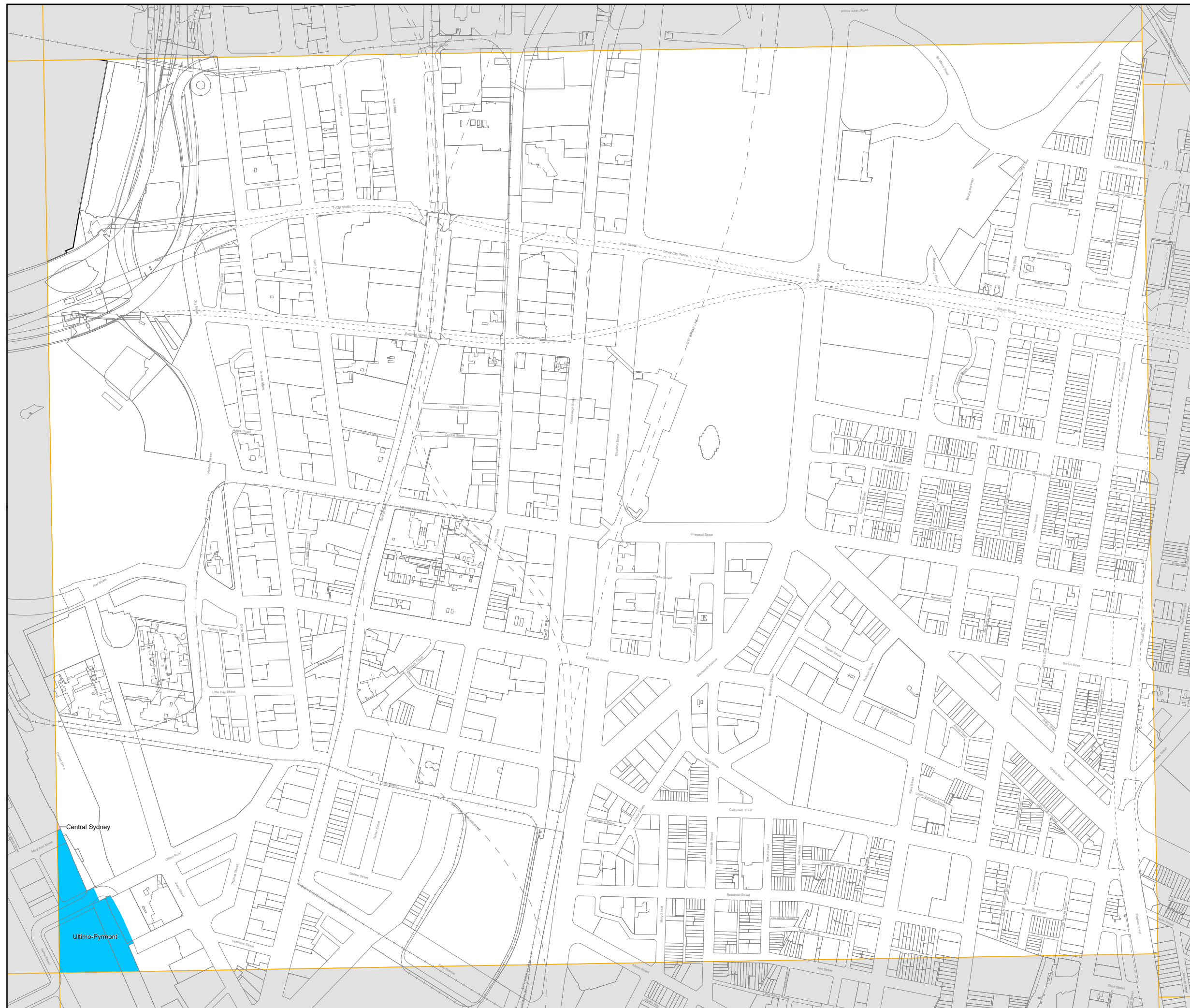
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Cadastre

 Cadastre 08/03/2022 © City of Sydney



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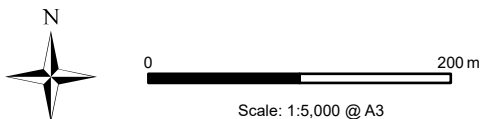
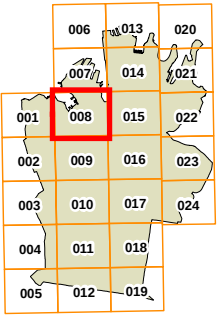
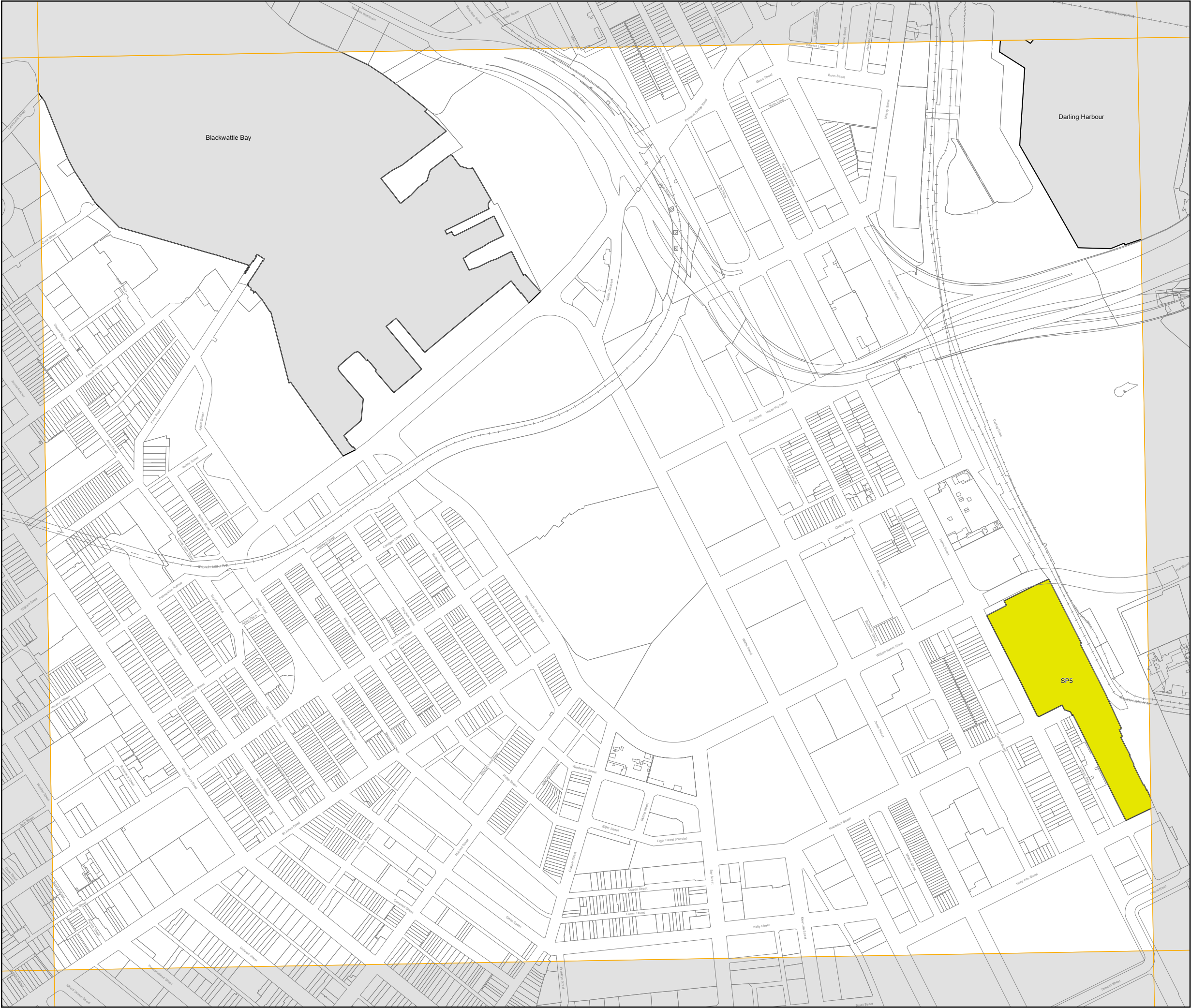


Land Zoning Map - Sheet LZN_008

- Zone
- MU1 Mixed Use
 - R1 General Residential
 - SP2 Infrastructure
 - SP5 Metropolitan Centre

Cadastre

Cadastre 18/07/2023 © City of Sydney



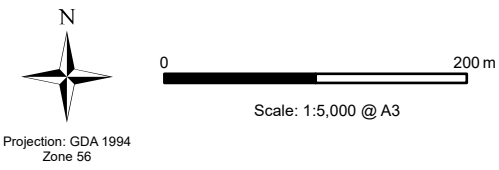
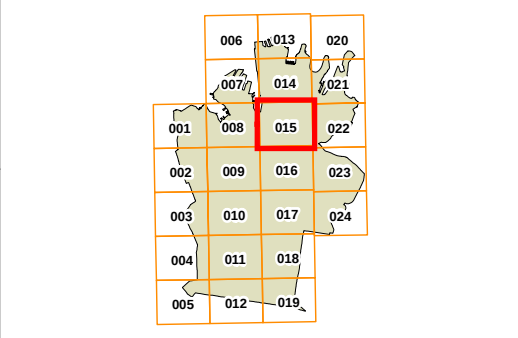
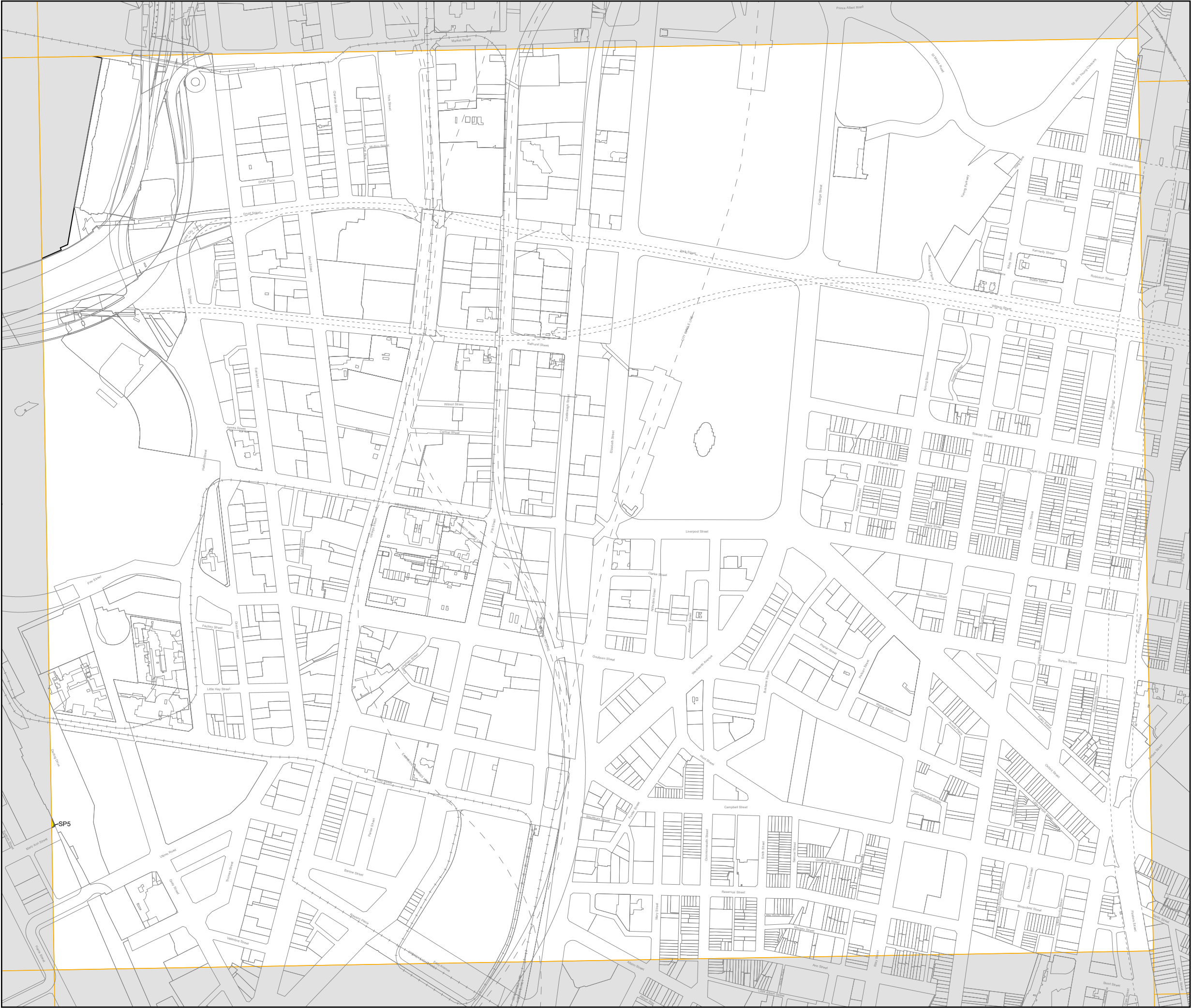
Land Zoning Map - Sheet LZN_015

Zone

- MU1 Mixed Use
- R1 General Residential
- SP2 Infrastructure
- SP5 Metropolitan Centre

Cadastre

- Cadastre 18/07/2023 © City of Sydney



~~Amendment 13 – Rezoning part of 9-13 & 22 O’Riordan Street, Alexandria~~

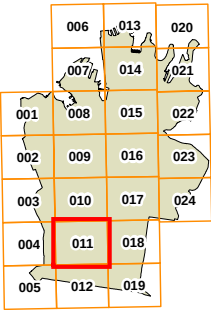
Land Reservation Acquisition Map
- Sheet LRA_011

Land Reservation Acquisition

Local Road (SP2)

Cadastre

Cadastre 07/04/2022 © City of Sydney

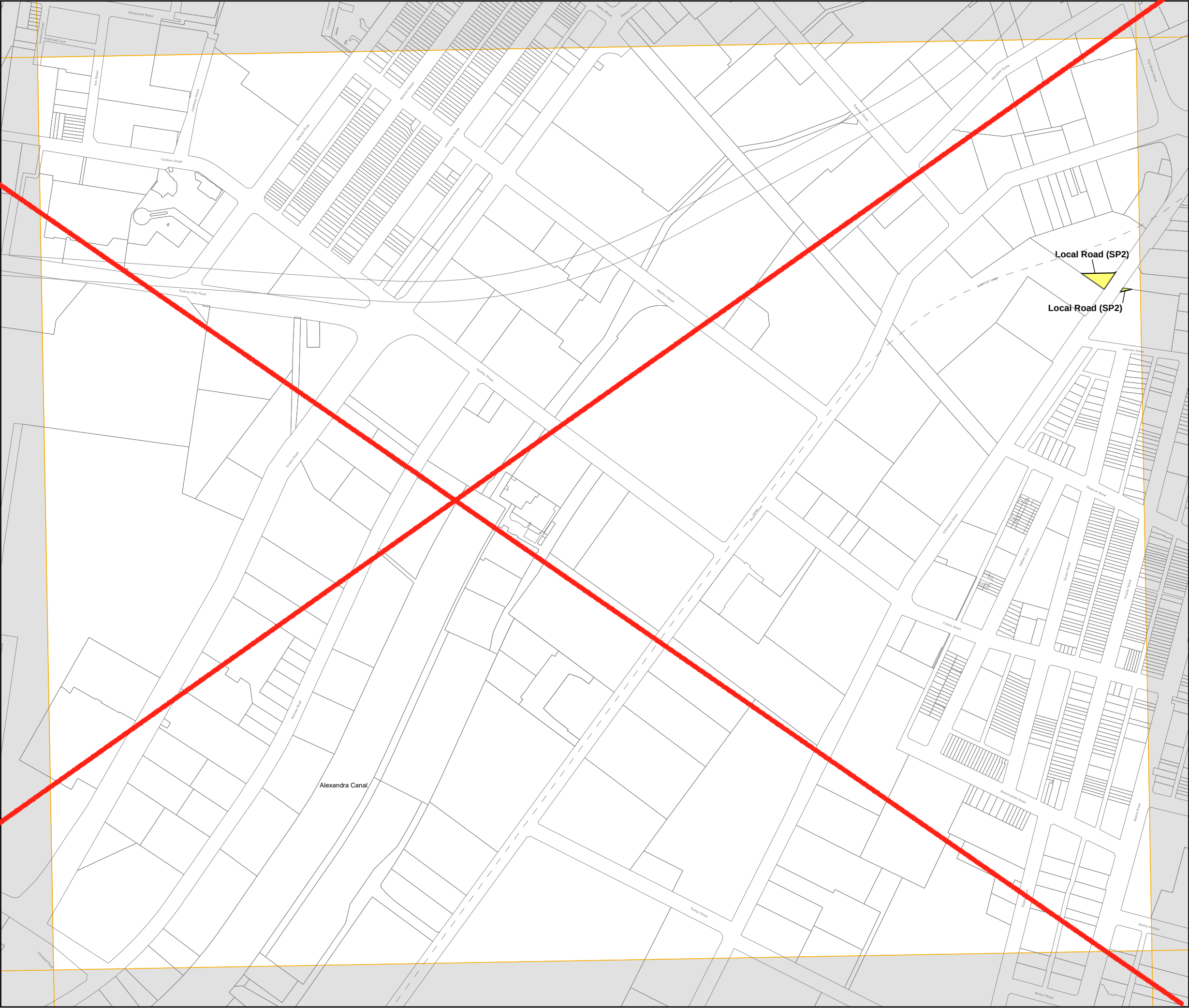


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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

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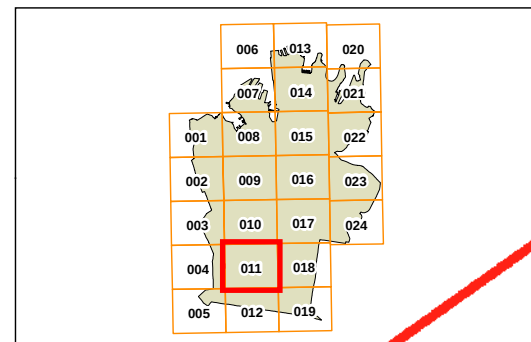
Land Zoning Map - Sheet LZN_011

Zone

- | | |
|-----|---------------------|
| MU1 | Mixed Use |
| R1 | General Residential |
| SP2 | Infrastructure |
| SP5 | Metropolitan Centre |

Cadastral

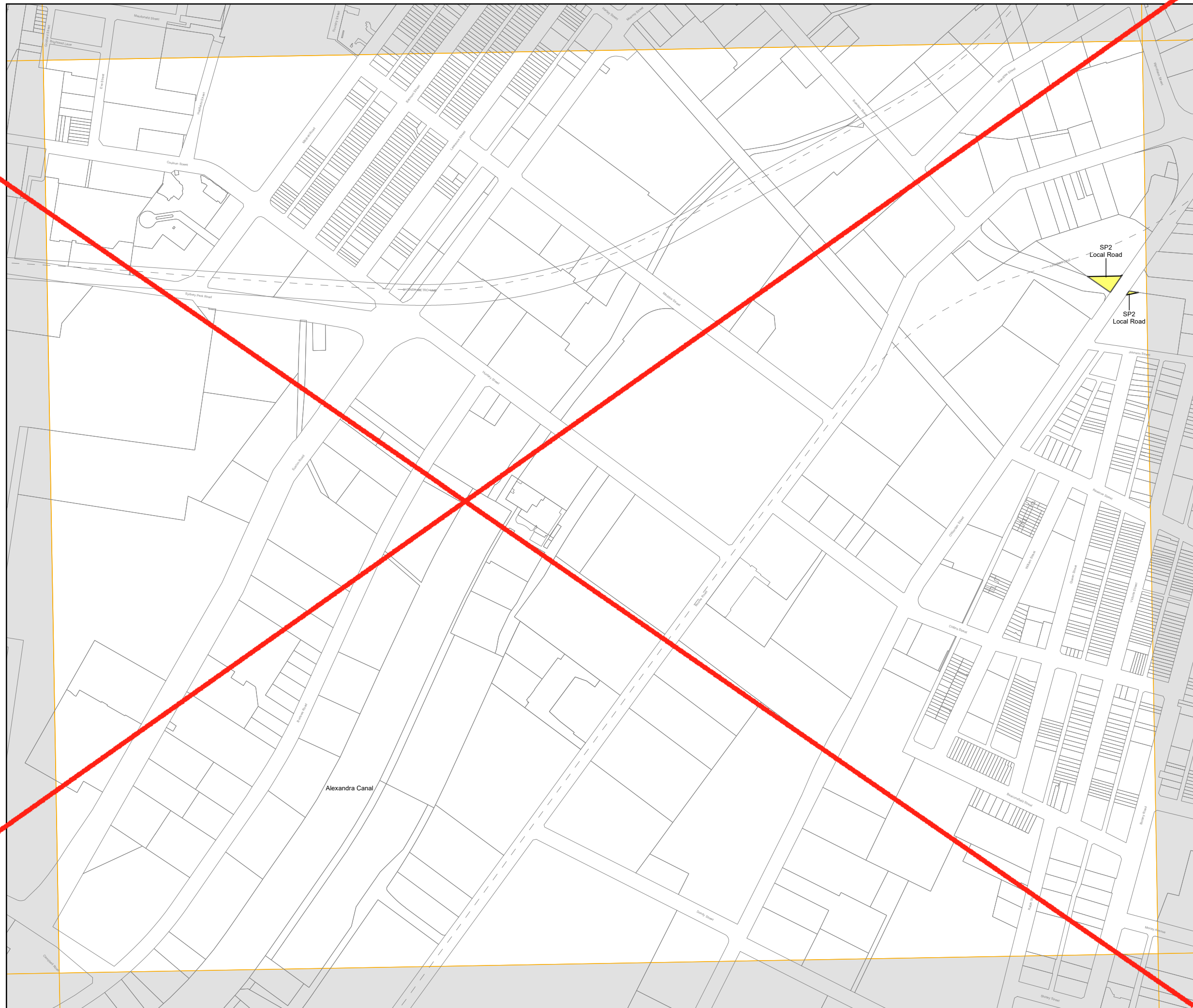
 Cadastre 18/07/2023 © City of Sydney



Projection: GDA 1994
Zone 56

Scale: 1:5,000 @ A3

Map identification number:
200_COM_LZN_011_005_20230718



Amendment 15 – 257 Sussex Street: Building height and Floor space ratio

Sydney
Local Environmental
Plan 2012

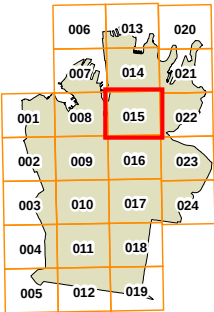
Floor Space Ratio Map -
Sheet FSR_015

Maximum Floor Space Ratio (n:1)

AB2 7.5

Cadastre

Cadastre 19/08/2021 © City of Sydney

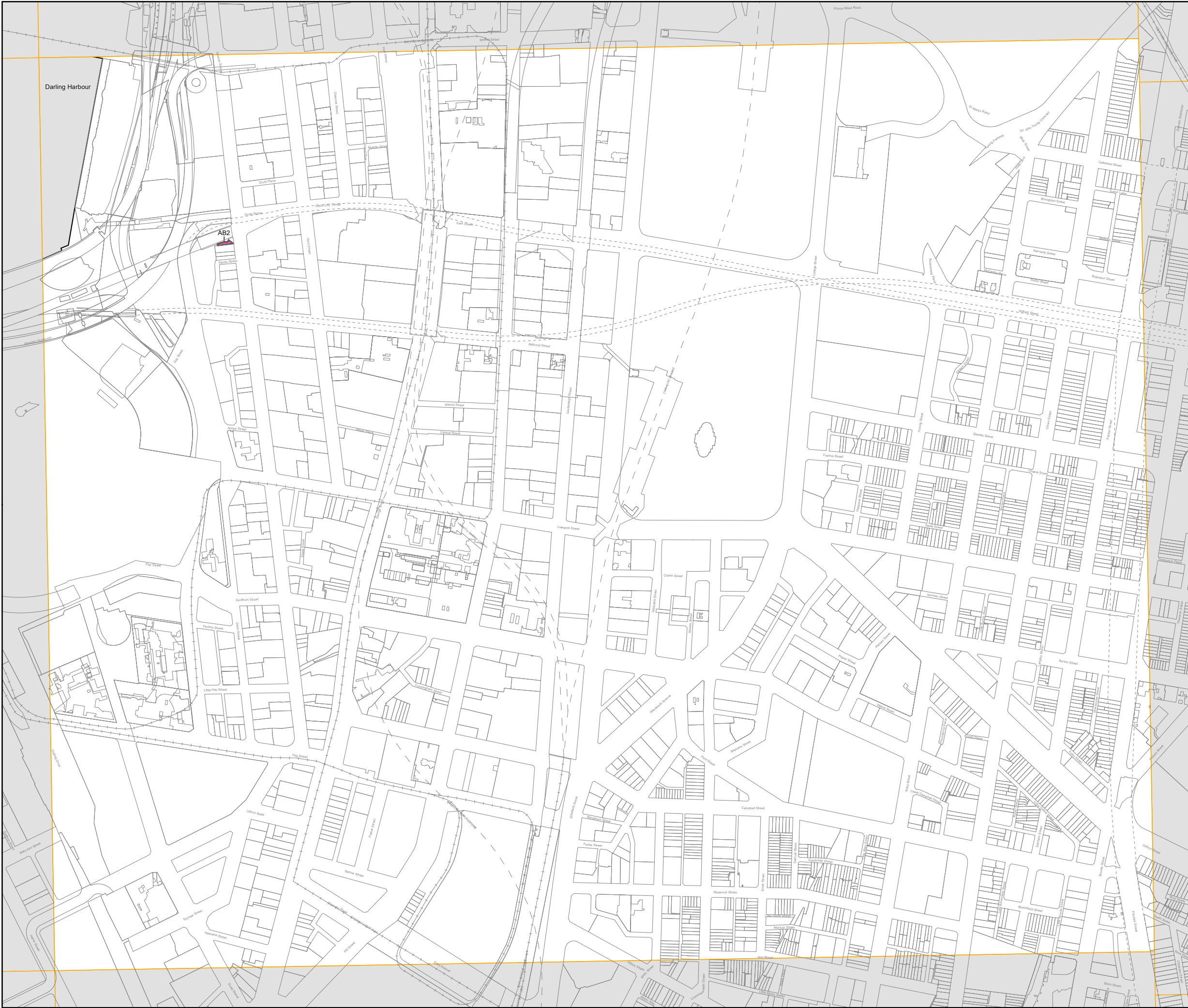


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Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

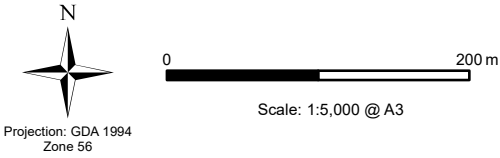
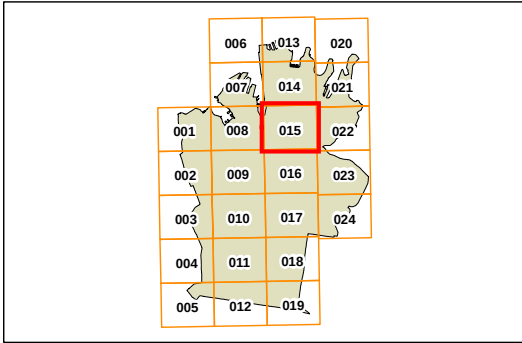
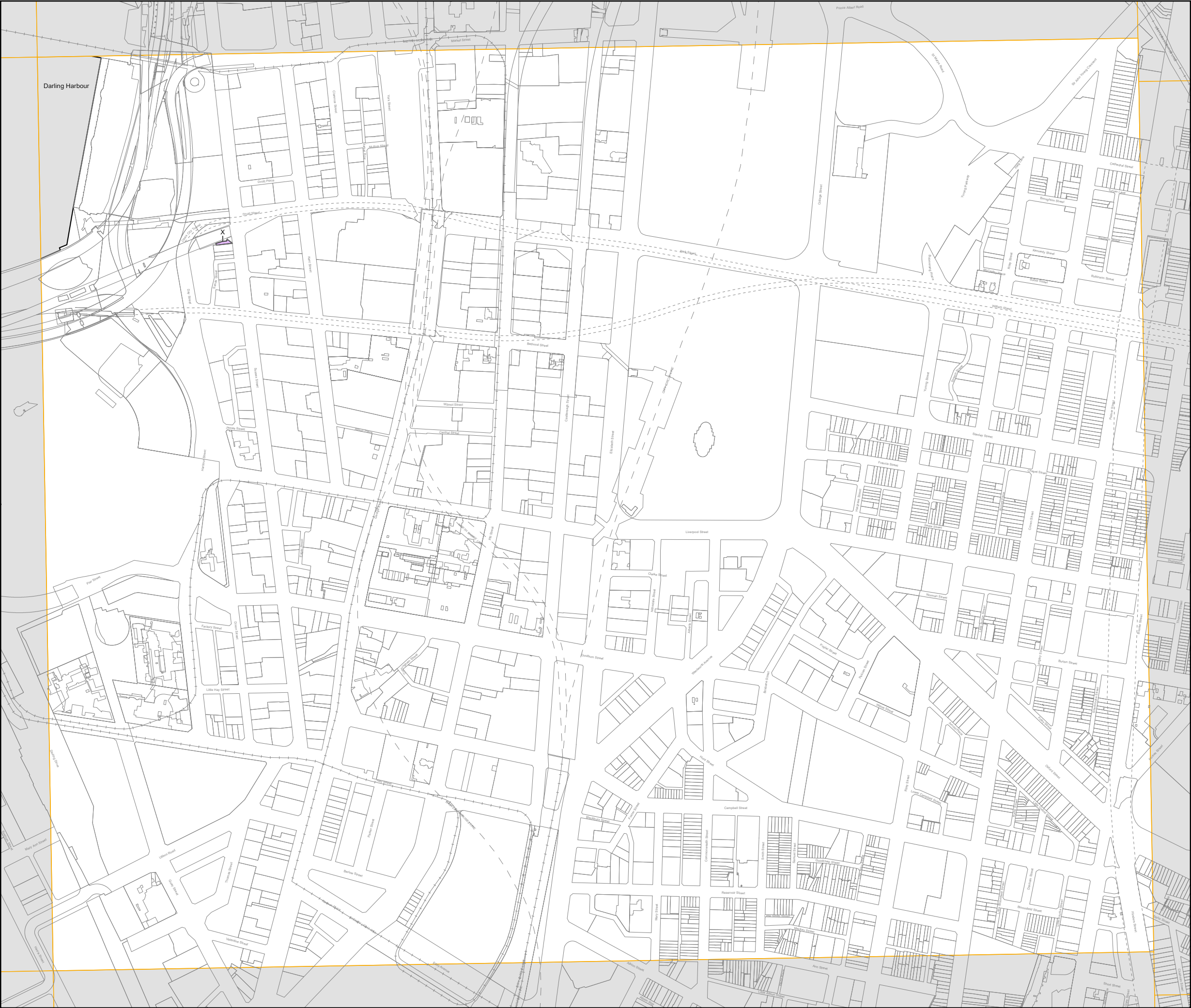
Height of Buildings Map - Sheet HOB_015

Maximum Building Height (m)

X 45

Cadastre

Cadastre 19/08/2021 © City of Sydney



Amendment 18 – Integration of planning controls

Sydney
Local Environmental
Plan 2012

Land Application Map
- Sheet LAP_001

- LGA Boundary
- Land Application - Included
- LEP Included
- Cadastre
- Cadastre 05/09/2023 © City of Sydney

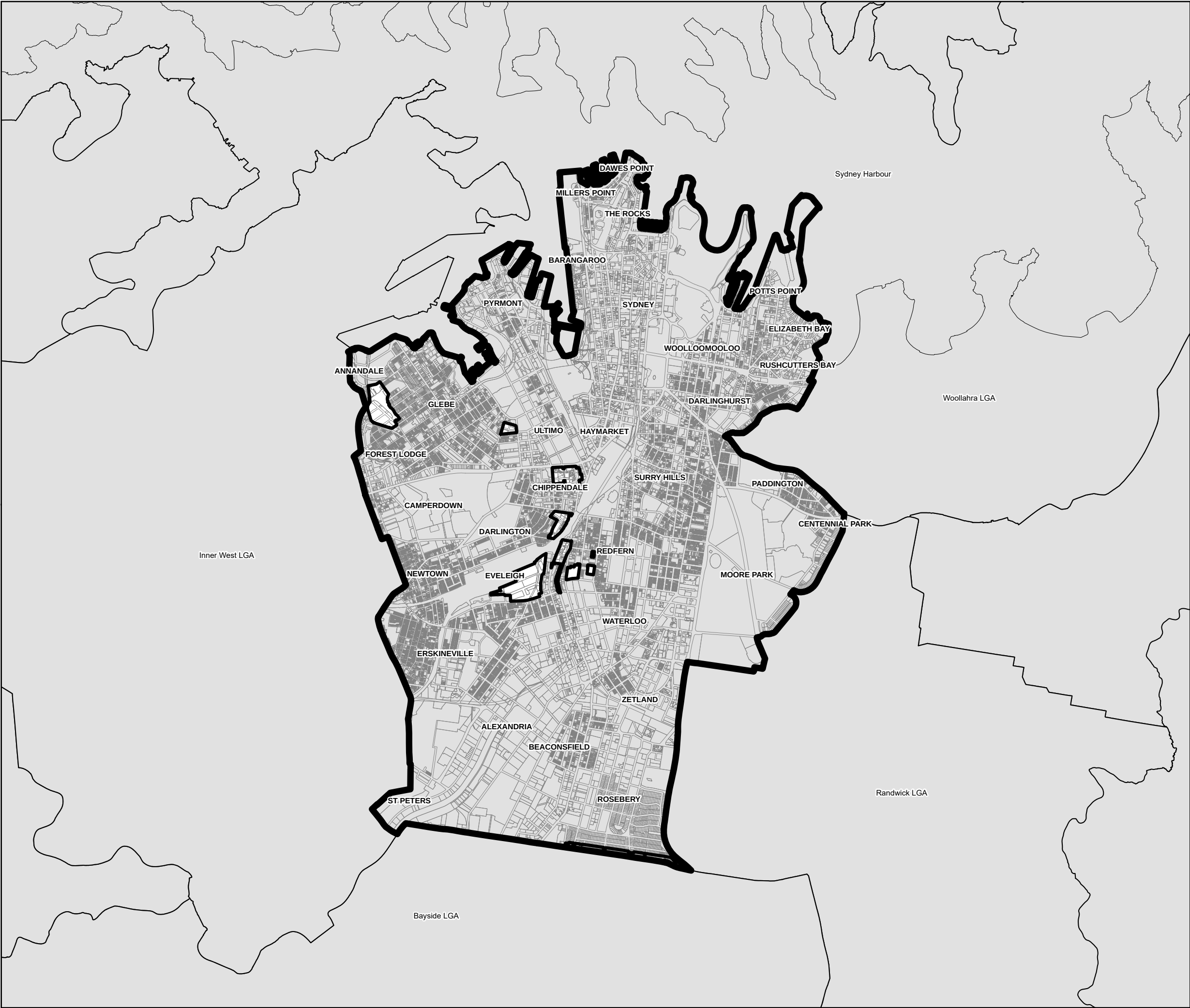


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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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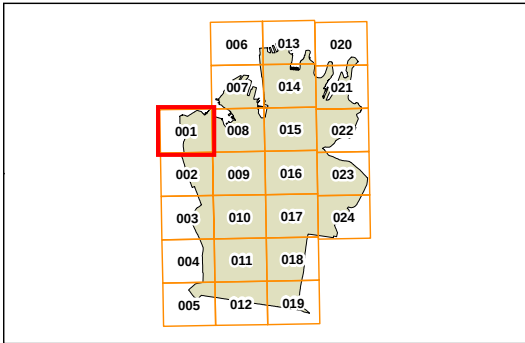
Acid Sulfate Soils Map
- Sheet ASS_001

Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 5 Class 5

Cadastre

Cadastre 07/06/2023 © City of Sydney

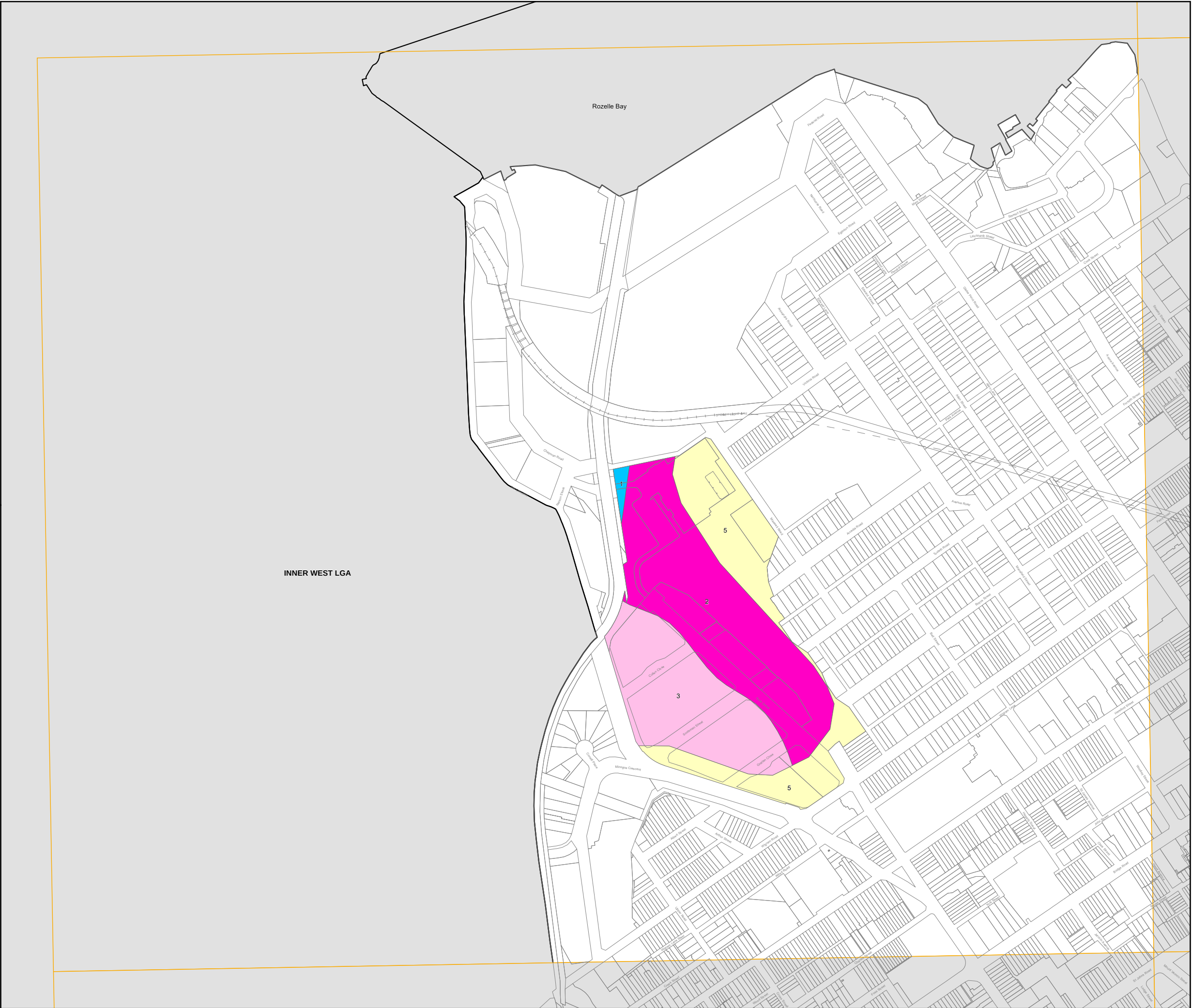


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Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_ASS_001_005_20230607



Sydney
Local Environmental
Plan 2012

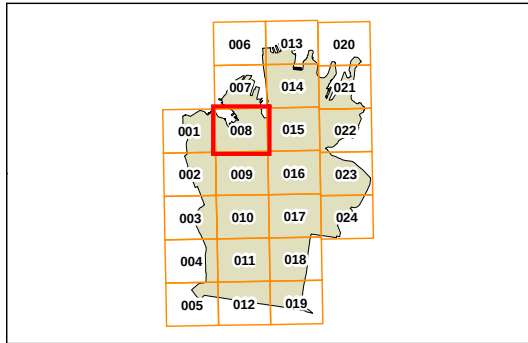
Acid Sulfate Soils Map
- Sheet ASS_008

Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 5 Class 5

Cadastre

Cadastre 07/06/2023 © City of Sydney

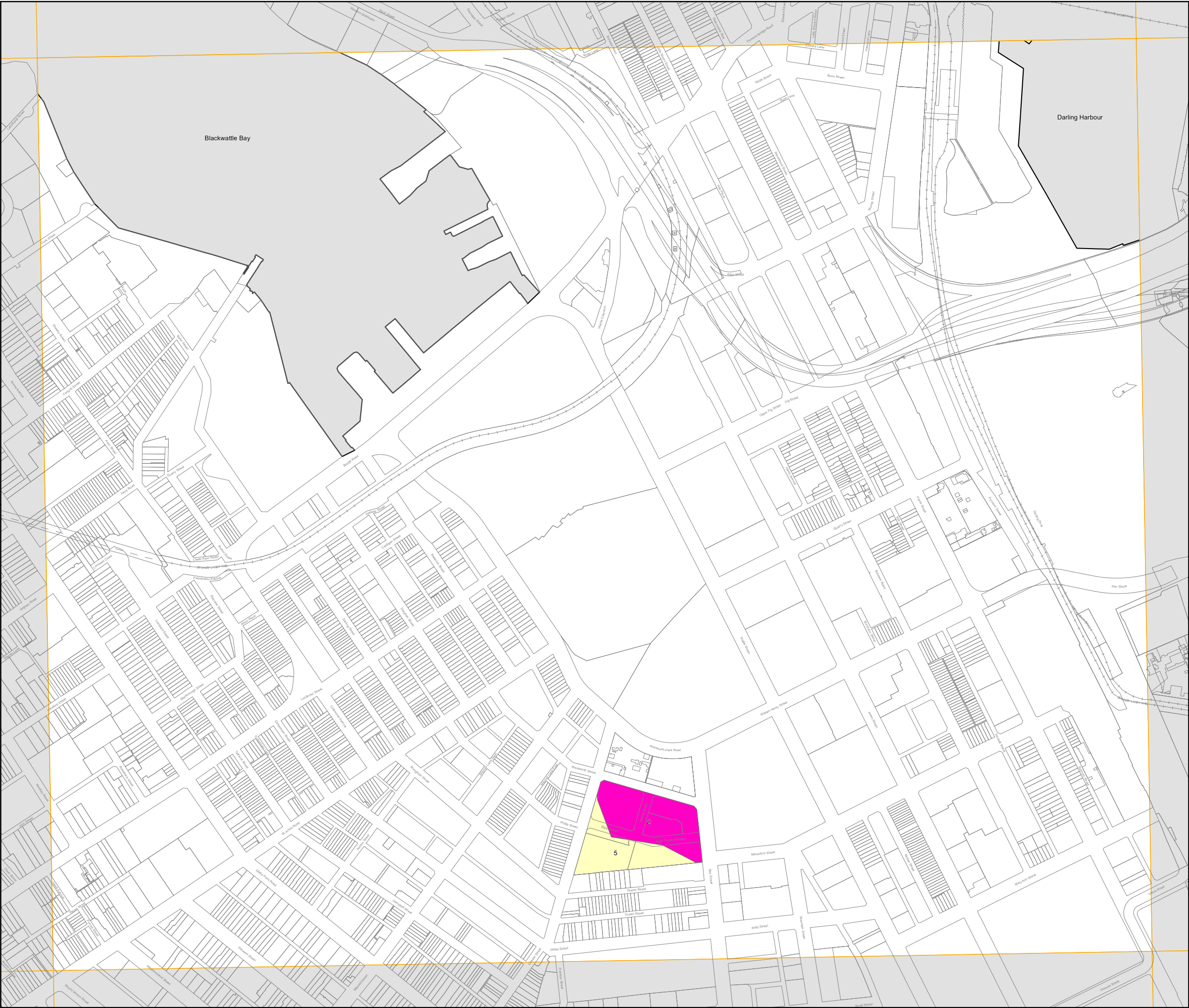


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Zone 56

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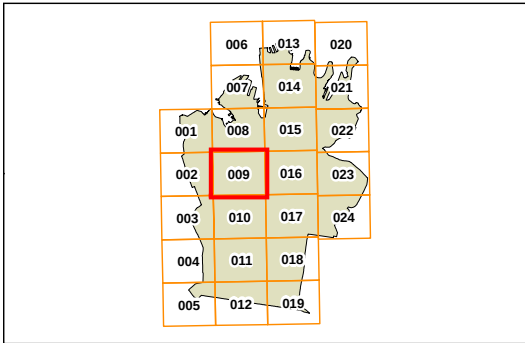
Acid Sulfate Soils Map
- Sheet ASS_009

Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 5 Class 5

Cadastre

Cadastre 03/07/2023 © City of Sydney

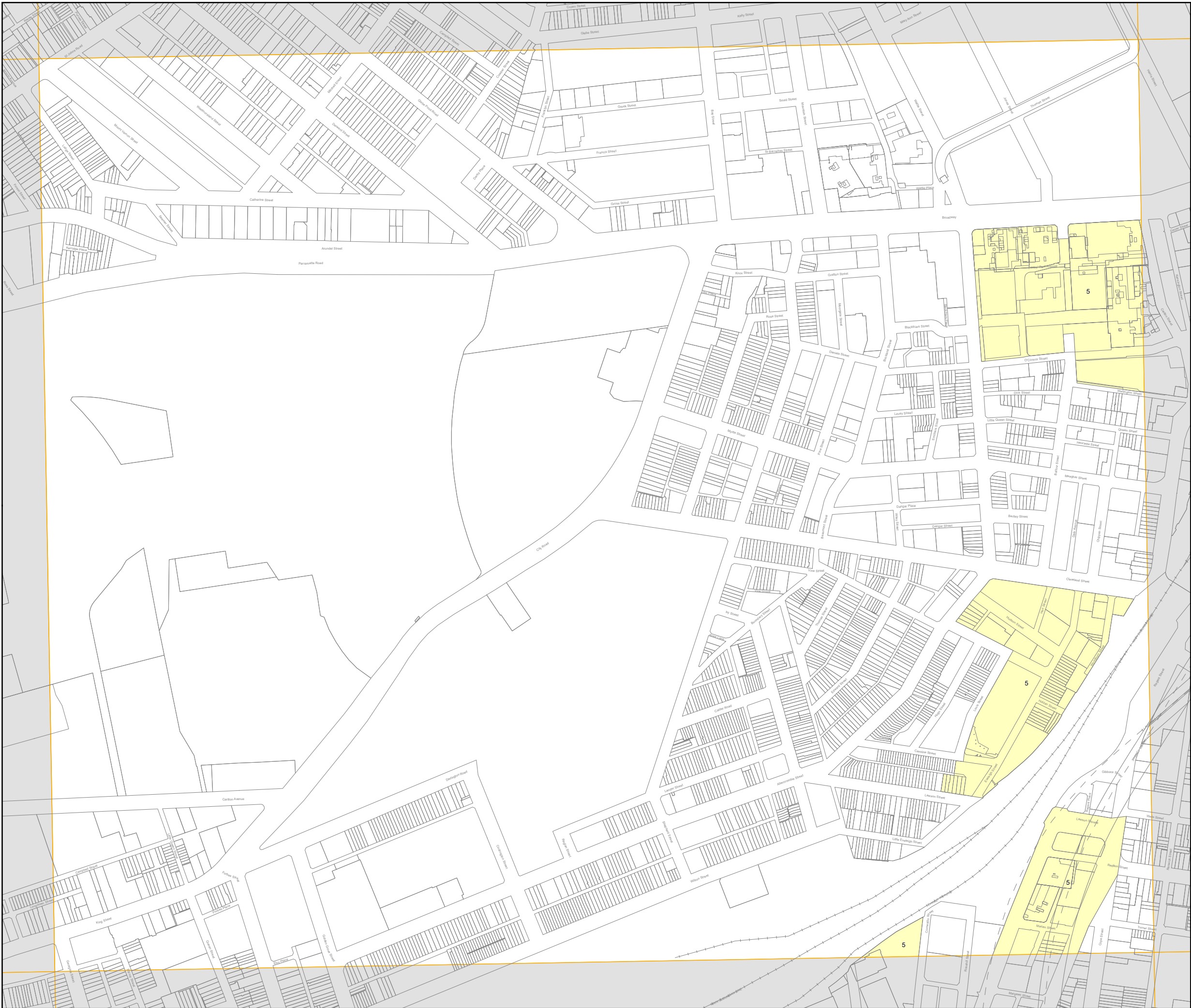


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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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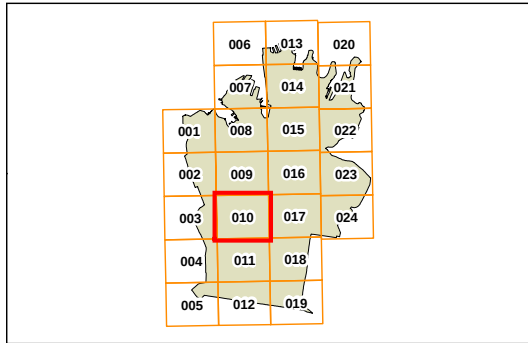
Acid Sulfate Soils Map
- Sheet ASS_010

Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 5 Class 5

Cadastre

Cadastre 05/09/2023 © City of Sydney

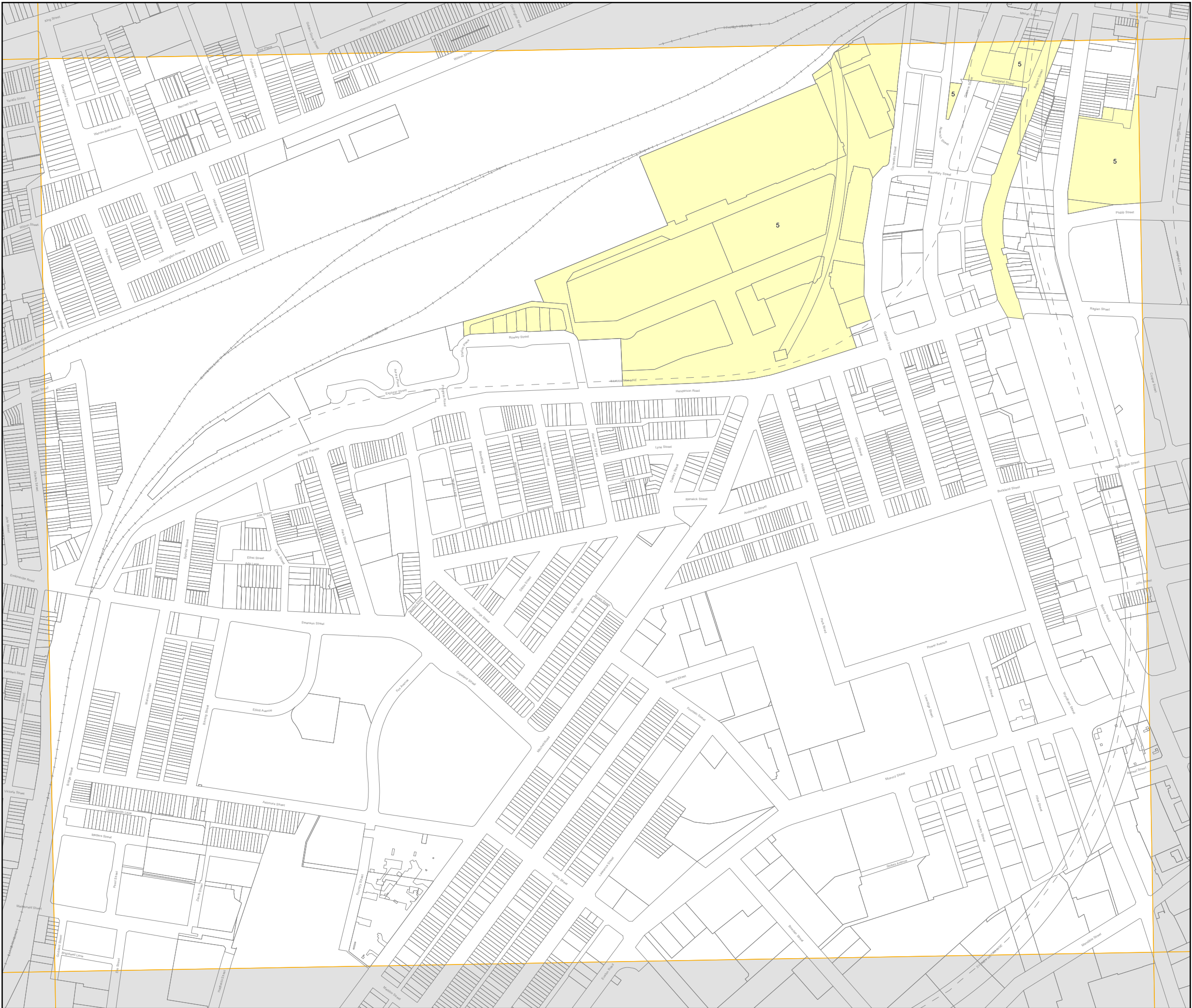


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Projection: GDA 1994
Zone 56

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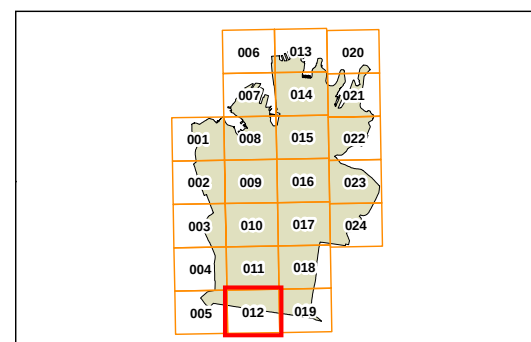


Acid Sulfate Soils

- | | |
|---|---------|
| 1 | Class 1 |
| 2 | Class 2 |
| 3 | Class 3 |
| 5 | Class 5 |

Cadaastre

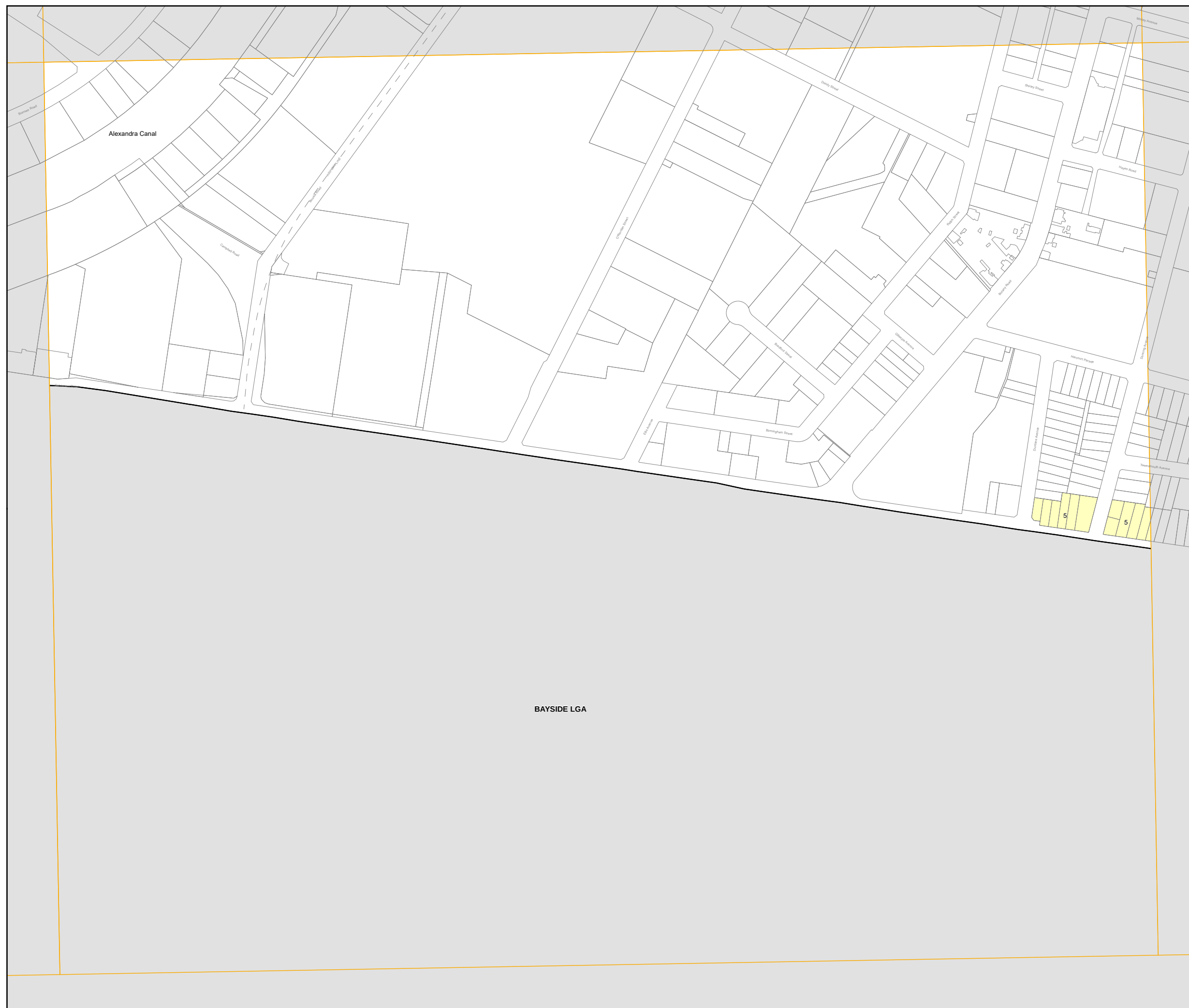
 Cadastre 07/06/2023 © City of Sydney



Projection: GDA 1994
Zone 56

Scale: 1:5,000 @ A3

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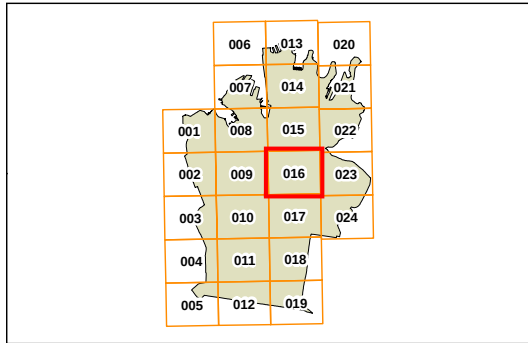
Acid Sulfate Soils Map
- Sheet ASS_016

Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 5 Class 5

Cadastre

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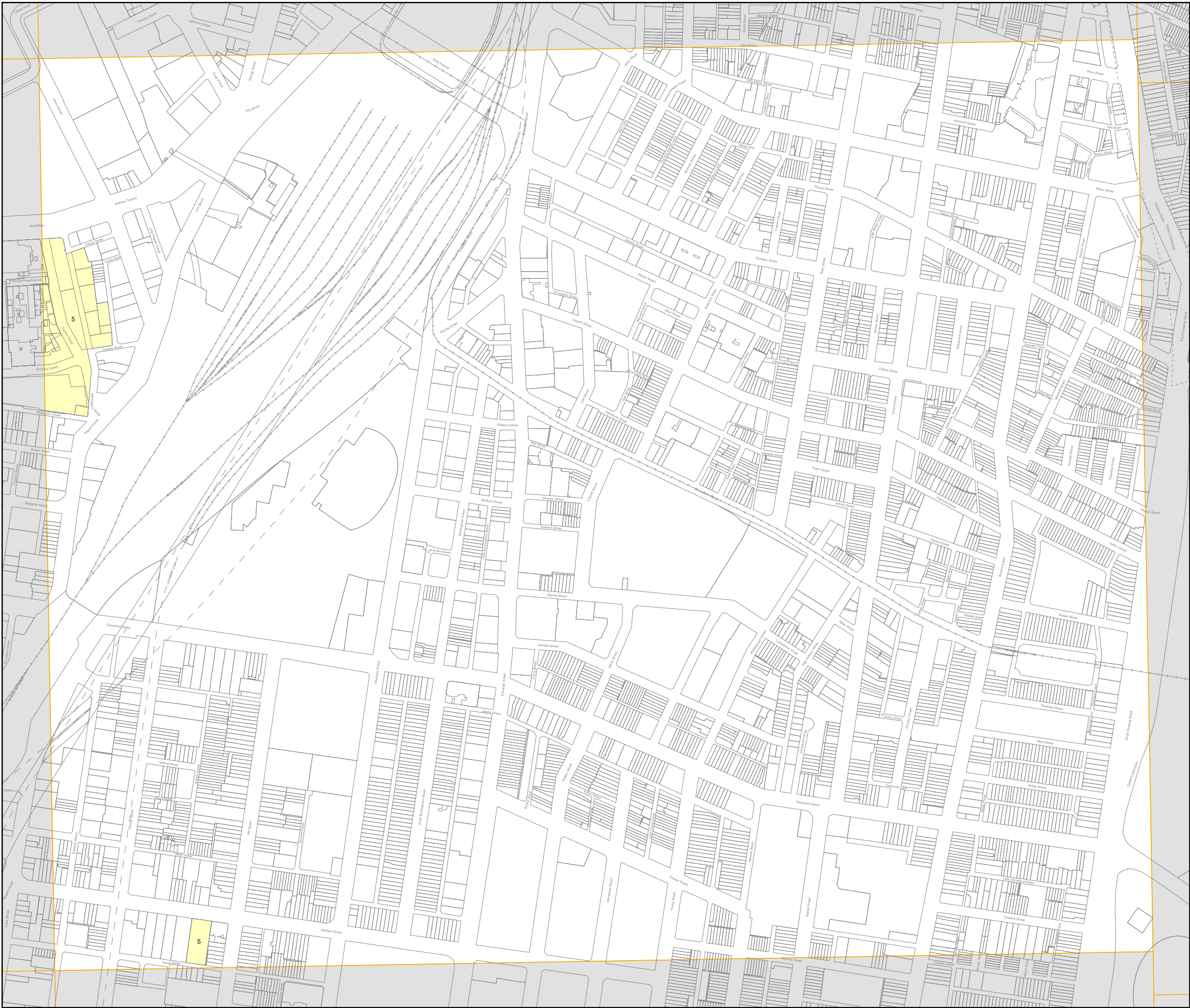


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Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

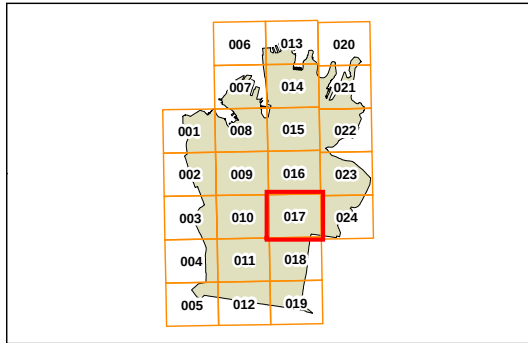
Acid Sulfate Soils Map - Sheet ASS_017

Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 5 Class 5

Cadastre

Cadastre 03/07/2023 © City of Sydney

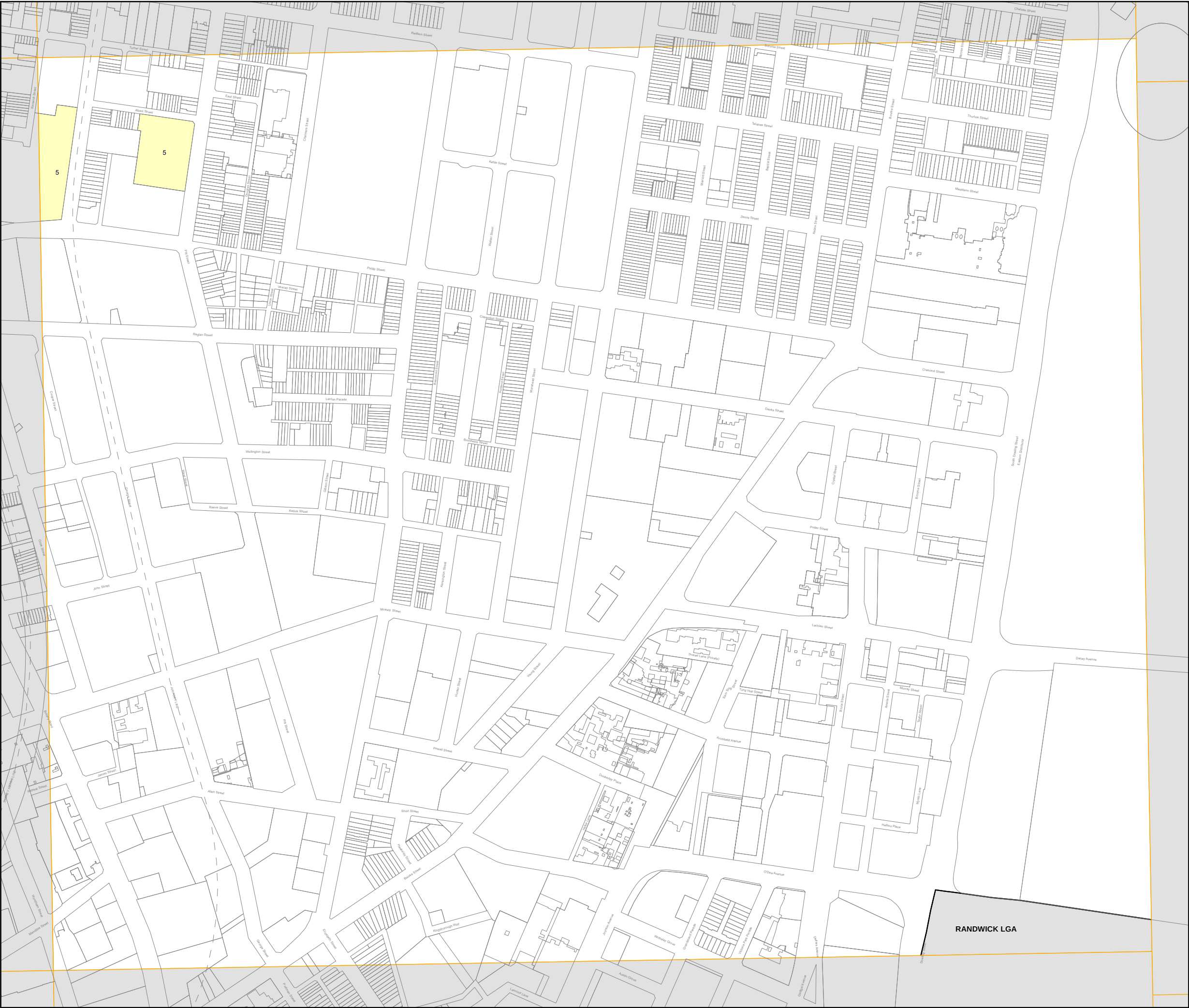


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Projection: GDA 1994
Zone 56

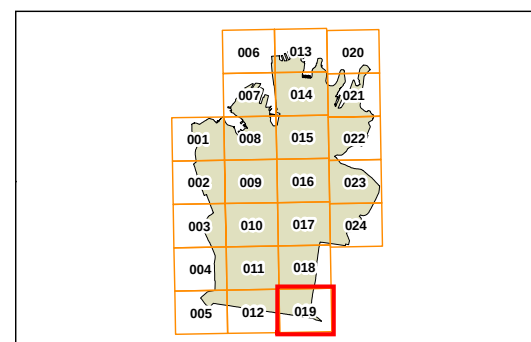
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Acid Sulfate Soils

- | | |
|---|---------|
| 1 | Class 1 |
| 2 | Class 2 |
| 3 | Class 3 |
| 5 | Class 5 |

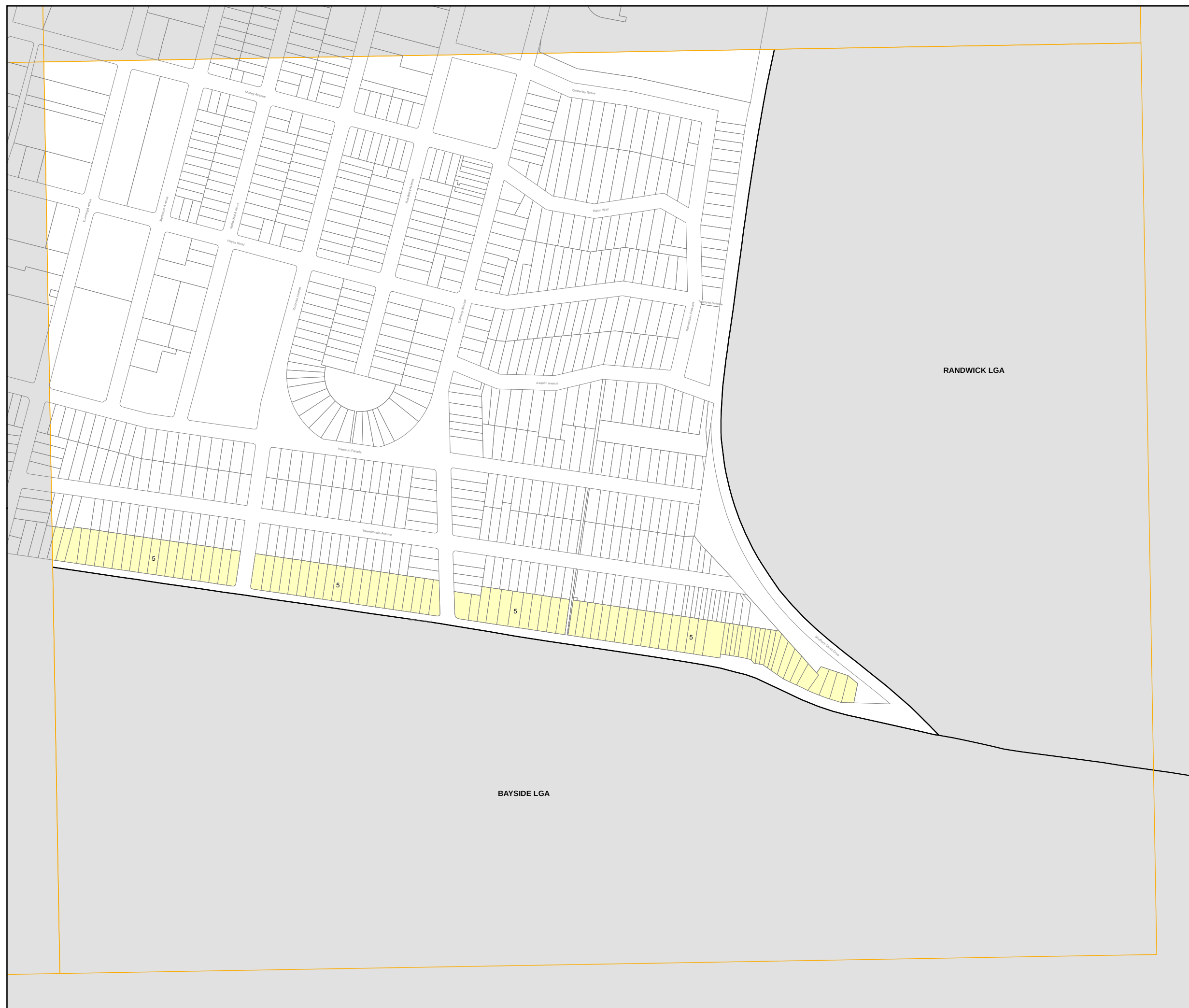
 Cadastre 07/06/2023 © City of Sydney



Projection: GDA 1994
Zone 56

Scale: 1:5,000 @ A3

Map identification number:
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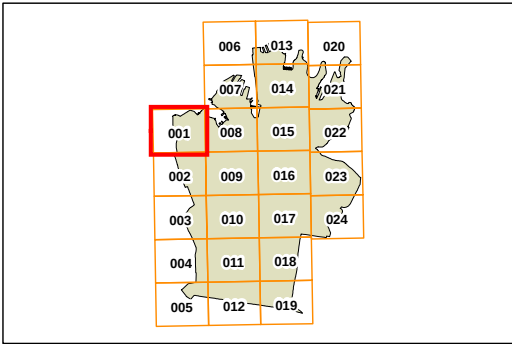
Locality and Site Identification Map
Key Sites Map
Foreshore Building Line Map
- Sheet CL1_001

Locality and Site Identification Map

Residual Lands

Cadastre

Cadastre 04/07/2022 © City of Sydney

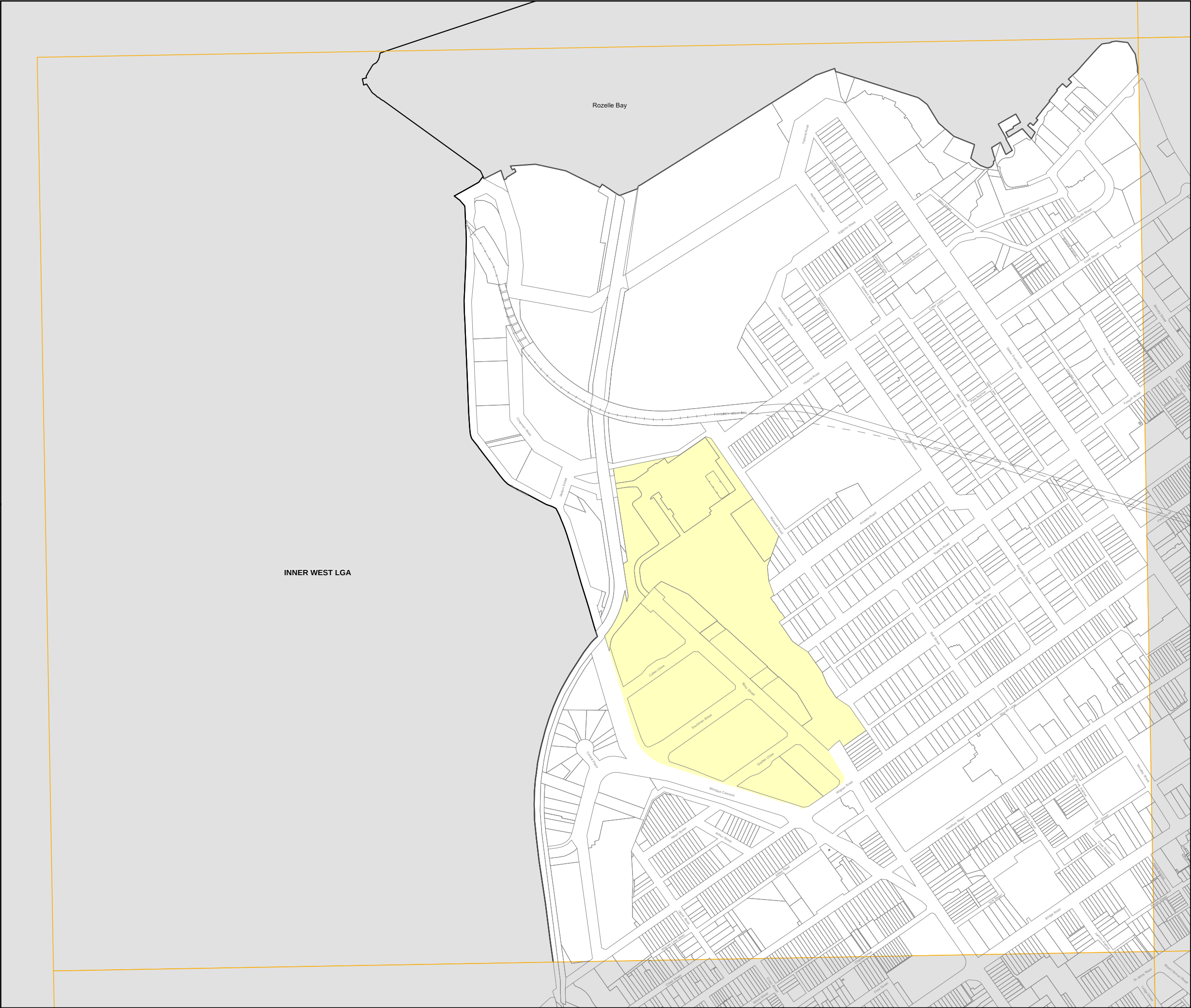


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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

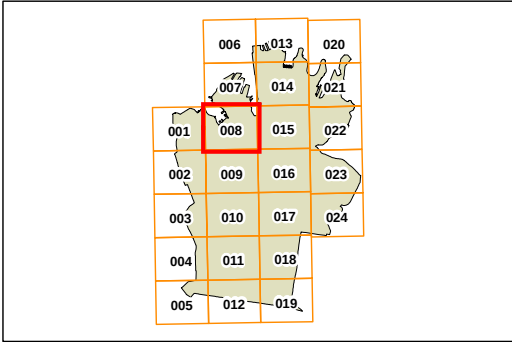
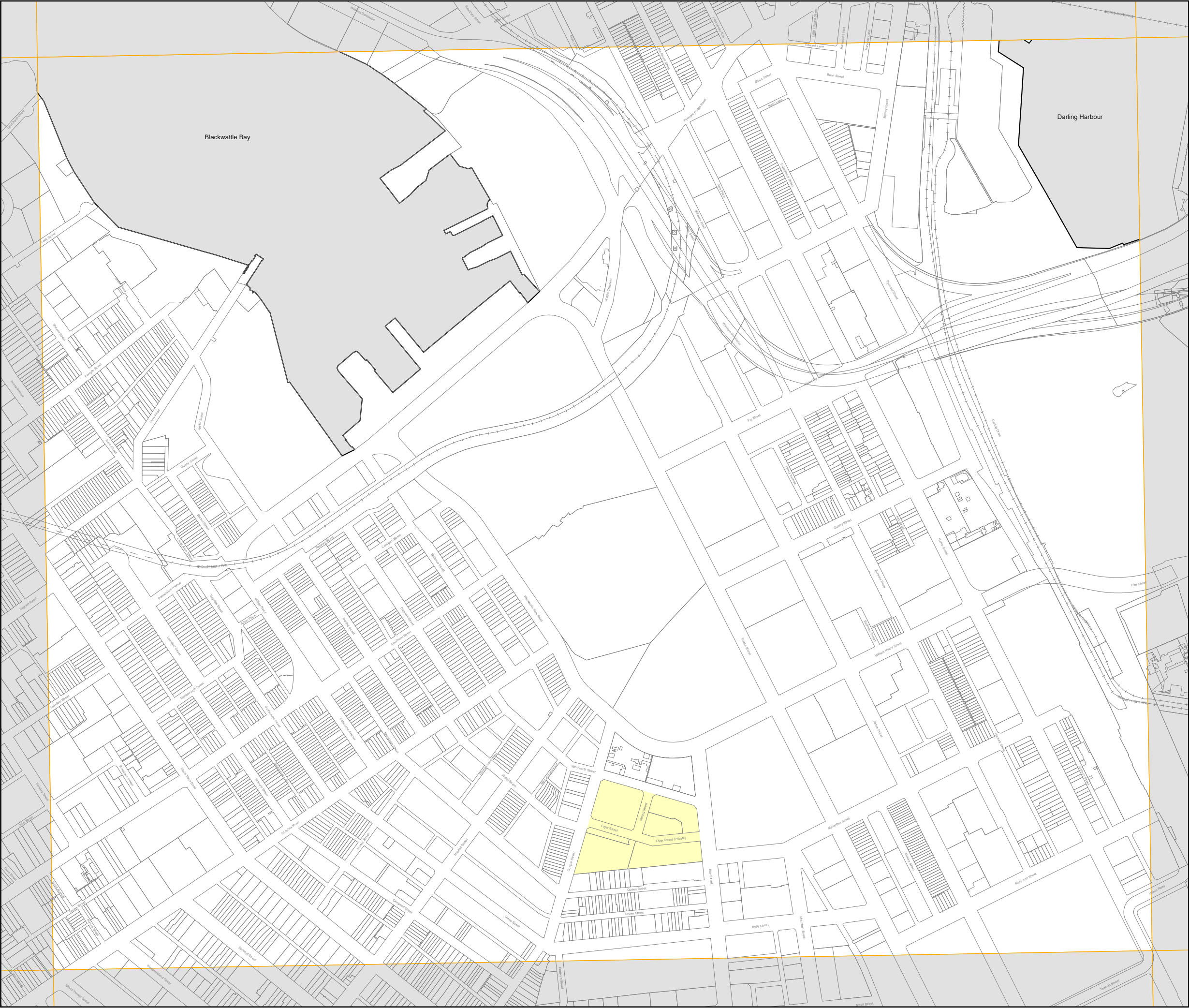
Locality and Site Identification Map
Key Sites Map
Foreshore Building Line Map
- Sheet CL1_008

Locality and Site Identification Map

Residual Lands

Cadastre

Cadastre 04/07/2022 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

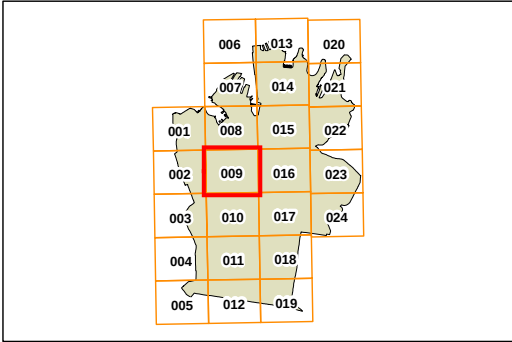
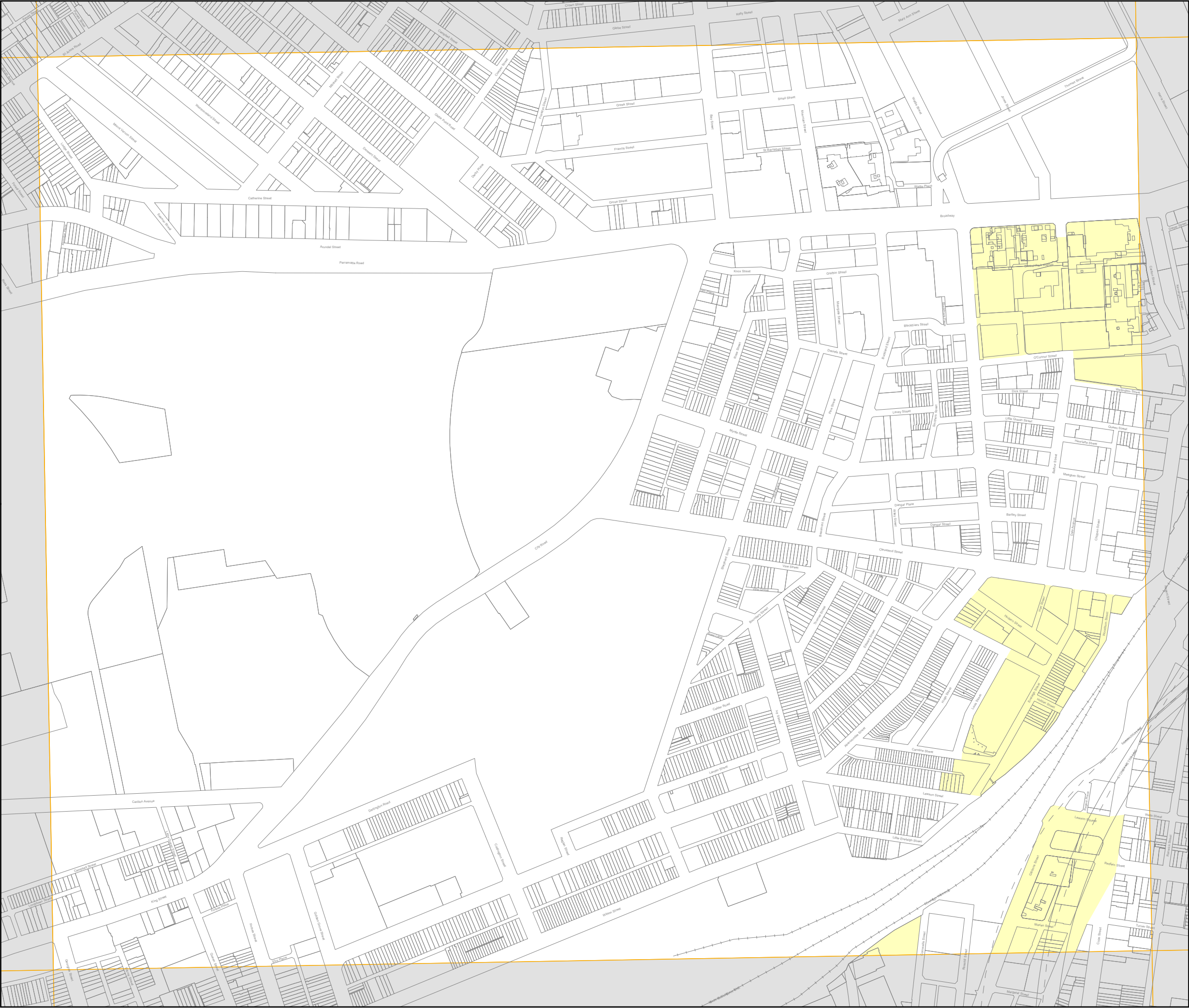
Locality and Site Identification Map Key Sites Map Foreshore Building Line Map - Sheet CL1_009

Locality and Site Identification Map

Residual Lands

Cadastre

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0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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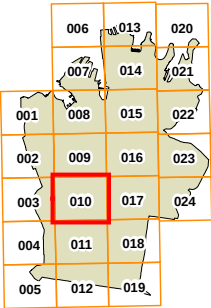
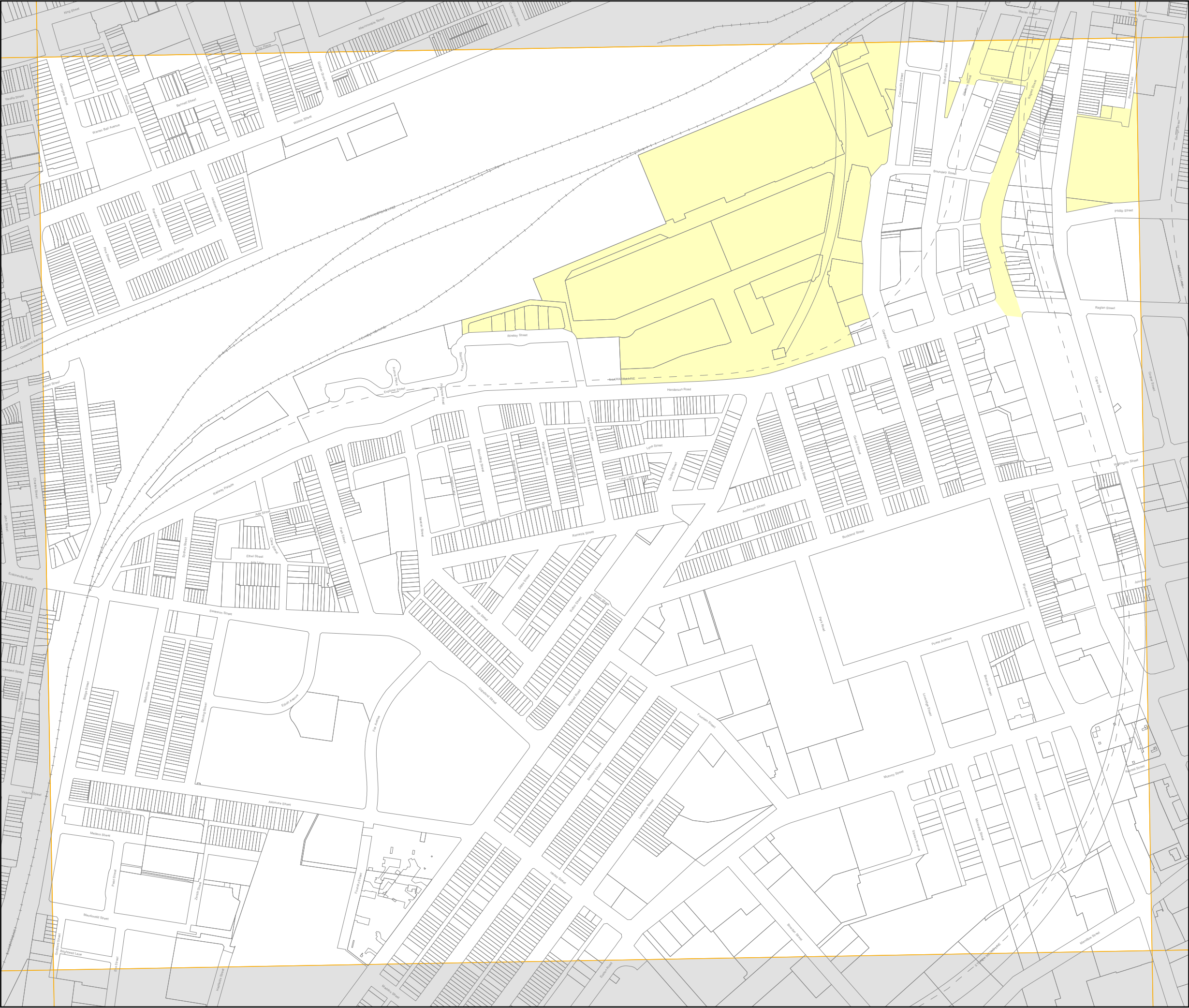
Locality and Site Identification Map
Key Sites Map
Foreshore Building Line Map
- Sheet CL1_010

Locality and Site Identification Map

Residual Lands

Cadastre

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0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

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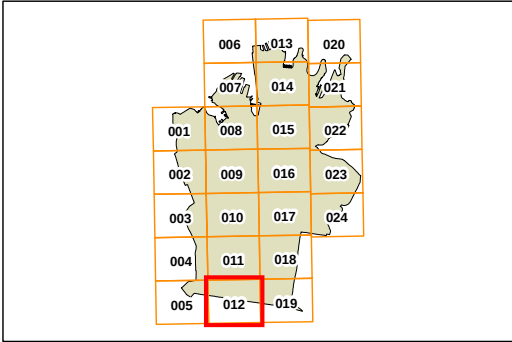
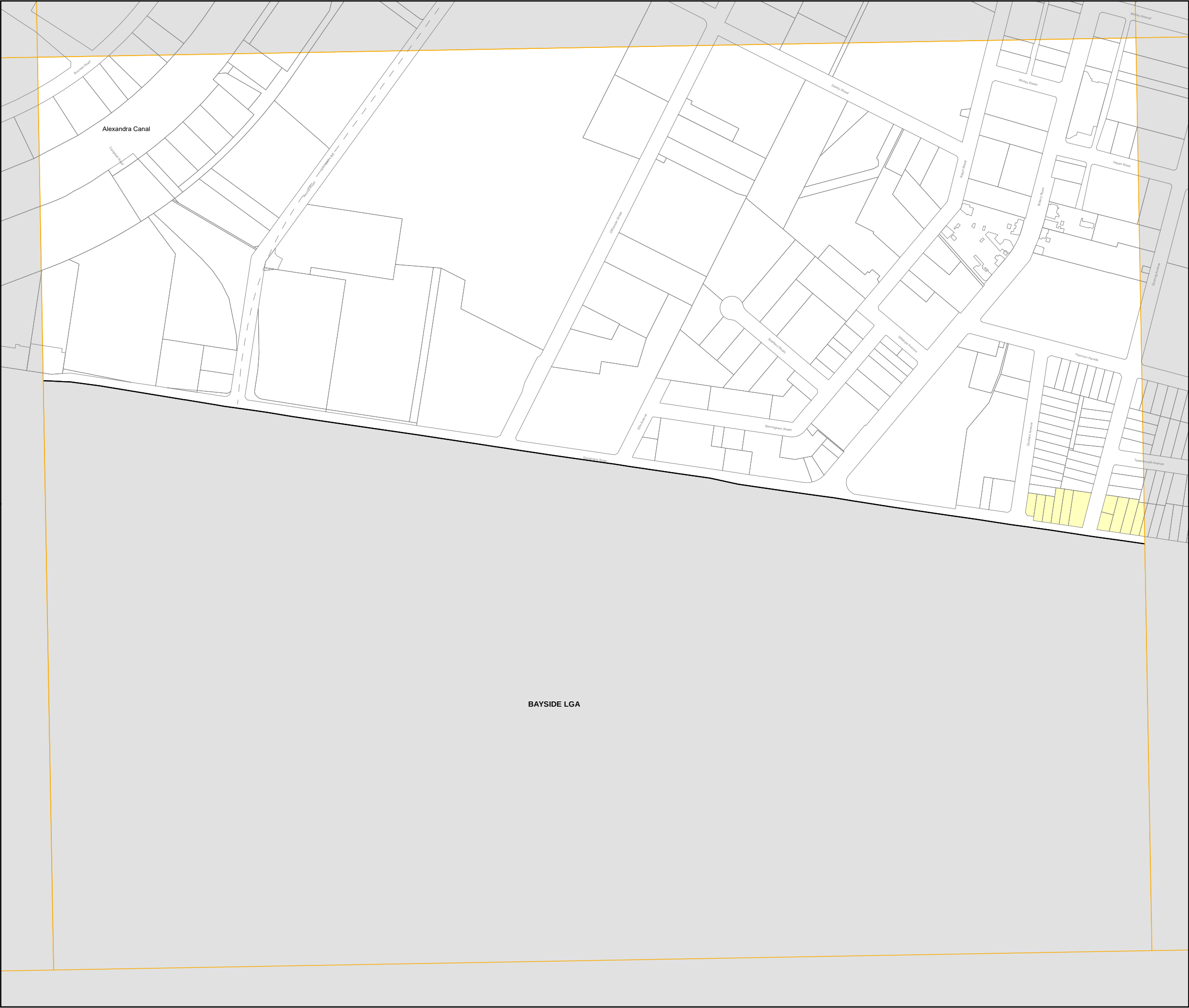
Locality and Site Identification Map
Key Sites Map
Foreshore Building Line Map
- Sheet CL1_012

Locality and Site Identification Map

Residual Lands

Cadastre

Cadastre 04/07/2022 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Sydney Local Environmental Plan 2012

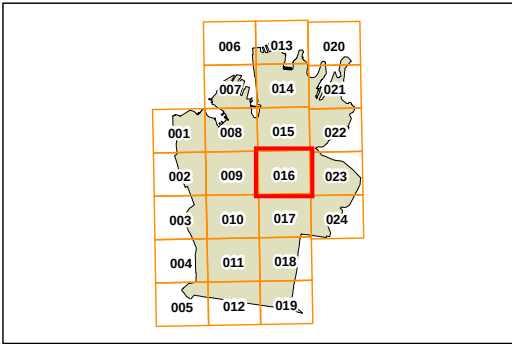
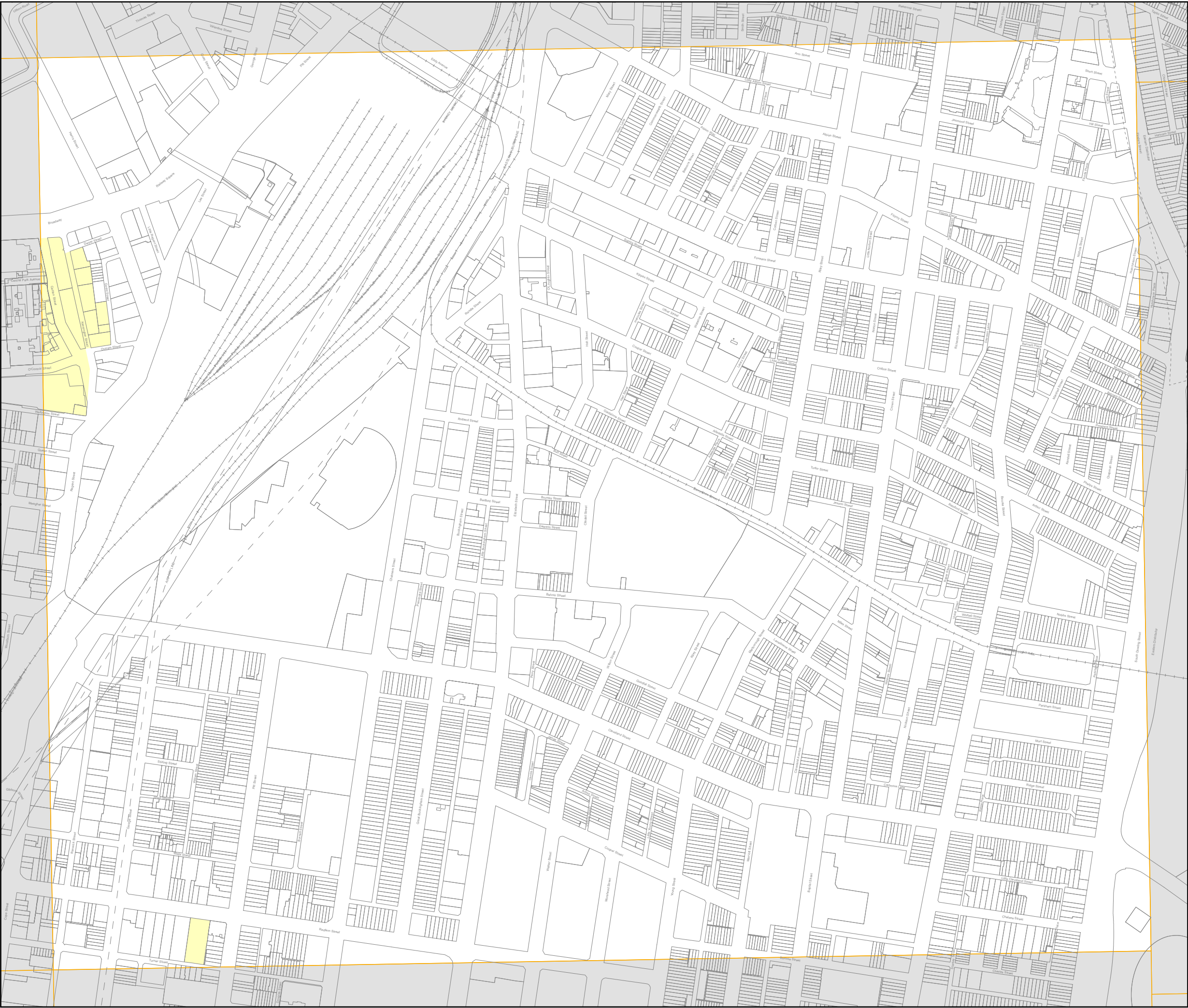
Locality and Site Identification Map Key Sites Map Foreshore Building Line Map - Sheet CL1_016

Locality and Site Identification Map

Residual Lands

Cadastre

Cadastre 03/07/2023 © City of Sydney



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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

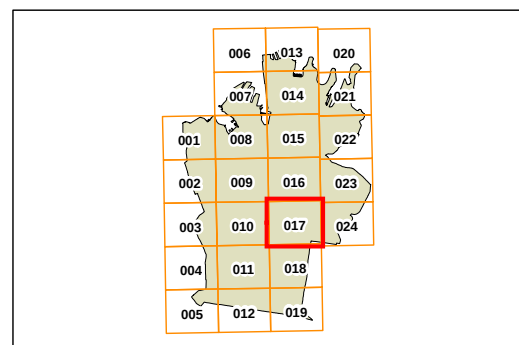
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Locality and Site Identification Map

Residual Lands

Cadaastre

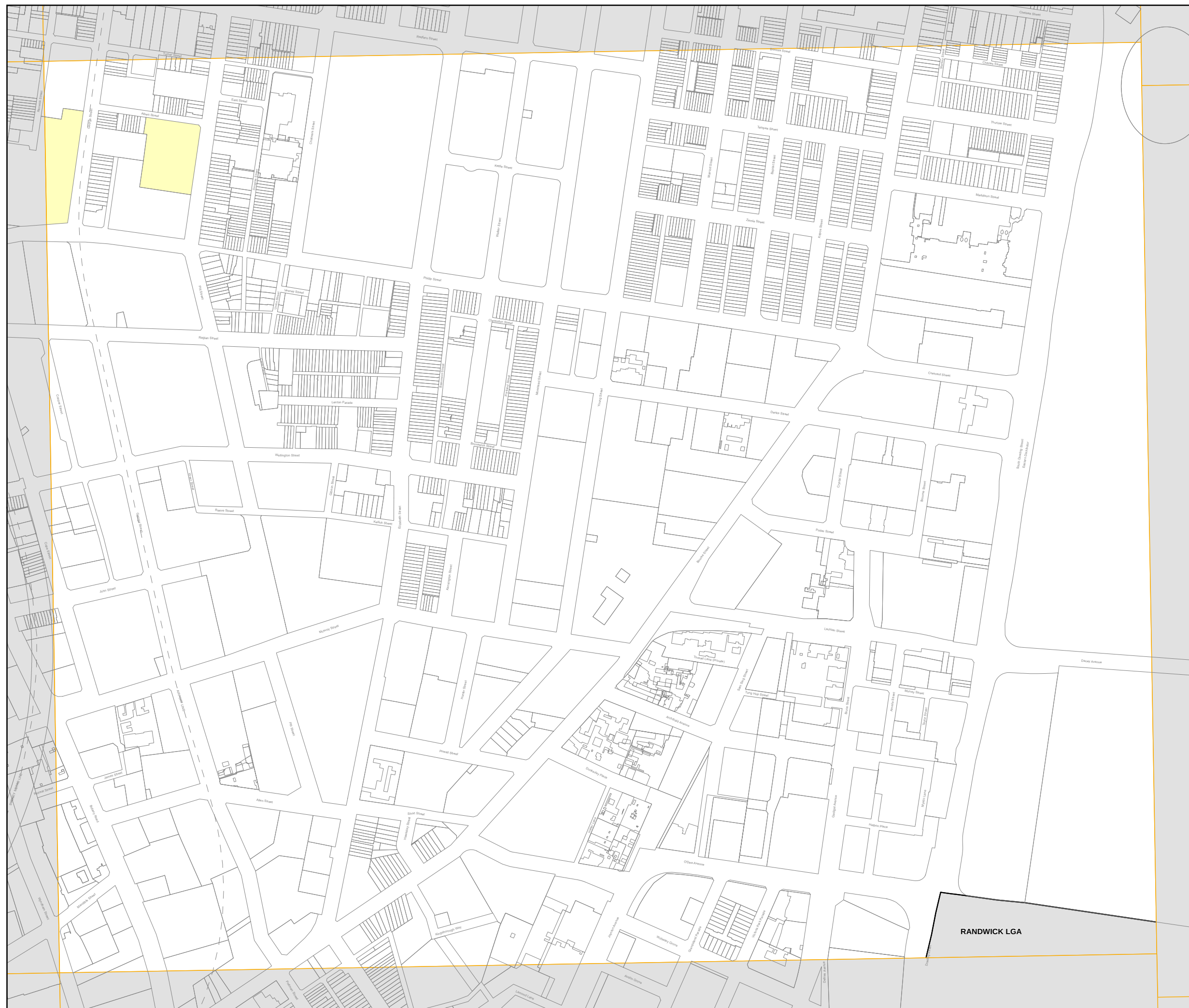
 Cadastre 03/07/2023 © City of Sydney



Projection: GDA 1994
Zone 56

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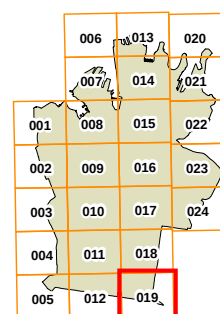
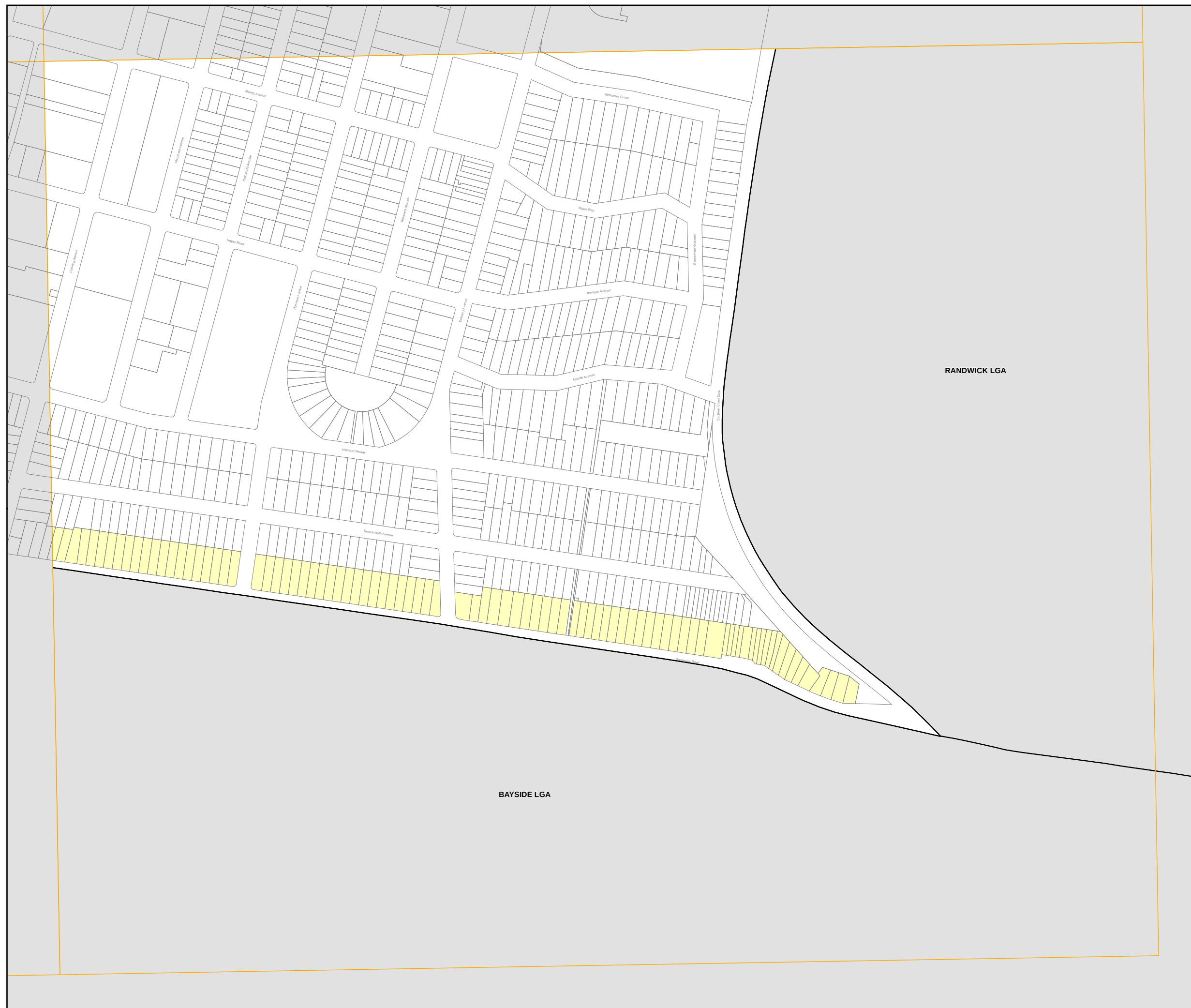


Locality and Site Identification Map

Residual Lands

Cadaastre

 Cadastre 04/07/2022 © City of Sydney

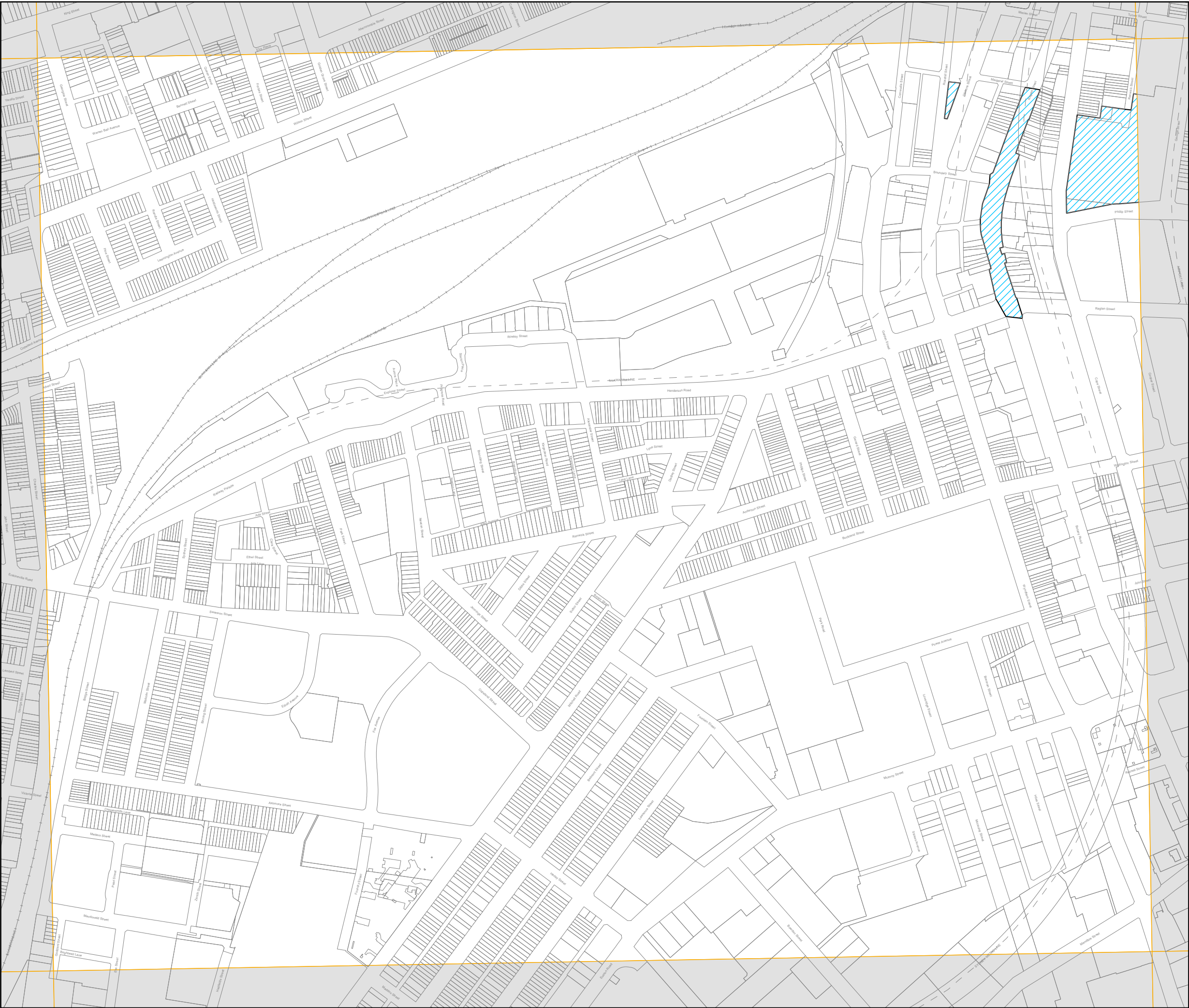


Projection: GDA 1994
Zone 56

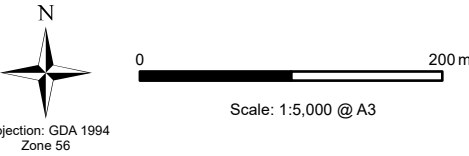
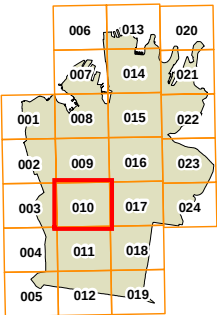
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Special Character Areas Map
Retail Premises Map
- Sheet CL2_010

- Retail Premises**
-  Restricted Retail Development
- Cadastre**
-  Cadastre 14/11/2023 © City of Sydney



Pre-Exhibition



Special Character Areas Map
Retail Premises Map
- Sheet CL2_017

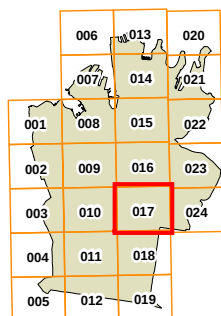
Retail Premises

 Restricted Retail Development

Cadastre

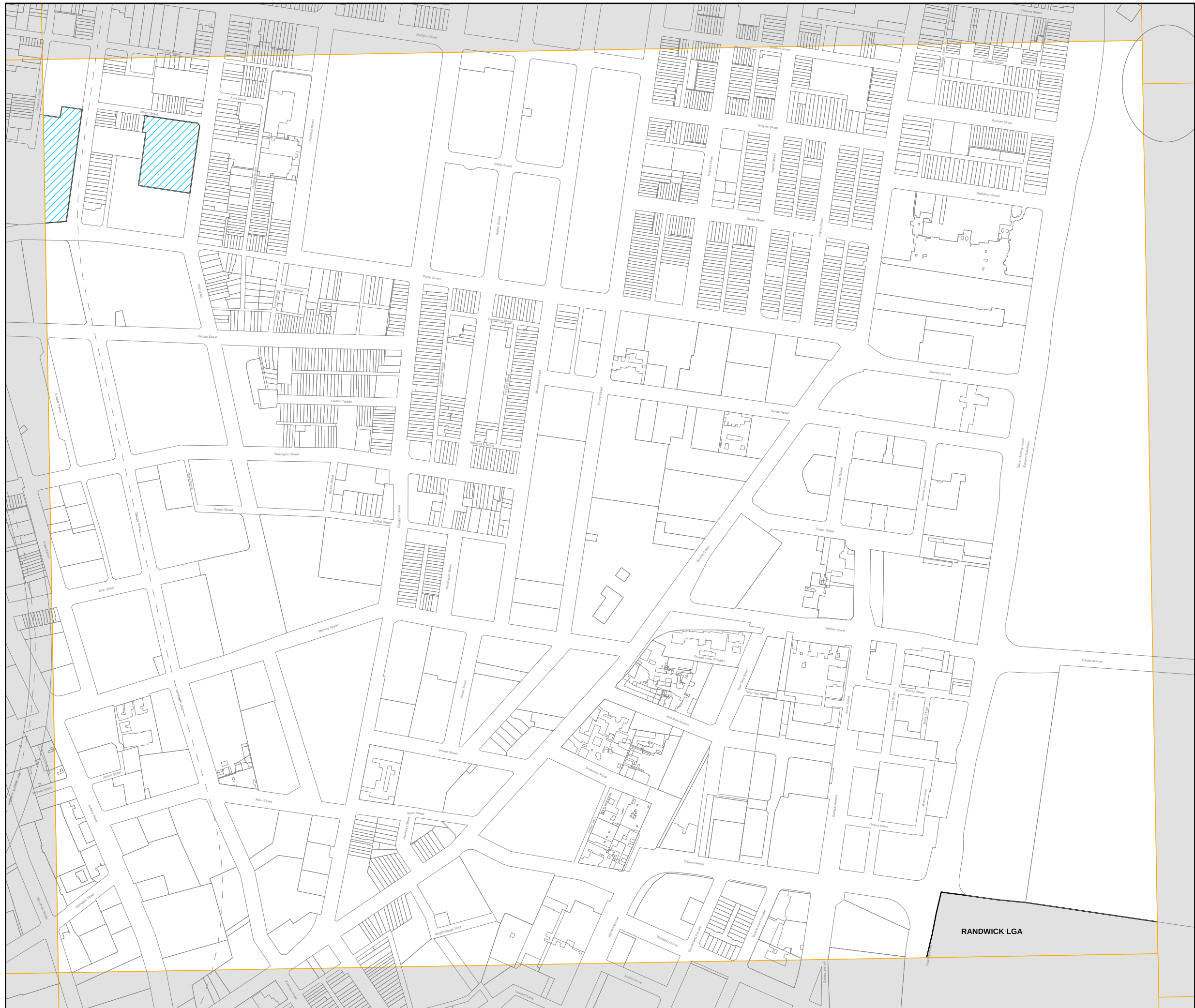
 Cadastre 14/11/2023 © City of Sydney

Pre-Exhibition

Projection: GDA 1994
Zone 56

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Scale: 1:5,000 @ A3

Map identification number:
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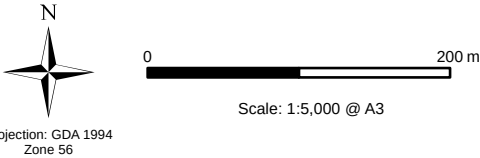
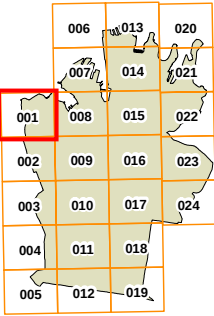
Floor Space Ratio Map -
Sheet FSR_001

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

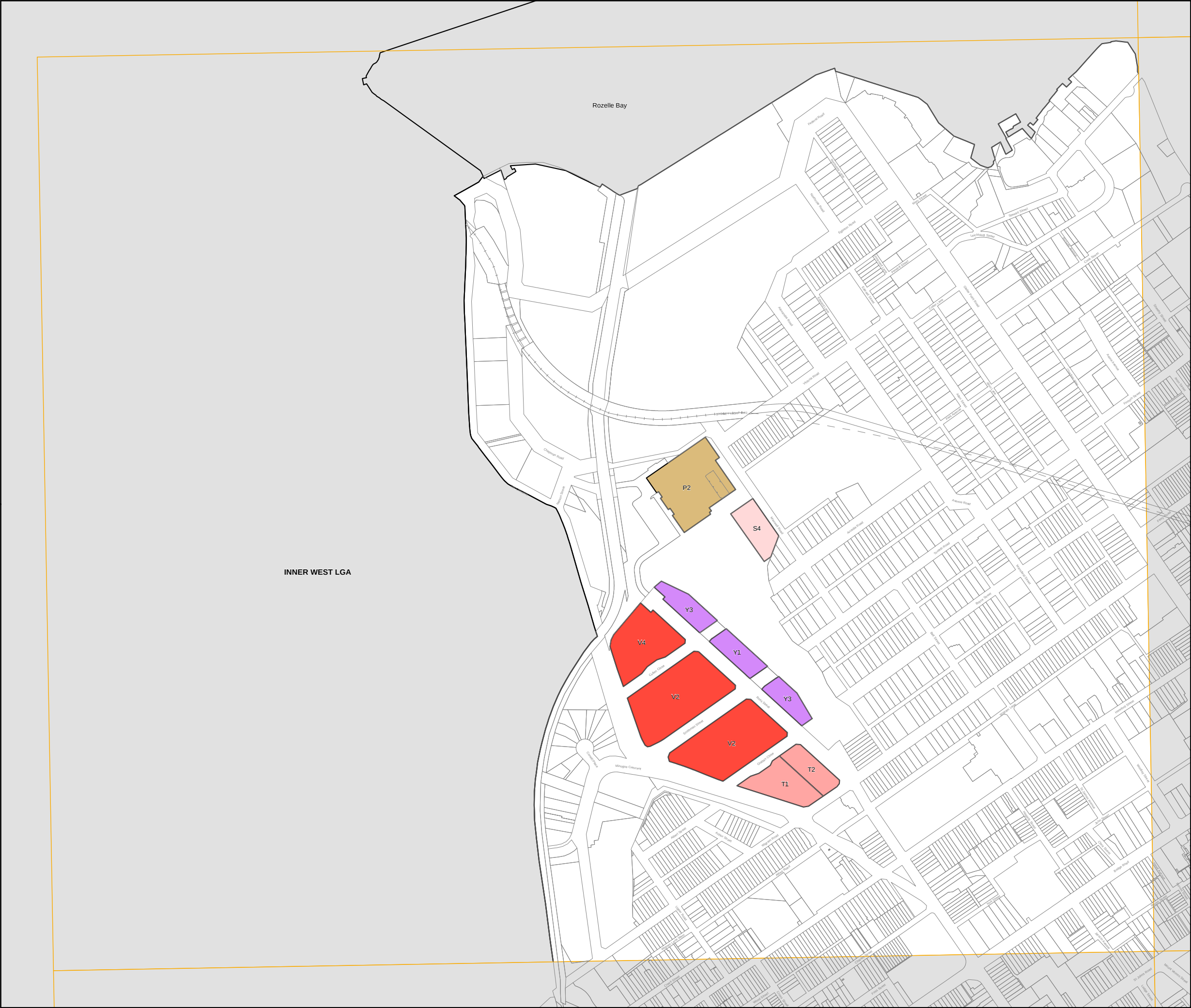
Cadastre

Cadastre 10/12/2024 © City of Sydney



Projection: GDA 1994
Zone 56

Map identification number:
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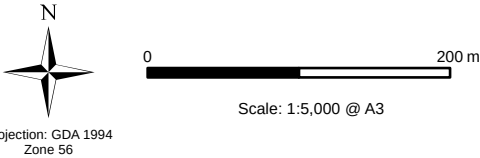
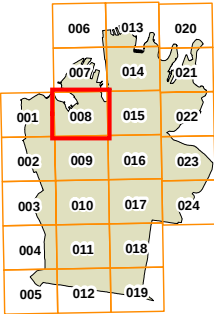
Floor Space Ratio Map -
Sheet FSR_008

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

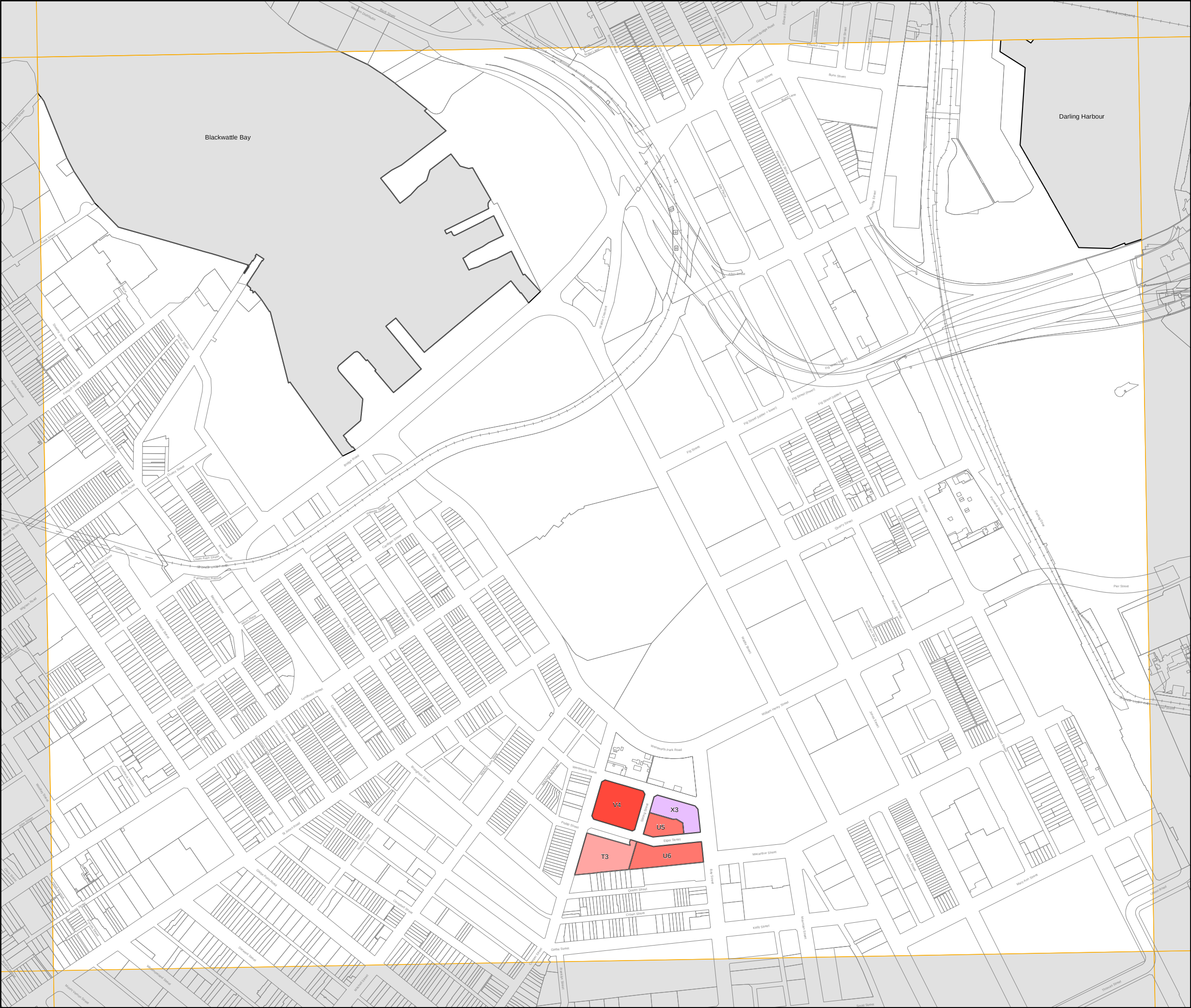
Cadastral

Cadastral 10/12/2024 © City of Sydney



Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_FSR_008_005_20241210



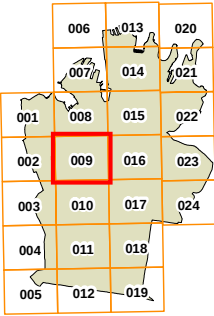
Floor Space Ratio Map -
Sheet FSR_009

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

Cadastre

Cadastre 10/12/2024 © City of Sydney

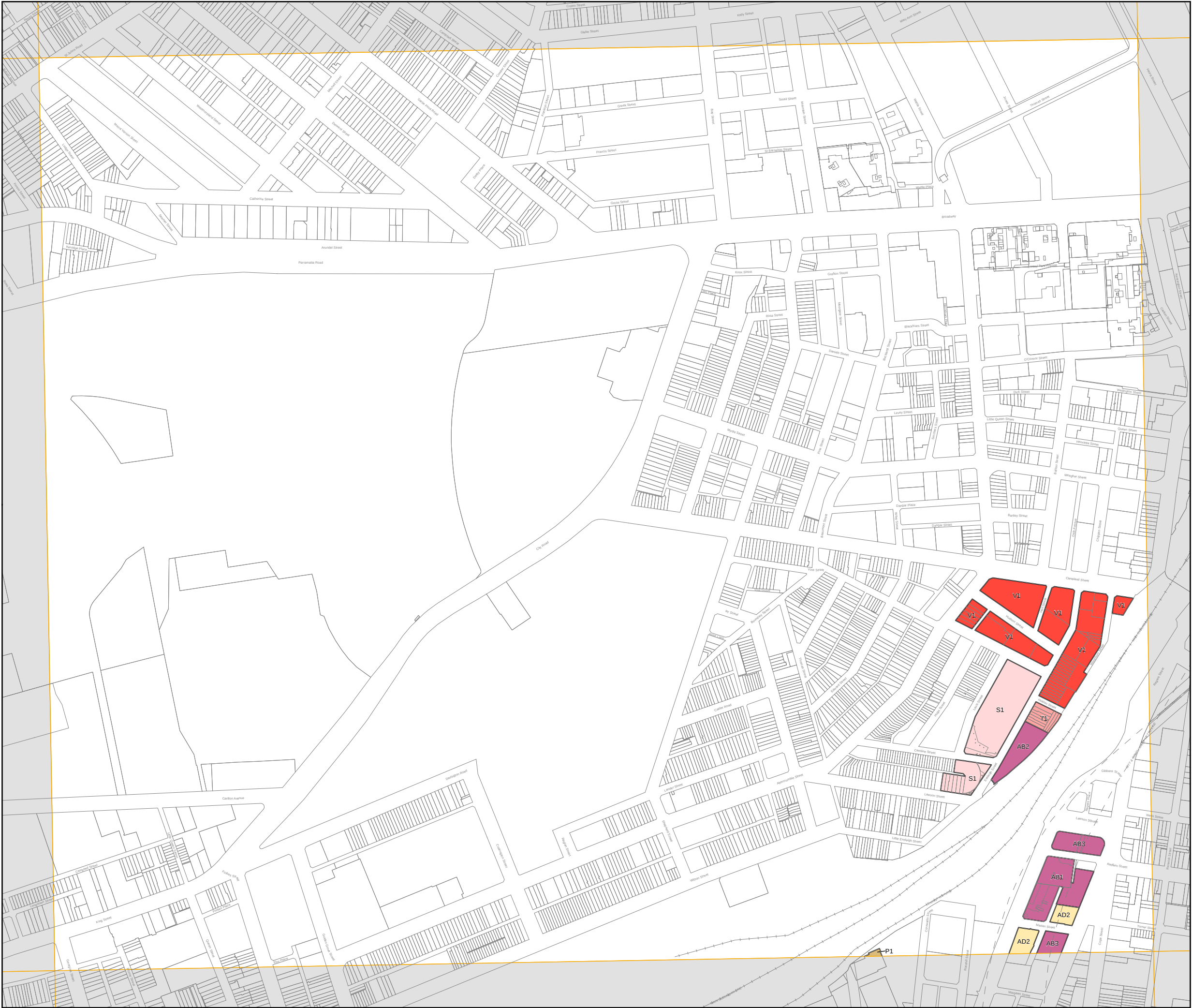


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
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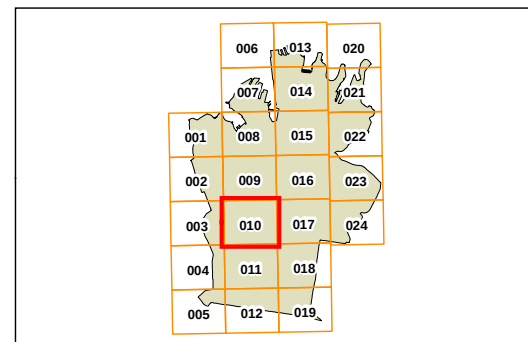
Floor Space Ratio Map -
Sheet FSR_010

Maximum Floor Space Ratio (n:1)

F 0.6	V2 3.12
P1 1.2	V4 3.41
P2 1.25	X1 4
S1 1.5	X3 4.16
S2 1.55	Y1 4.5
S4 1.85	Y3 4.68
T1 2	Y5 4.8
T2 2.25	Z2 5.31
T3 2.4	AB1 7
U5 2.65	AB2 7.5
U6 2.75	AB3 7.78
V1 3	AD2 9.5

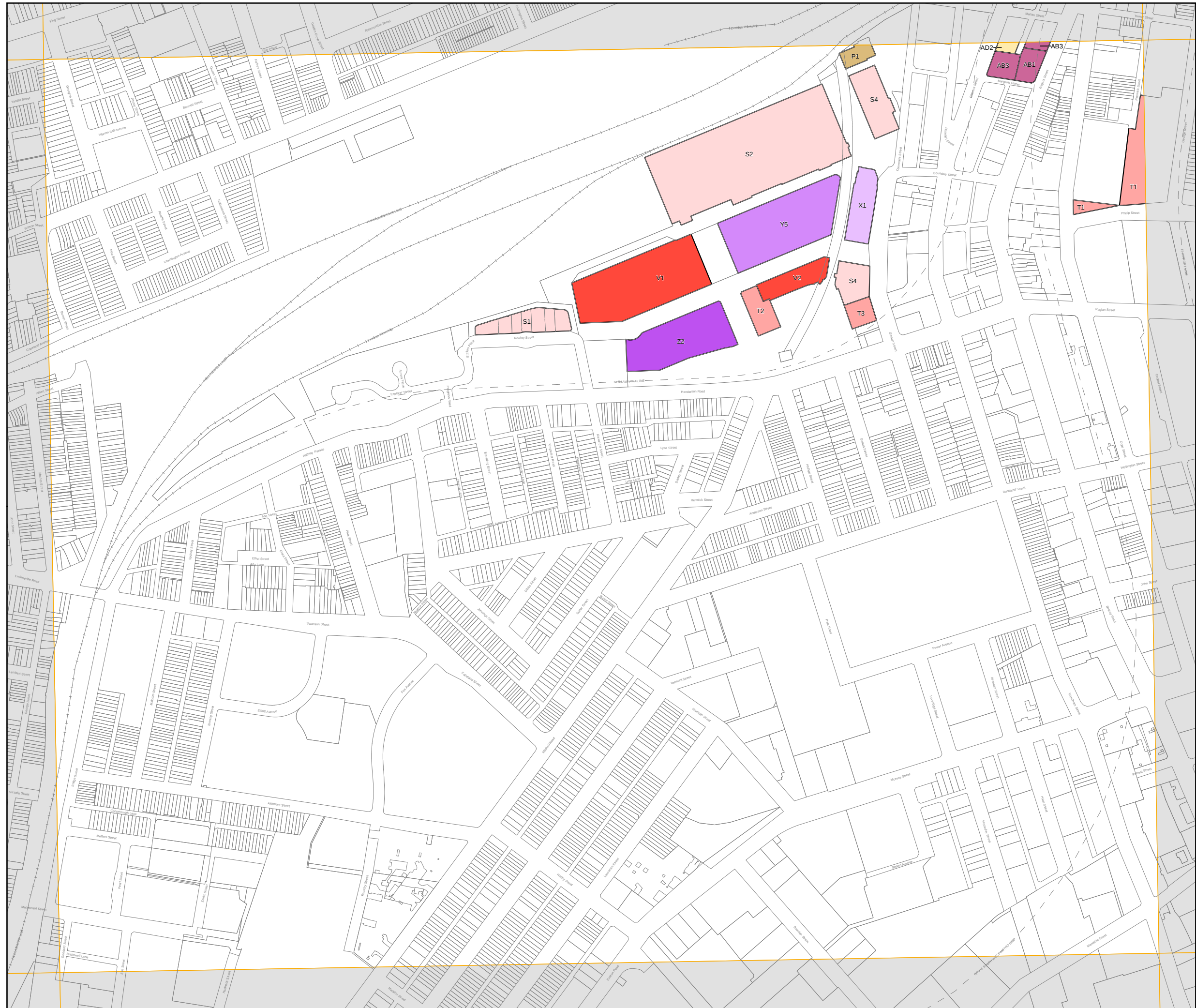
Cadastre

Cadastre 10/12/2024 © City of Sydney



0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56Map identification number:
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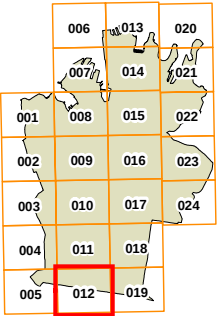
Floor Space Ratio Map -
Sheet FSR_012

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

Cadastre

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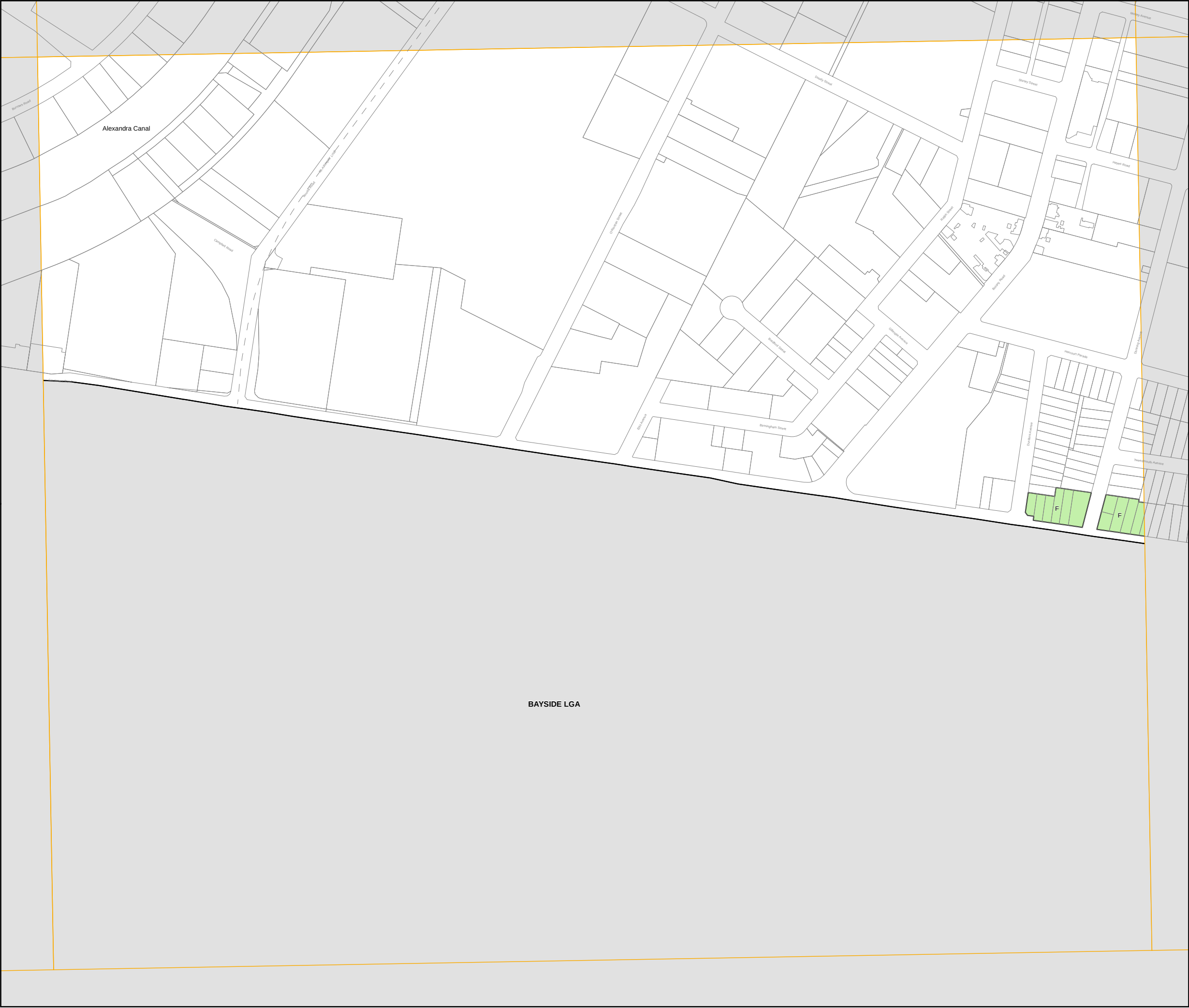


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_FSR_012_005_20241210



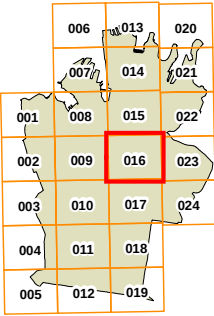
Floor Space Ratio Map -
Sheet FSR_016

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

Cadastre

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0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_FSR_016_005_20241210



Sydney
Local Environmental
Plan 2012

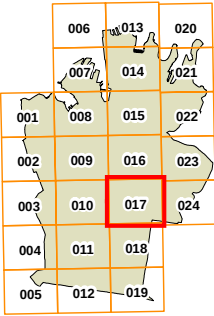
Floor Space Ratio Map -
Sheet FSR_017

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

Cadastre

Cadastre 10/12/2024 © City of Sydney

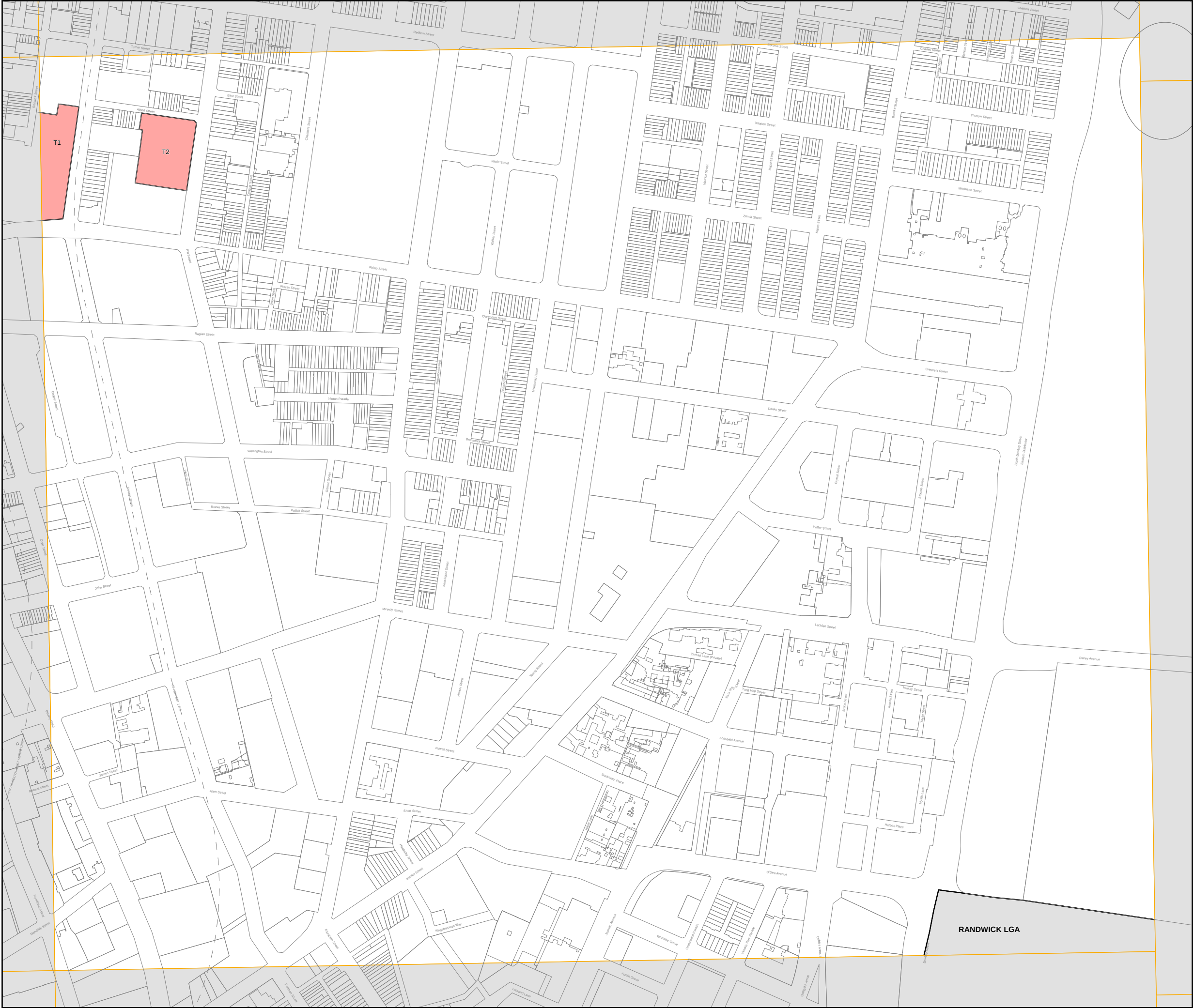


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_FSR_017_005_20241210



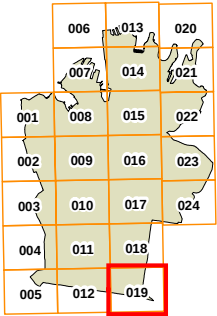
Floor Space Ratio Map -
Sheet FSR_019

Maximum Floor Space Ratio (n:1)

F	0.6	V2	3.12
P1	1.2	V4	3.41
P2	1.25	X1	4
S1	1.5	X3	4.16
S2	1.55	Y1	4.5
S4	1.85	Y3	4.68
T1	2	Y5	4.8
T2	2.25	Z2	5.31
T3	2.4	AB1	7
U5	2.65	AB2	7.5
U6	2.75	AB3	7.78
V1	3	AD2	9.5

Cadastre

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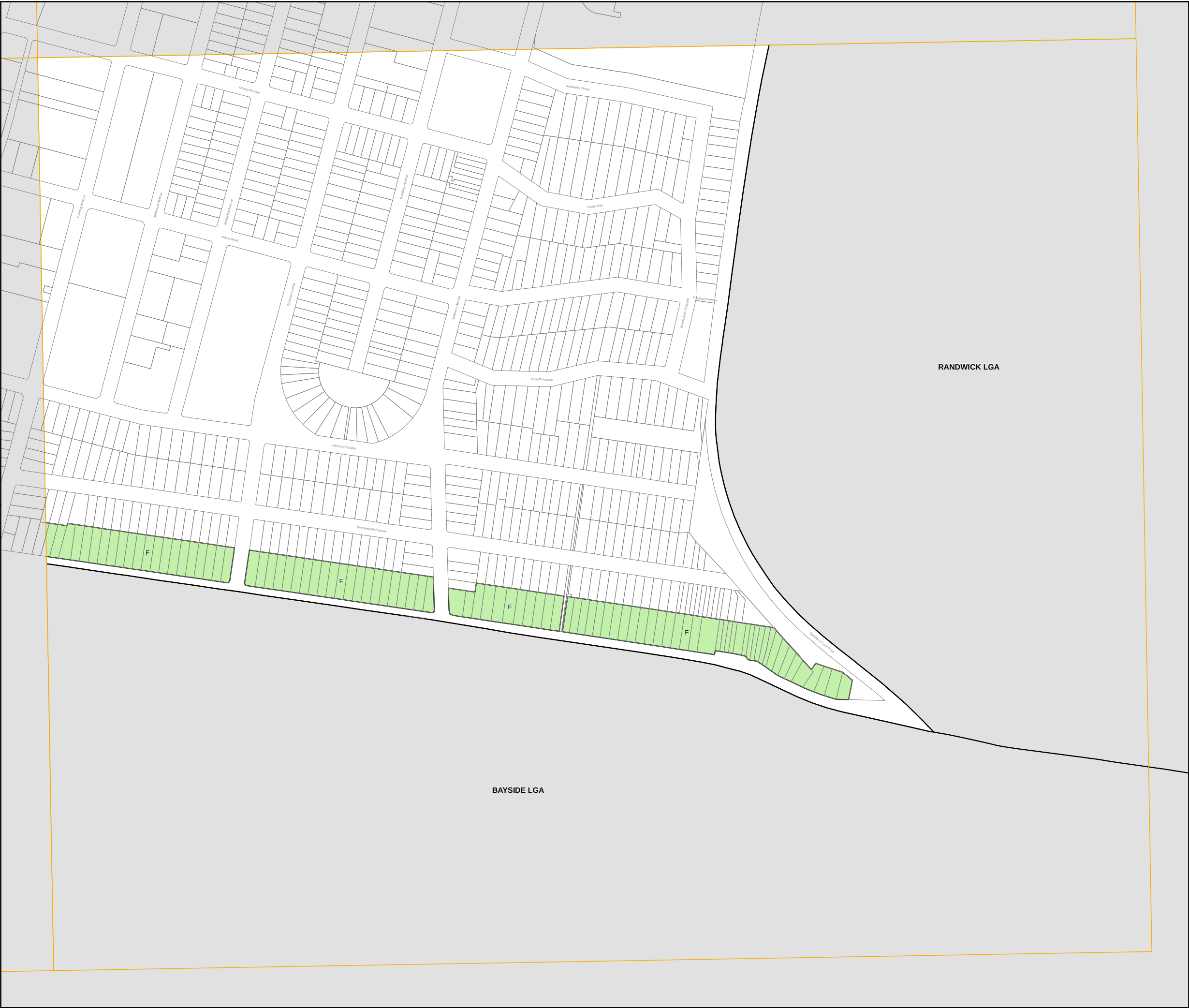


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_FSR_019_005_20241210



Heritage Map - Sheet HER_001

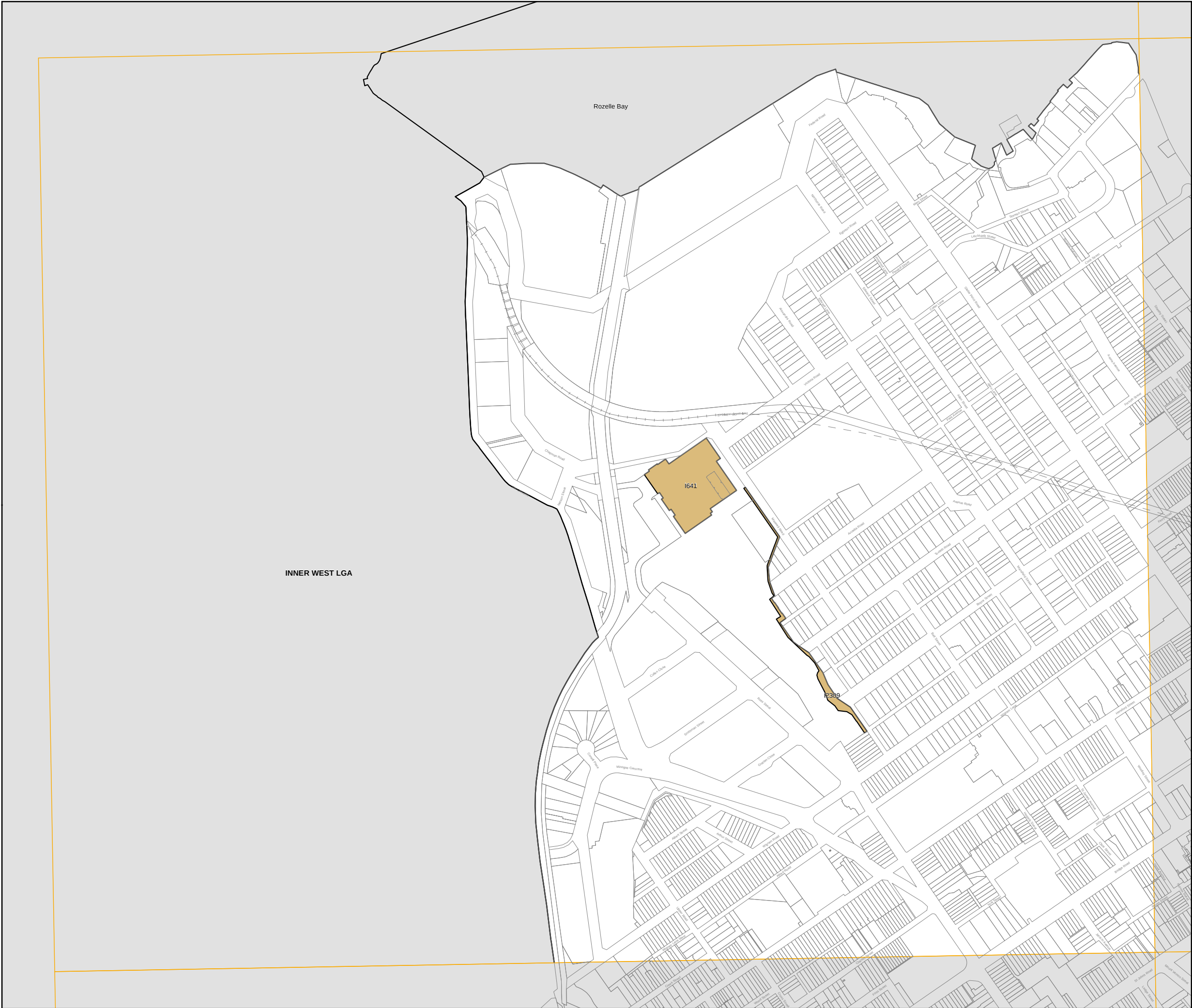
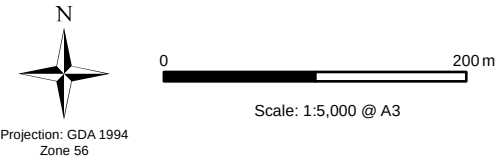
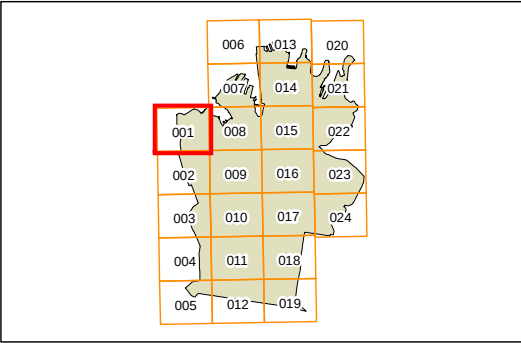
Heritage

 Conservation Area - General

 Item - General

Cadastre

 Cadastre 13/11/2024 © City of Sydney



Heritage Map - Sheet HER_009

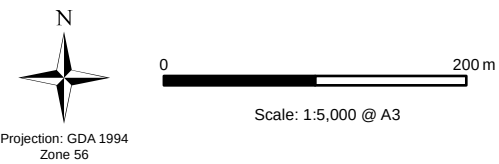
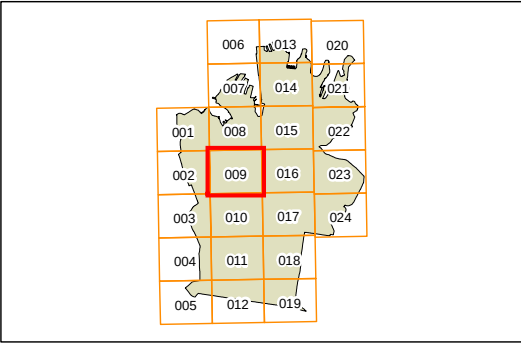
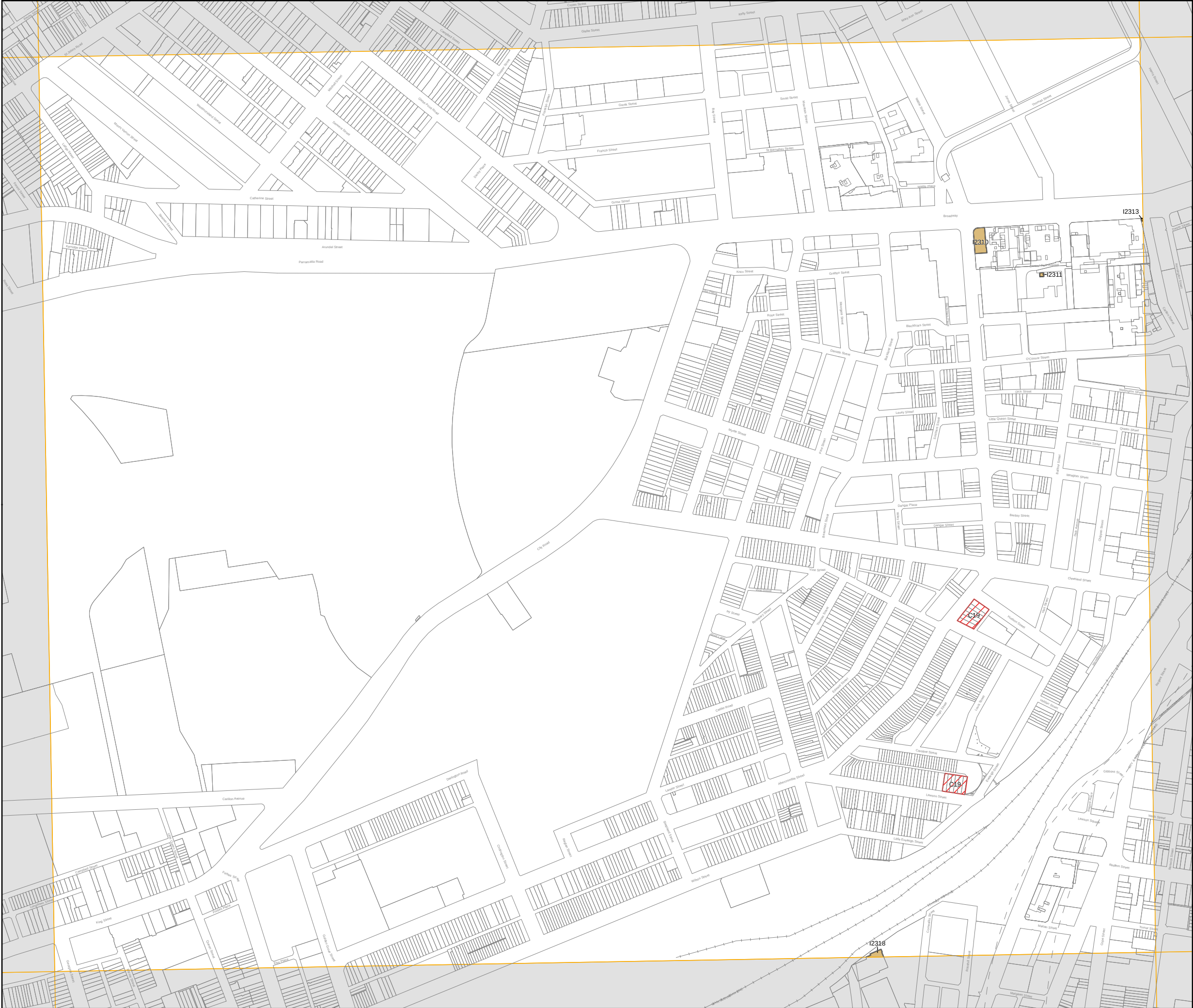
Heritage

 Conservation Area - General

 Item - General

Cadastre

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Heritage Map - Sheet HER_010

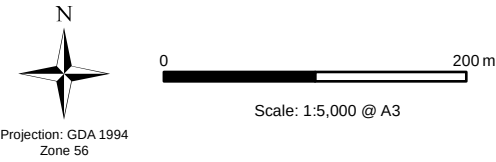
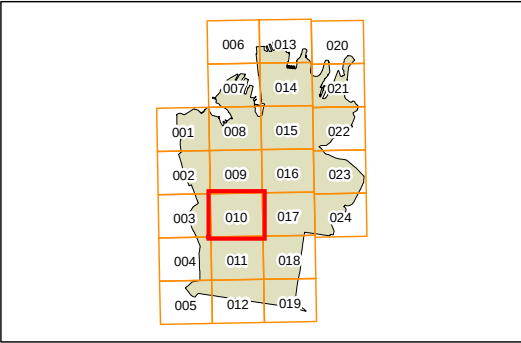
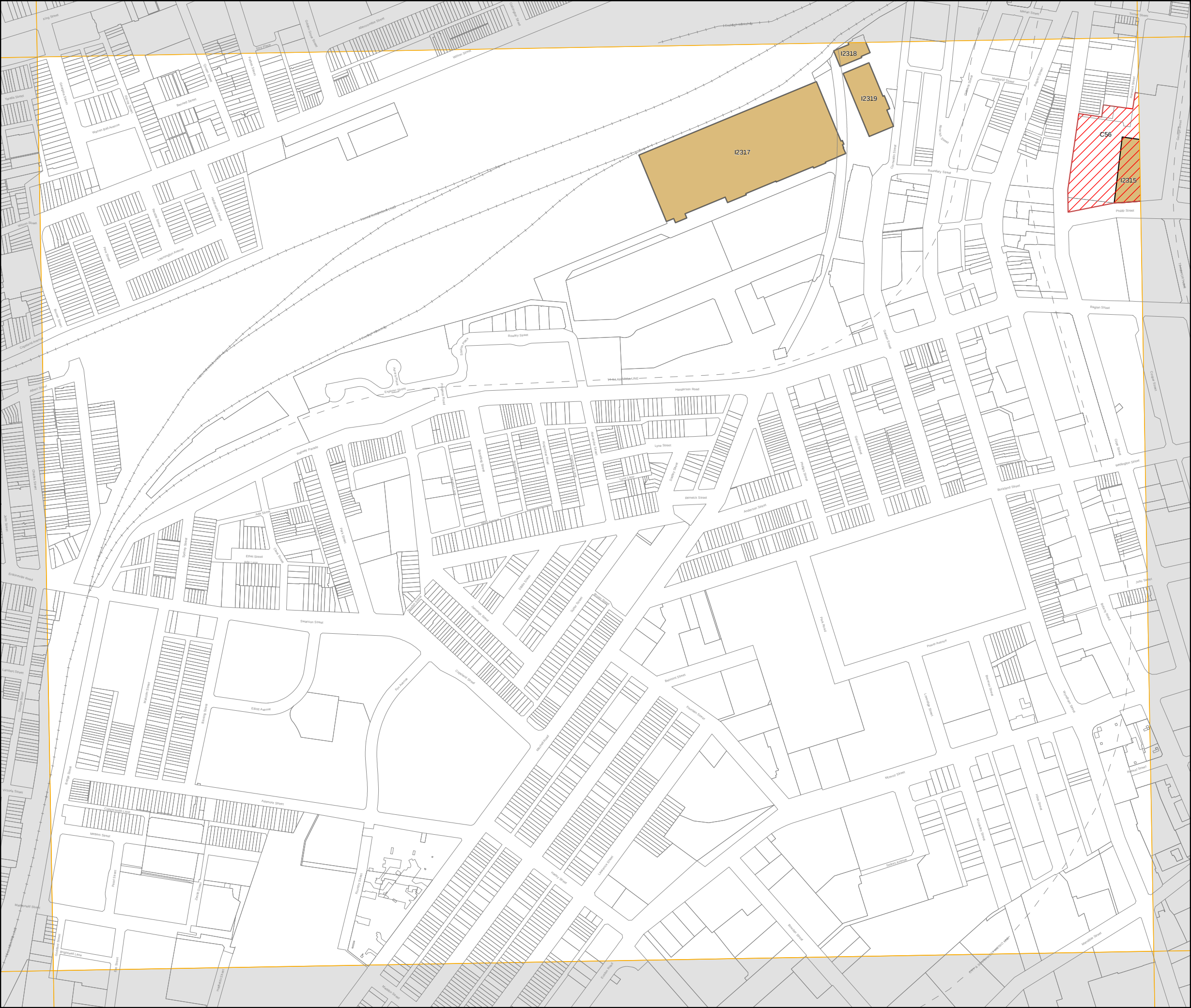
Heritage

 Conservation Area - General

 Item - General

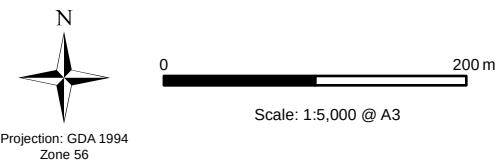
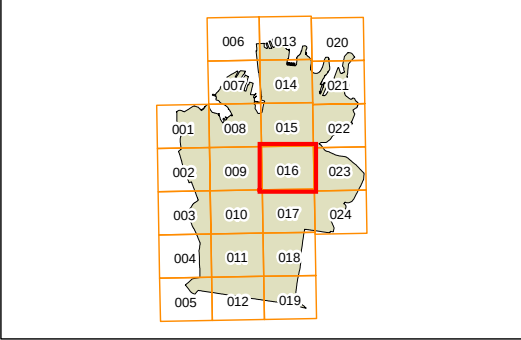
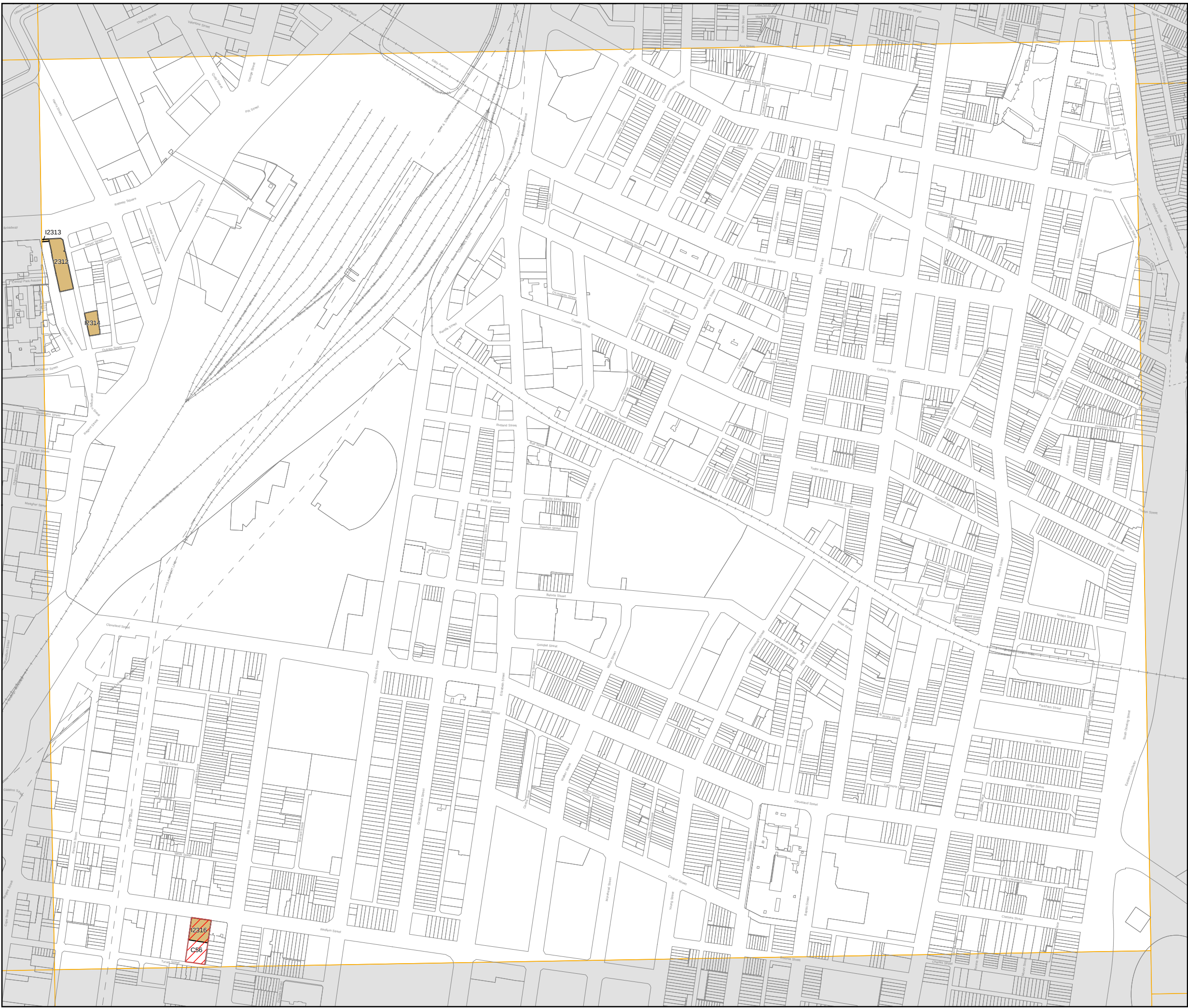
Cadastre

 Cadastre 28/11/2024 © City of Sydney



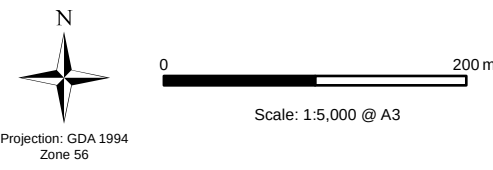
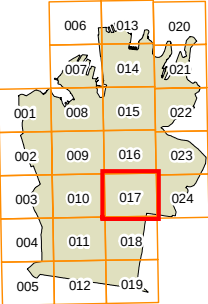
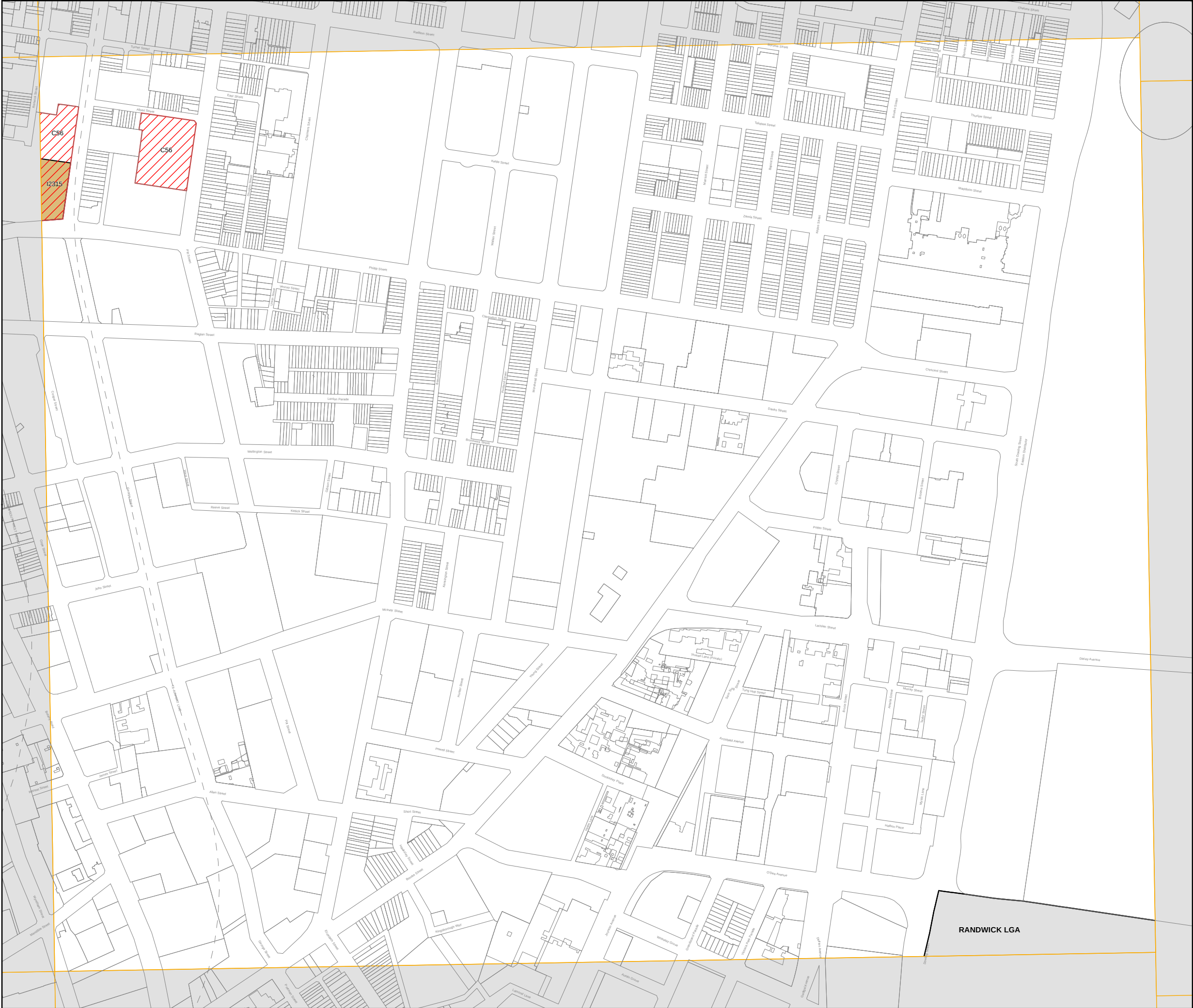
Heritage Map - Sheet HER_016

- Heritage**
- Conservation Area - General
 - Item - General
- Cadastre**
- Cadastre 28/11/2024 © City of Sydney



Heritage Map - Sheet HER_017

- Heritage**
- Conservation Area - General
 - Item - General
- Cadastre**
- Cadastrre 28/11/2024 © City of Sydney



Height of Buildings Map
- Sheet HOB_001

Maximum Building Height (m)

A	3	S2	24
E	6	T1	25
H	7.5	T2	27
I	8	T3	28
J	9	T4	29
L	11	U1	30
M	12	V1	35
O	15	X	45
P	18	Y	50
Q1	19	AA1	60
Q2	20	AA2	65
R	22	AA3	70
S1	23		

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

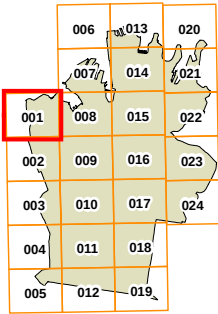
Maximum Building Height (m)

Heights shown on map in RL (m)

20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140
70 - 80	

Cadastre

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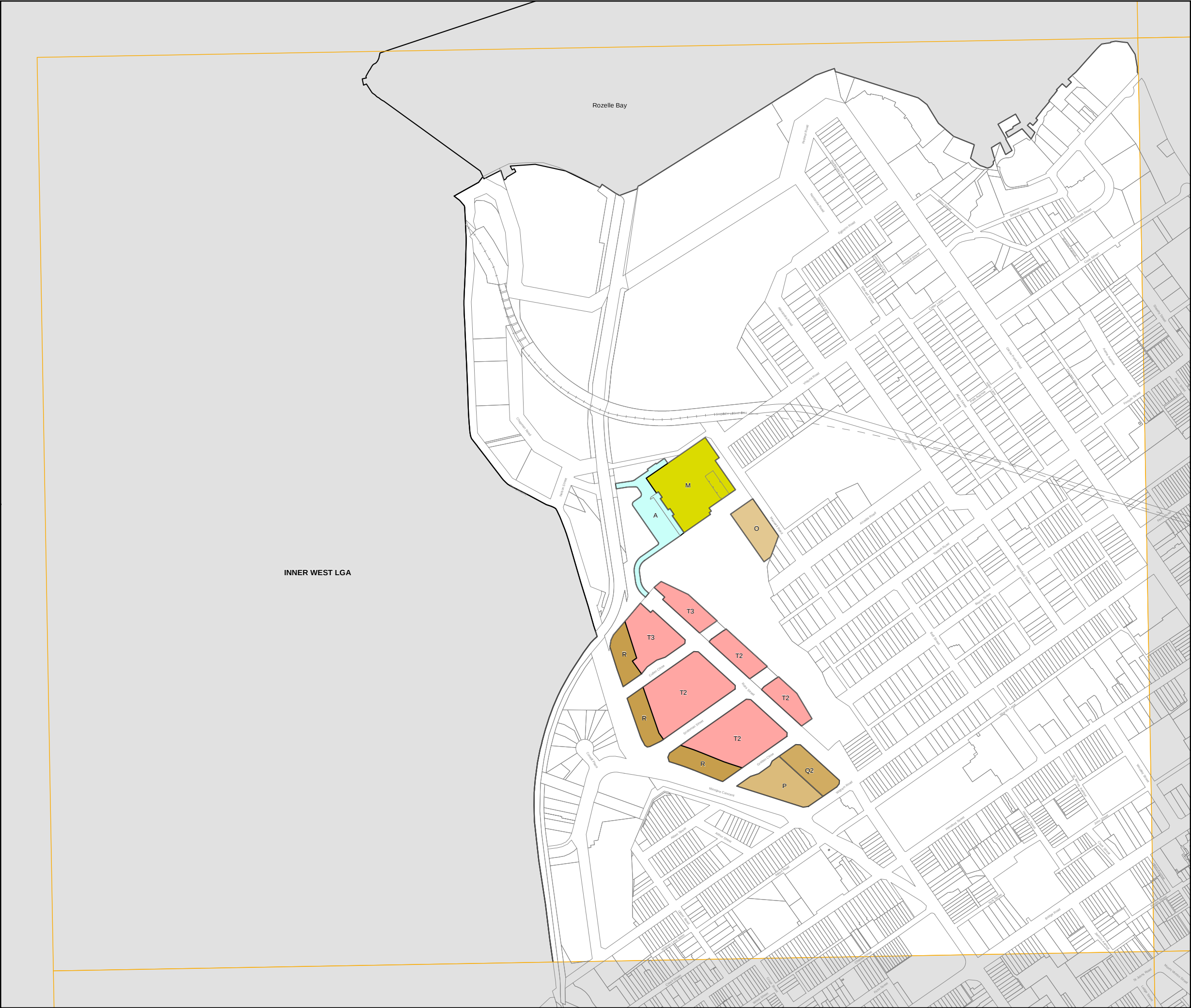


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_HOB_001_005_20241113



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_008

Maximum Building Height (m)

A	3	S2	24
E	6	T1	25
H	7.5	T2	27
I	8	T3	28
J	9	T4	29
L	11	U1	30
M	12	V1	35
O	15	X	45
P	18	Y	50
Q1	19	AA1	60
Q2	20	AA2	65
R	22	AA3	70
S1	23		

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

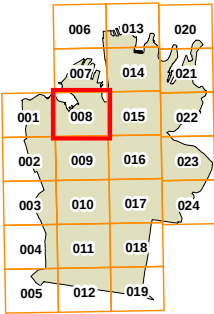
Maximum Building Height (m)

Heights shown on map in RL (m)

20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140
70 - 80	

Cadastre

Cadastre 13/11/2024 © City of Sydney

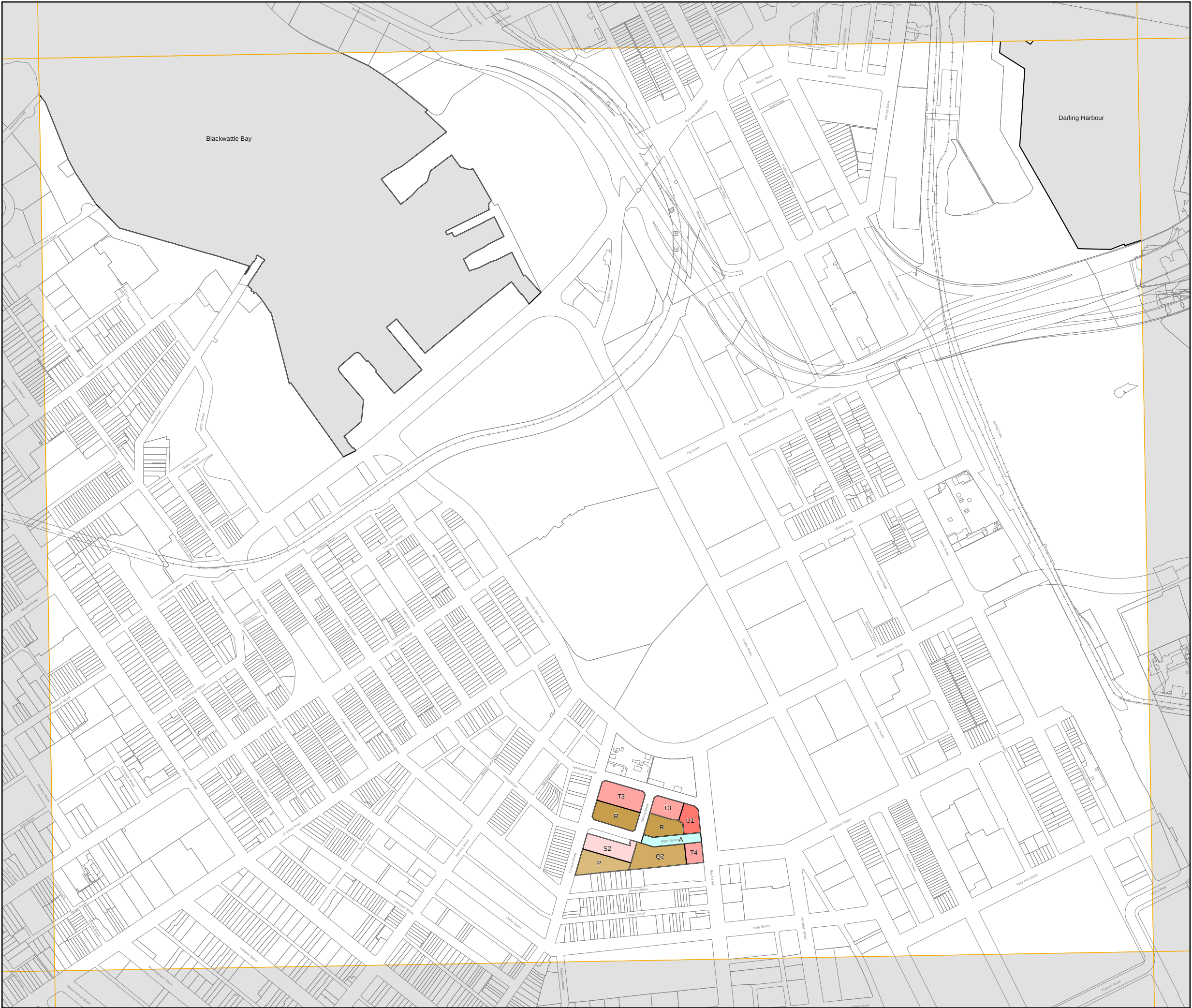


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_HOB_008_005_20241113



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_009

Maximum Building Height (m)

A	3	S2	24
E	6	T1	25
H	7.5	T2	27
I	8	T3	28
J	9	T4	29
L	11	U1	30
M	12	V1	35
O	15	X	45
P	18	Y	50
Q1	19	AA1	60
Q2	20	AA2	65
R	22	AA3	70
S1	23		

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

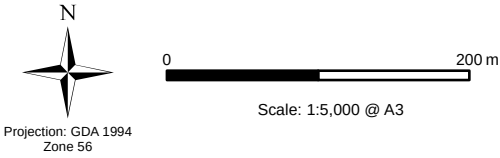
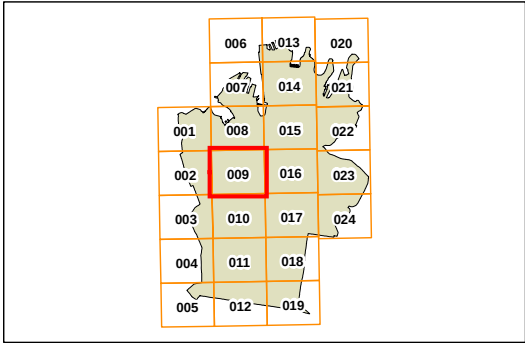
Maximum Building Height (m)

Heights shown on map in RL (m)

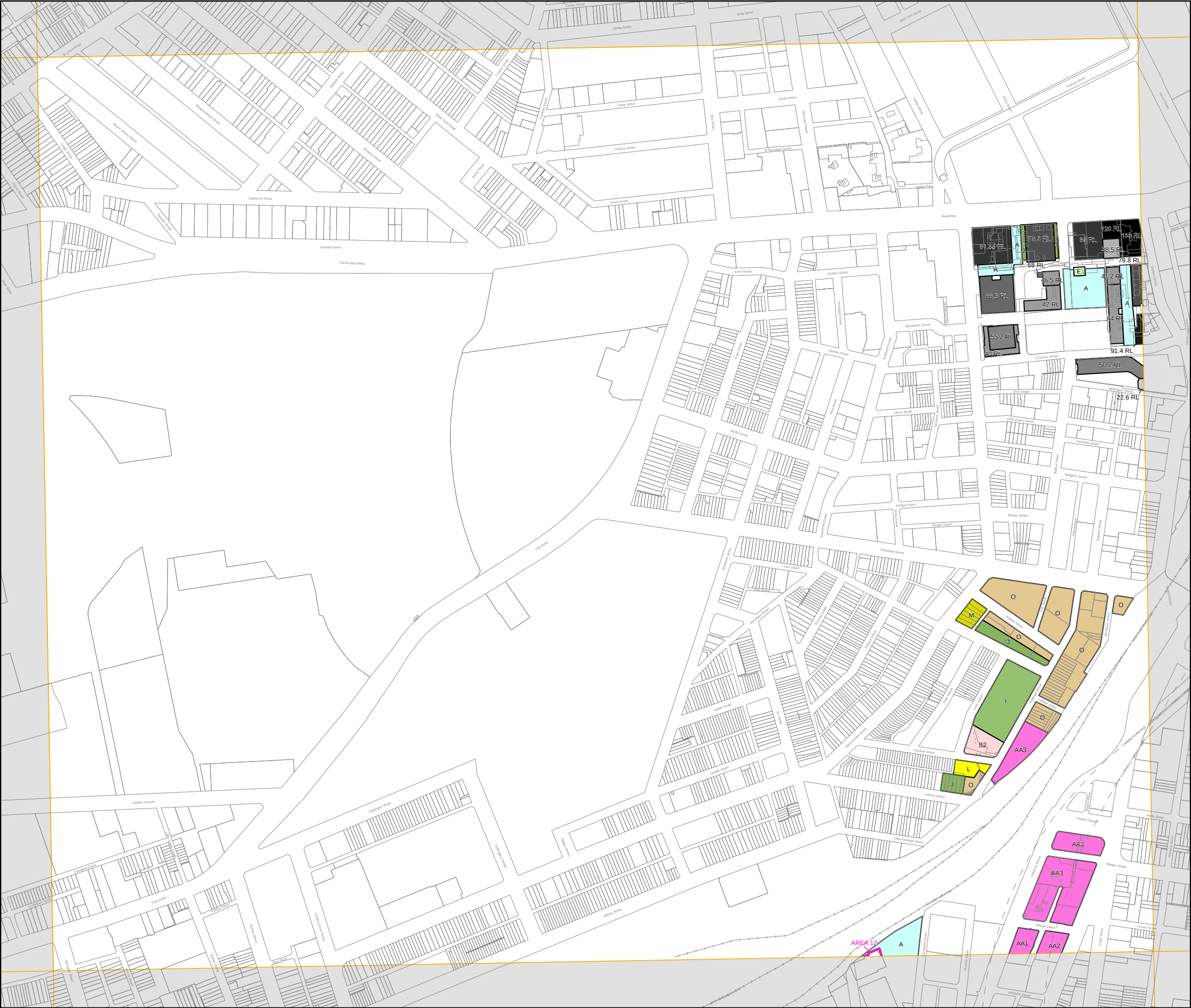
20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140
70 - 80	

Cadastre

Cadastre 13/11/2024 © City of Sydney



Map identification number:
7200_COM_HOB_009_005_20241113



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_010

Maximum Building Height (m)

A	3	S2	24
E	6	T1	25
H	7.5	T2	27
I	8	T3	28
J	9	T4	29
L	11	U1	30
M	12	V1	35
O	15	X	45
P	18	Y	50
Q1	19	AA1	60
Q2	20	AA2	65
R	22	AA3	70
S1	23		

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

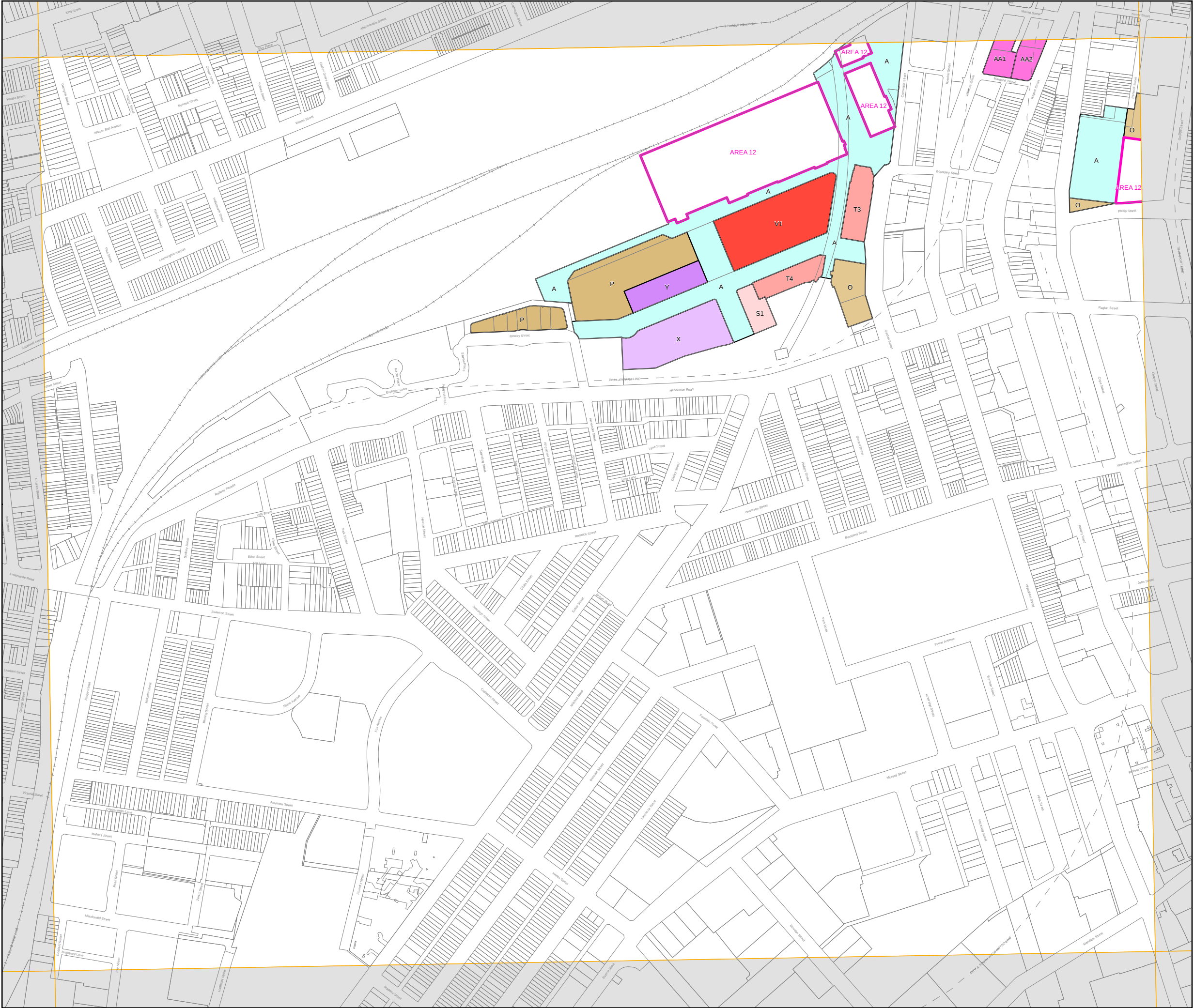
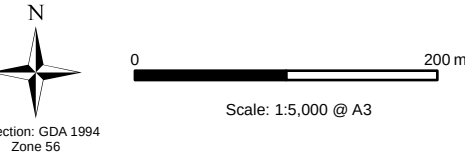
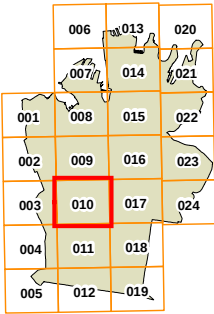
Maximum Building Height (m)

Heights shown on map in RL (m)

20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140
70 - 80	

Cadastre

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Maximum Building Height (m)

Existing Building Height

 Area 12 (Refer to Clause XXX)

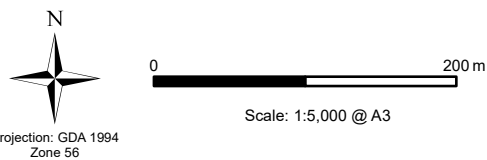
Maximum Building Height (m)

Heights shown on map in RL (m)

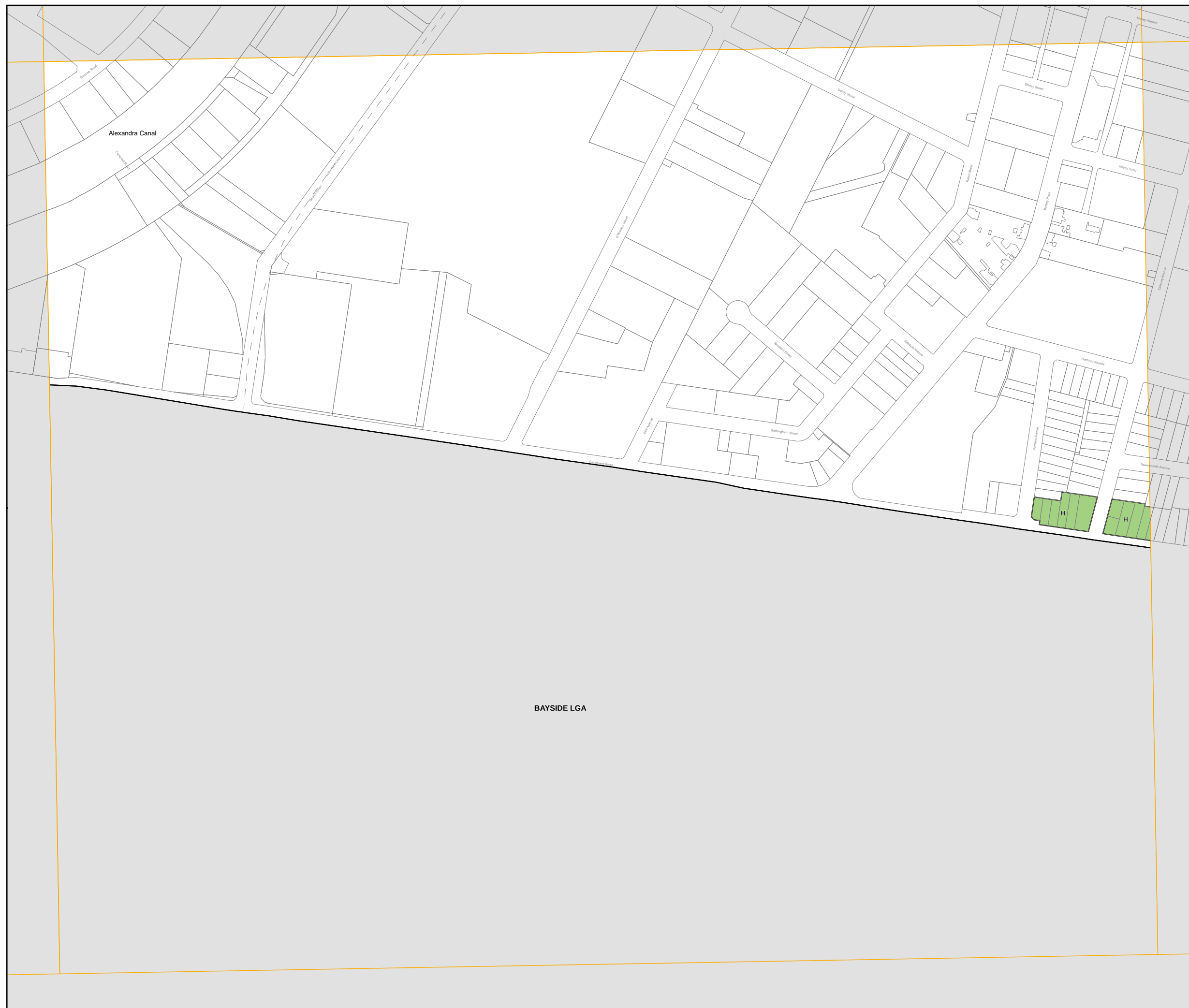
	10 - 20		70 - 80
	20 - 30		80 - 90
	30 - 40		90 - 100
	40 - 50		100 - 110
	50 - 60		110 - 120
	60 - 70		120 - 140

Cadastre

 Cadastre 05/09/2023 © City of Sydney



Map identification number:
7200_COM_HOB_012_005_20230905



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_016

Maximum Building Height (m)

A	3	S2	24
E	6	T1	25
H	7.5	T2	27
I	8	T3	28
J	9	T4	29
L	11	U1	30
M	12	V1	35
O	15	X	45
P	18	Y	50
Q1	19	AA1	60
Q2	20	AA2	65
R	22	AA3	70
S1	23		

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

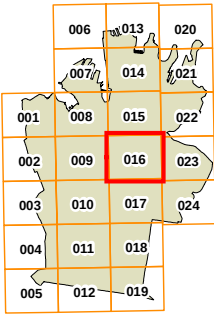
Maximum Building Height (m)

Heights shown on map in RL (m)

20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140
70 - 80	

Cadastral

Cadastral 13/11/2024 © City of Sydney

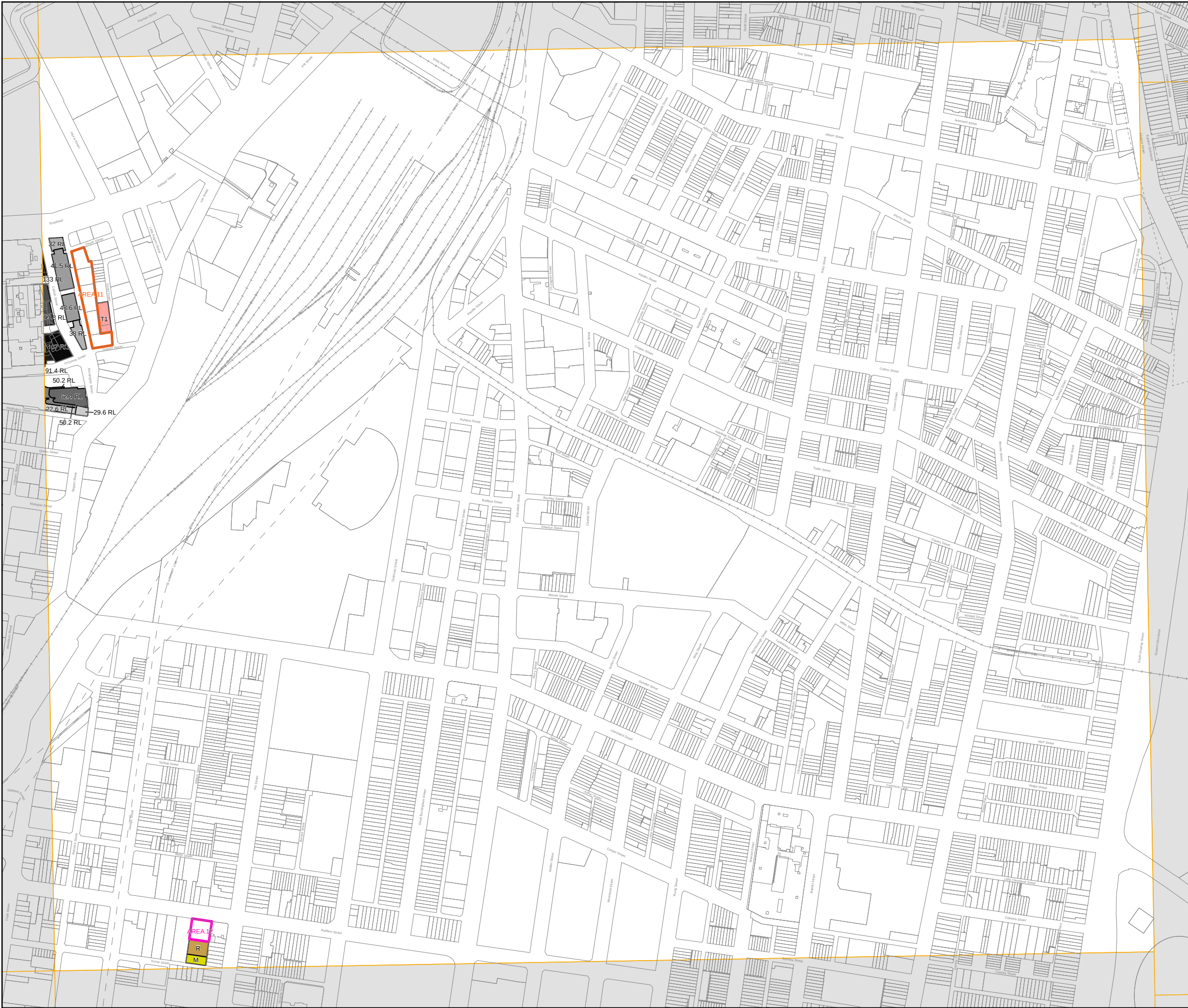


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_HOB_016_005_20241113



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_017

Maximum Building Height (m)

A	3	S2	24
E	6	T1	25
H	7.5	T2	27
I	8	T3	28
J	9	T4	29
L	11	U1	30
M	12	V1	35
O	15	X	45
P	18	Y	50
Q1	19	AA1	60
Q2	20	AA2	65
R	22	AA3	70
S1	23		

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

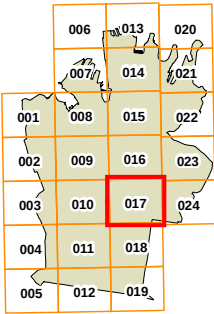
Maximum Building Height (m)

Heights shown on map in RL (m)

20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140
70 - 80	

Cadastre

Cadastre 13/11/2024 © City of Sydney

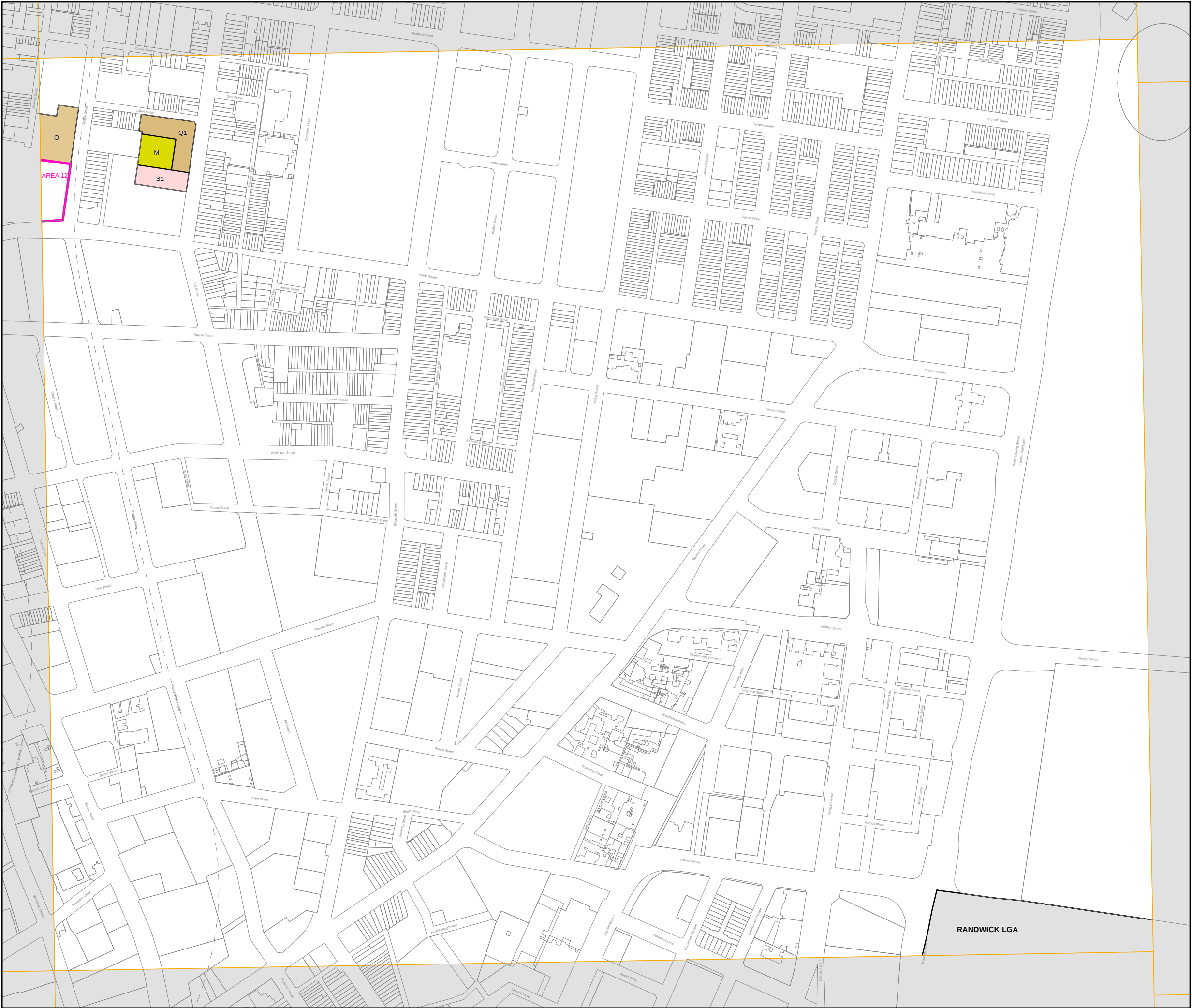


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_HOB_017_005_20241113



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_019

Maximum Building Height (m)

E	6	O	15
H	7.5	P	18
J	8	P2	19
I	9	R	22
L	11	T1	25
M	12	AA1	60

Existing Building Height

- Area 11 (Refer to Clause XXX)
- Area 12 (Refer to Clause XXX)

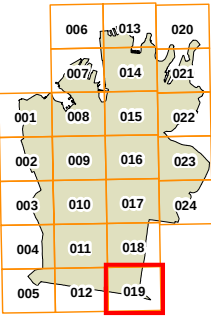
Maximum Building Height (m)

Heights shown on map in RL (m)

10 - 20	70 - 80
20 - 30	80 - 90
30 - 40	90 - 100
40 - 50	100 - 110
50 - 60	110 - 120
60 - 70	120 - 140

Cadastre

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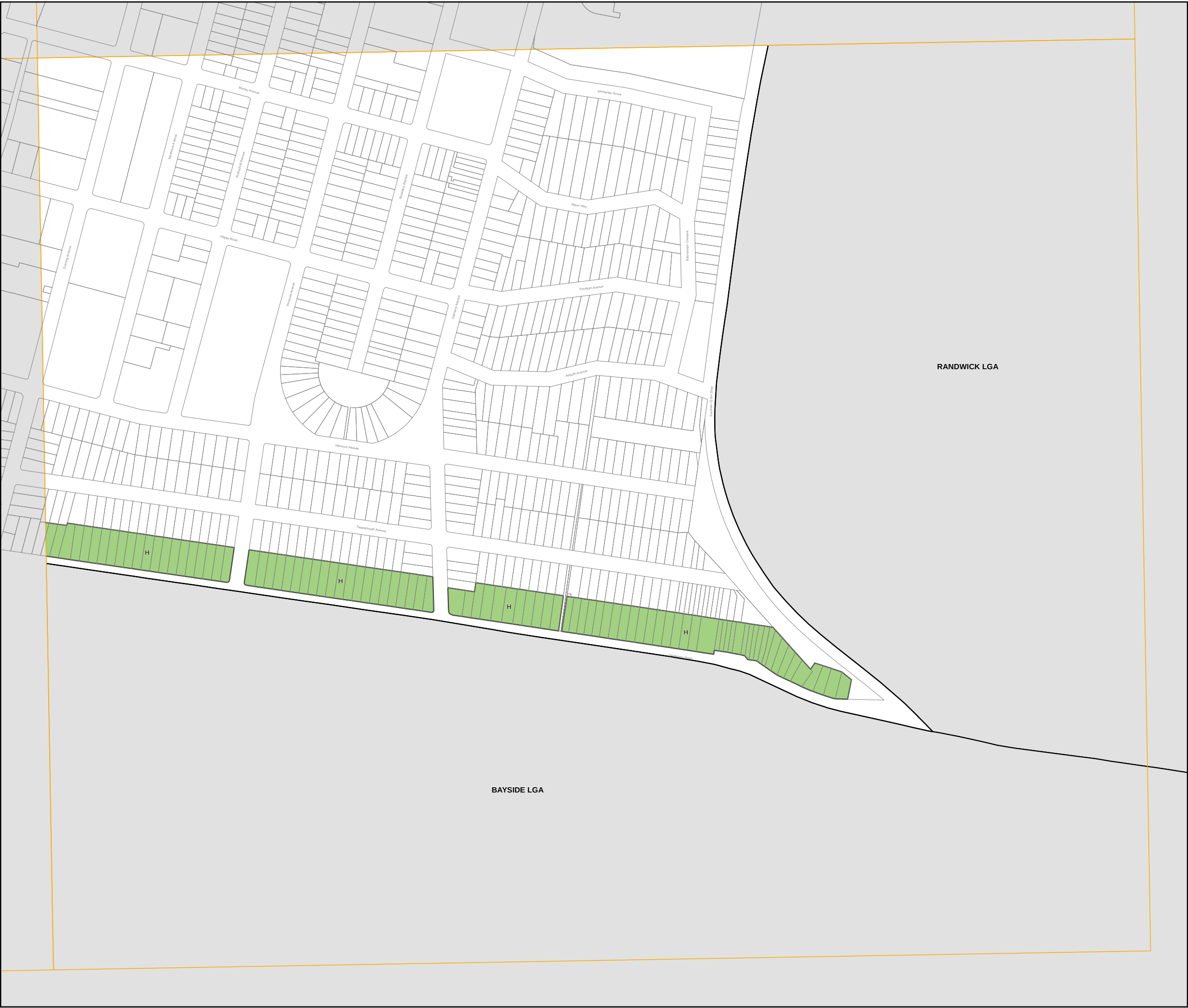


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

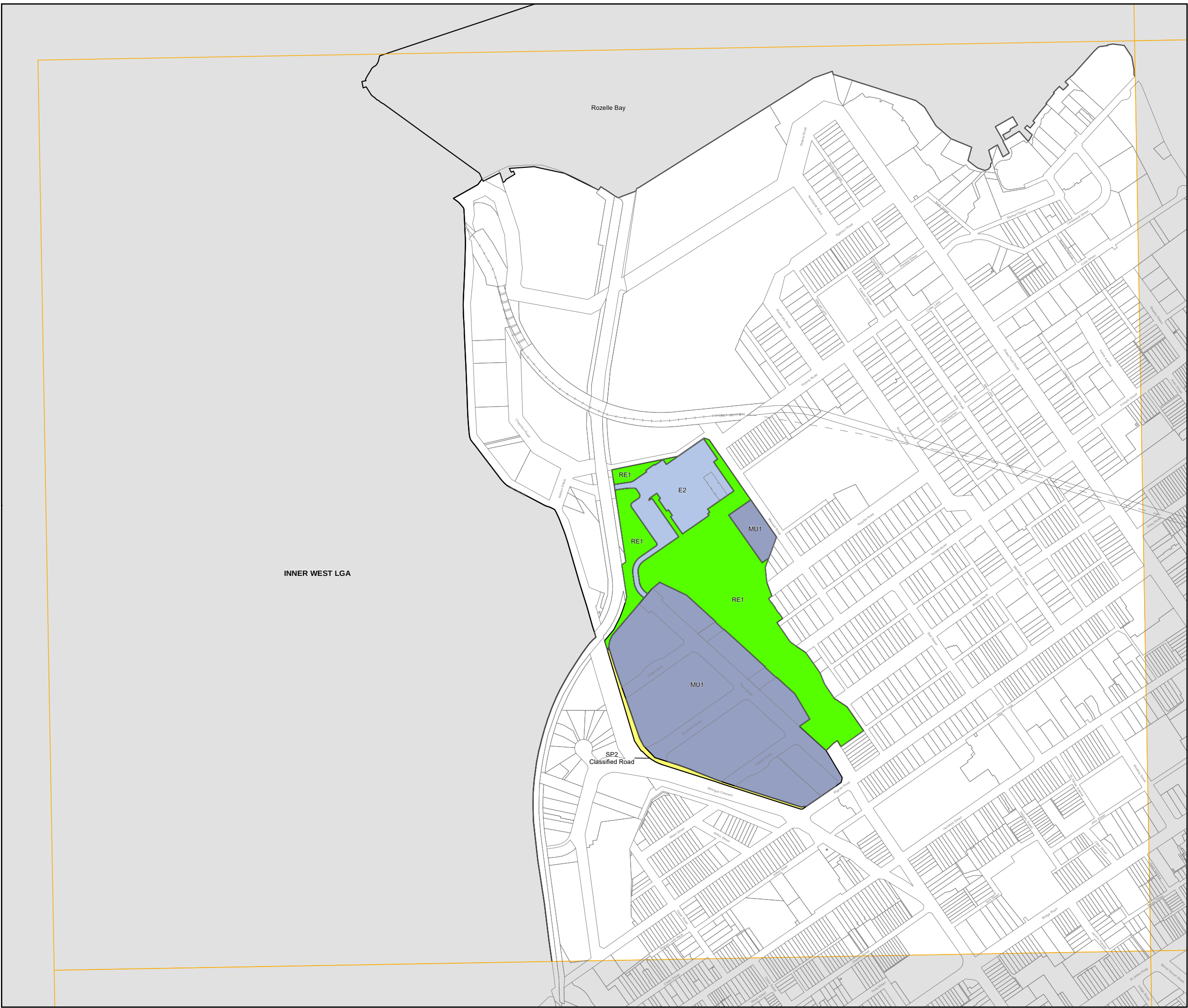
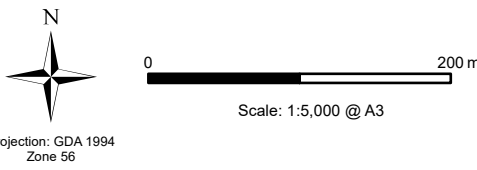
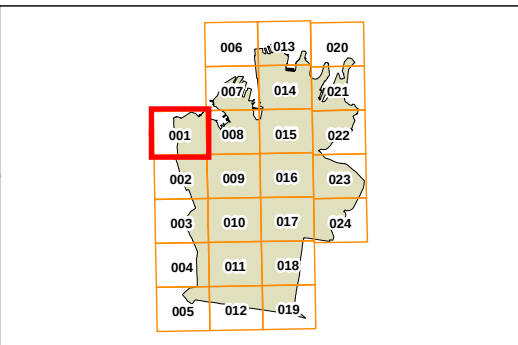
Map identification number:
7200_COM_HOB_019_005_20230905



Land Zoning Map - Sheet LZN_001

- Zone**
- E1 Local Centre
 - E2 Commercial Centre
 - E3 Productivity Support
 - MU1 Mixed Use
 - R1 General Residential
 - R2 Low Density Residential
 - SP1 Special Activities
 - SP2 Infrastructure
 - RE1 Public Recreation

Cadastre
Cadastre 14/11/2023 © City of Sydney

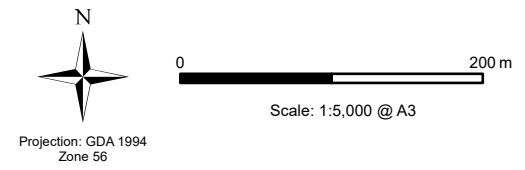
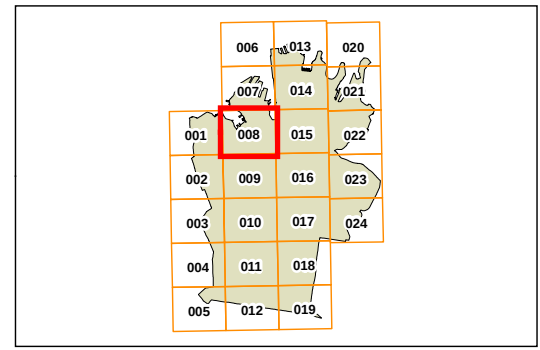
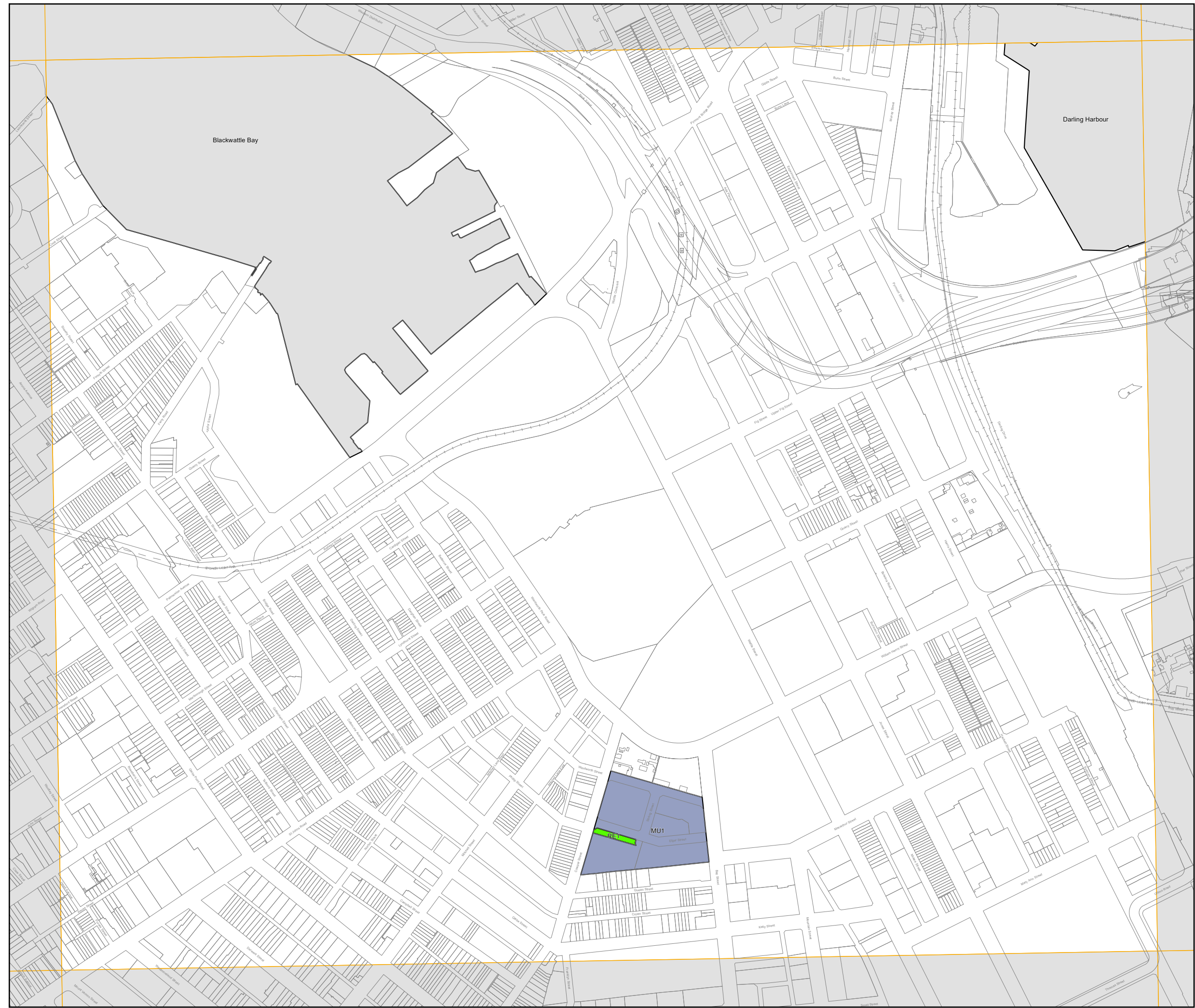


Land Zoning Map - Sheet LZN_008

- Zone**
- E1 Local Centre
 - E2 Commercial Centre
 - E3 Productivity Support
 - MU1 Mixed Use
 - R1 General Residential
 - R2 Low Density Residential
 - SP1 Special Activities
 - SP2 Infrastructure
 - RE1 Public Recreation

Cadastre
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Pre-Exhibition



Land Zoning Map - Sheet LZN_009

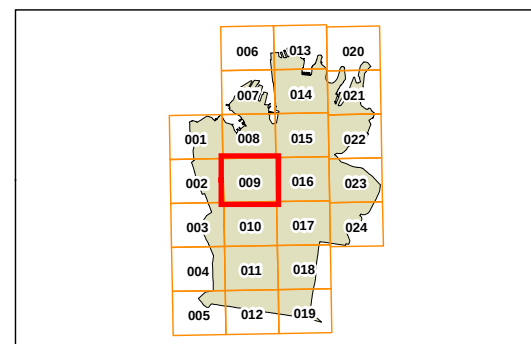
Zone

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- MU1 Mixed Use
- R1 General Residential
- R2 Low Density Residential
- SP1 Special Activities
- SP2 Infrastructure
- RE1 Public Recreation

Cadastre

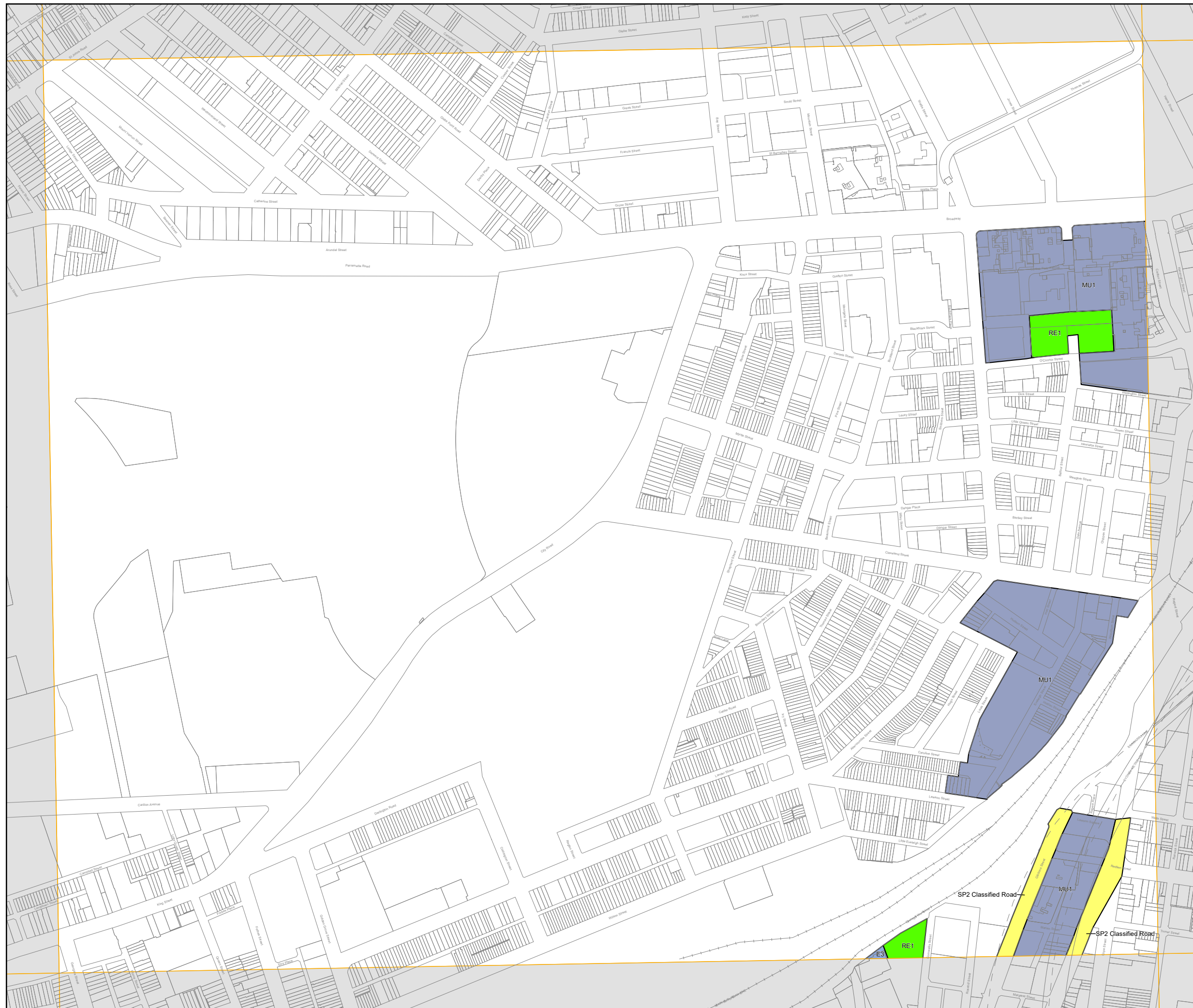
Cadastre 14/11/2023 © City of Sydney

Pre-Exhibition



0 200 m

Scale: 1:5,000 @ A3

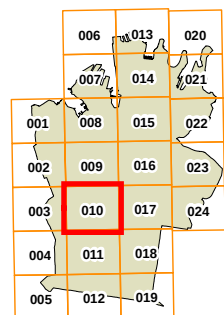
Projection: GDA 1994
Zone 56Map identification number:
7200_COM_LZN_009_005_20231114

Zone

- | | |
|-----|-------------------------|
| E1 | Local Centre |
| E2 | Commercial Centre |
| E3 | Productivity Support |
| MU1 | Mixed Use |
| R1 | General Residential |
| R2 | Low Density Residential |
| SP1 | Special Activities |
| SP2 | Infrastructure |
| RE1 | Public Recreation |

Cadastre

 Cadastre 14/11/2023 © City of Sydney

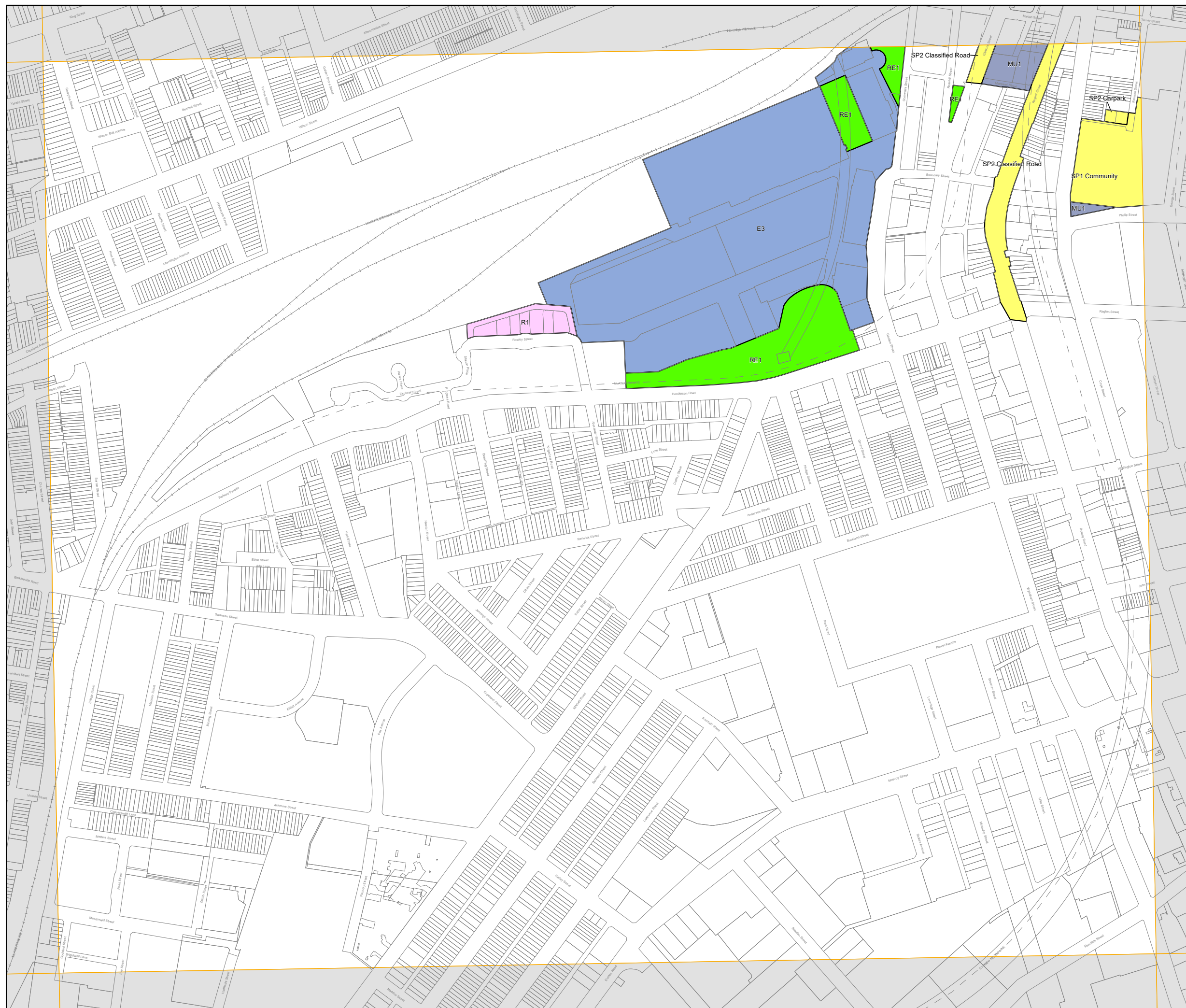


Projection: GDA 1994
Zone 56

A horizontal scale bar with a black line. The left end is labeled '0' and the right end is labeled '200 m'.

Scale: 1:5,000 @ A3

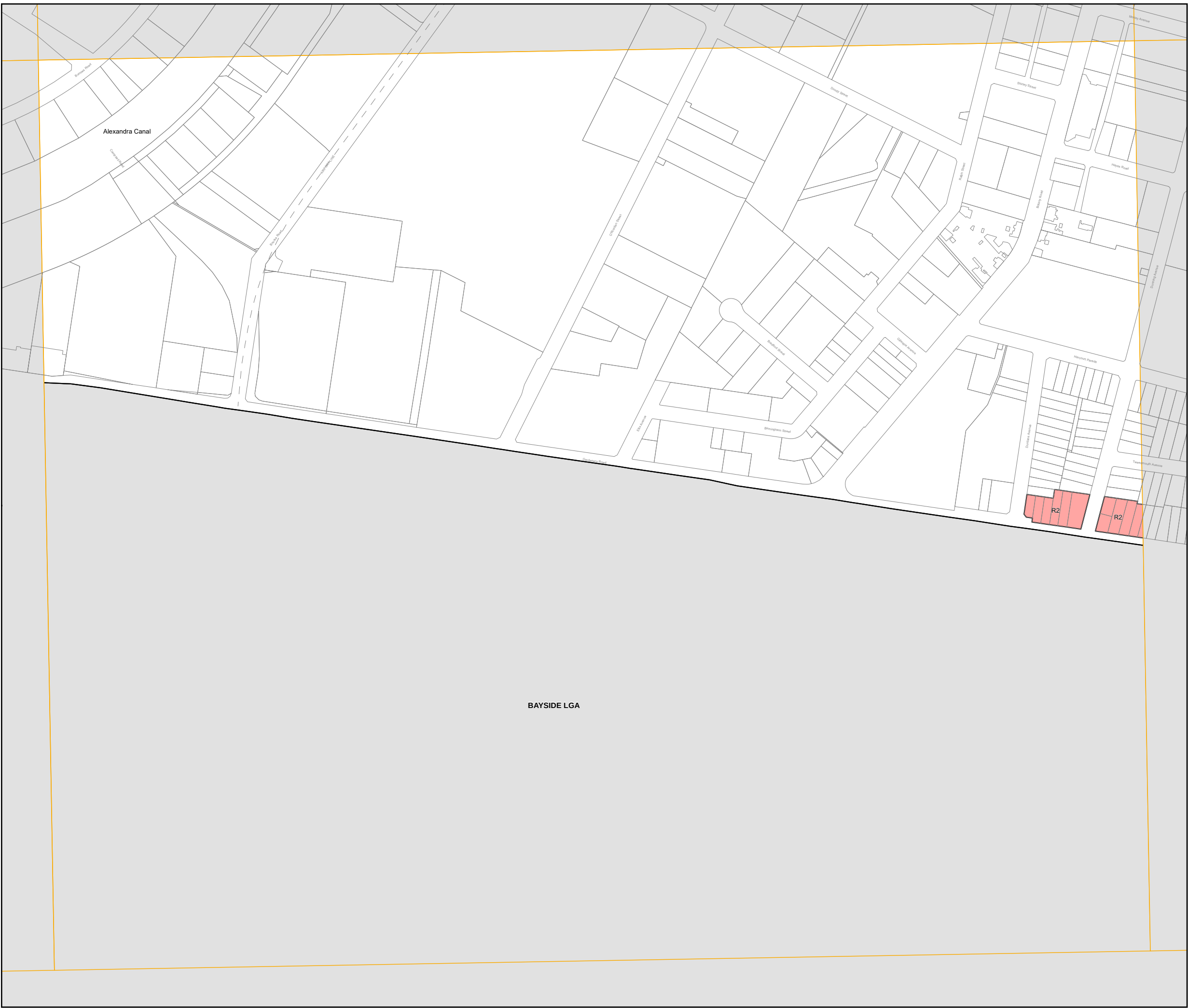
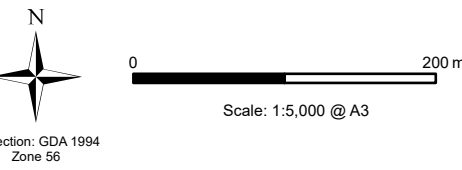
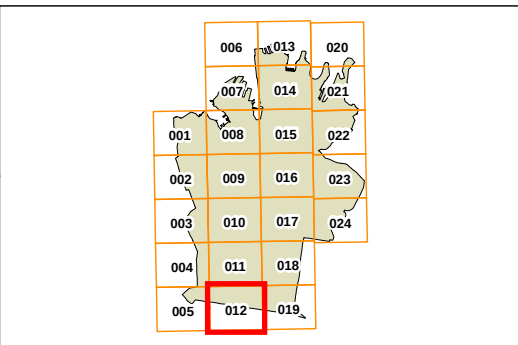
Map identification number:
7200 COM LZN 010 005 20231114



Land Zoning Map - Sheet LZN_012

- Zone**
- E1 Local Centre
 - E2 Commercial Centre
 - E3 Productivity Support
 - MU1 Mixed Use
 - R1 General Residential
 - R2 Low Density Residential
 - SP1 Special Activities
 - SP2 Infrastructure
 - RE1 Public Recreation

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Sydney Local Environmental Plan 2012

Land Zoning Map - Sheet LZN_016

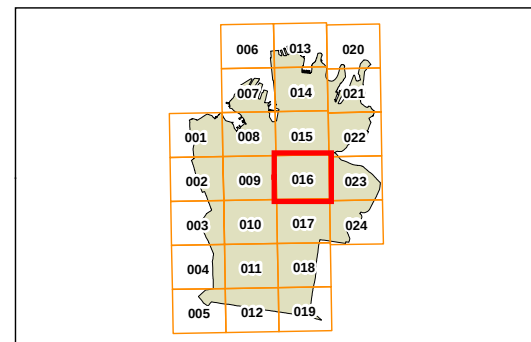
Zone

- E1** Local Centre
- E2** Commercial Centre
- E3** Productivity Support
- MU1** Mixed Use
- R1** General Residential
- R2** Low Density Residential
- SP1** Special Activities
- SP2** Infrastructure
- RE1** Public Recreation

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Pre-Exhibition

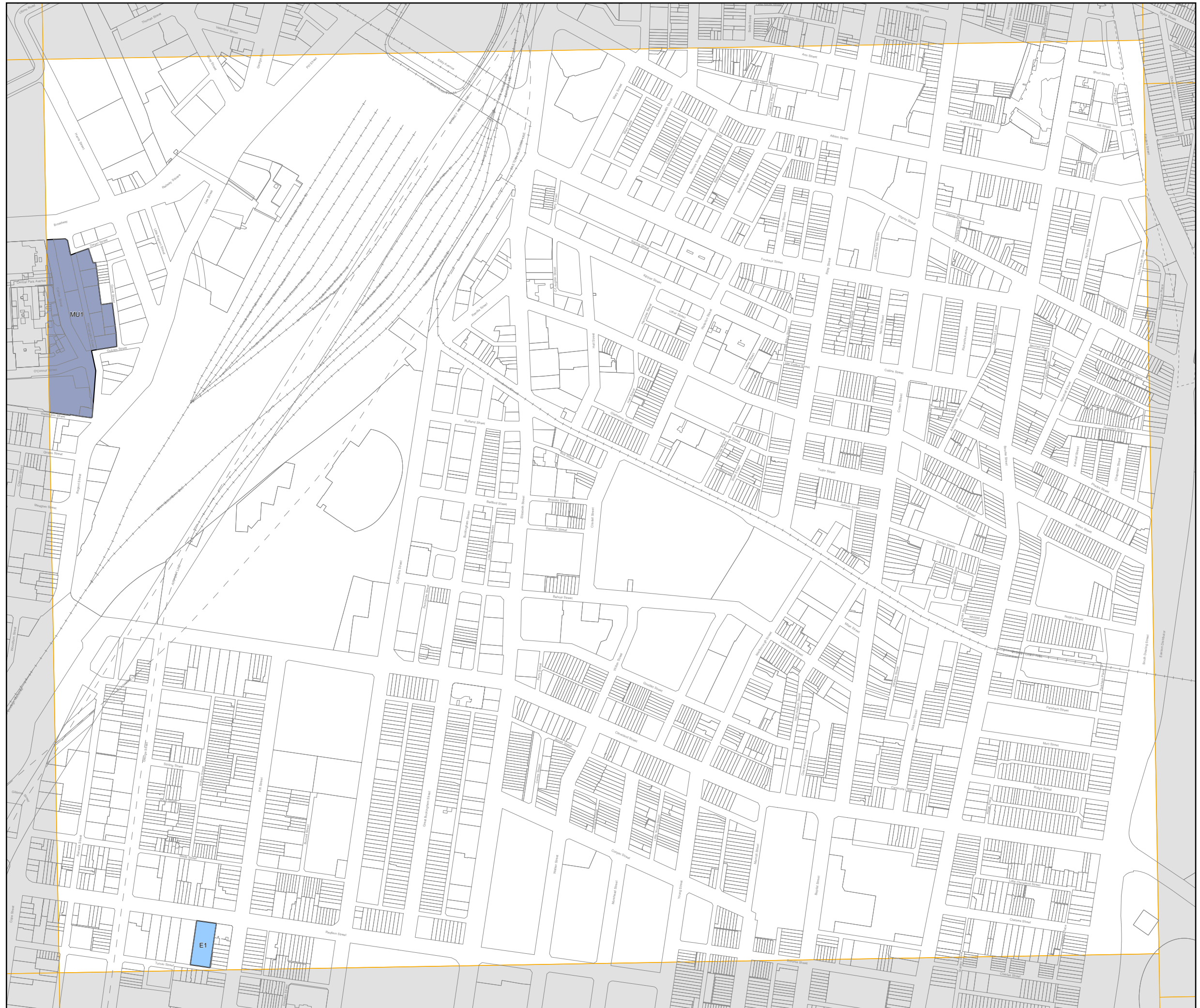


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Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_LZN_016_005_20231114



Land Zoning Map - Sheet LZN_017

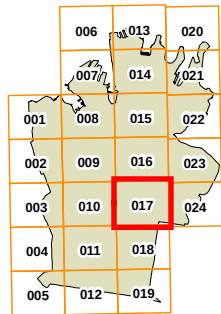
Zone

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- MU1 Mixed Use
- R1 General Residential
- R2 Low Density Residential
- SP1 Special Activities
- SP2 Infrastructure
- RE1 Public Recreation

Cadastre

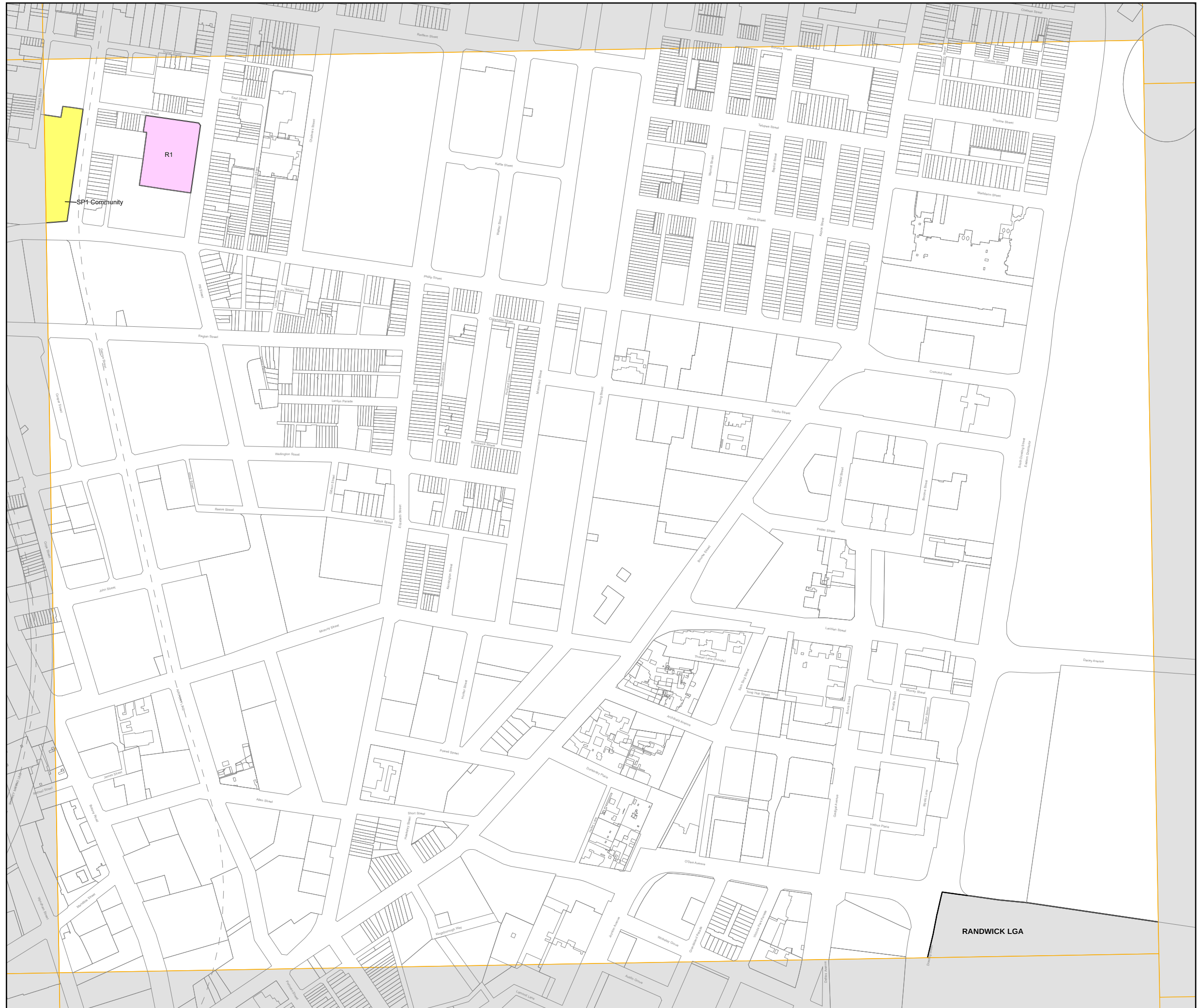
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Pre-Exhibition



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Projection: GDA 1994
Zone 56Map identification number:
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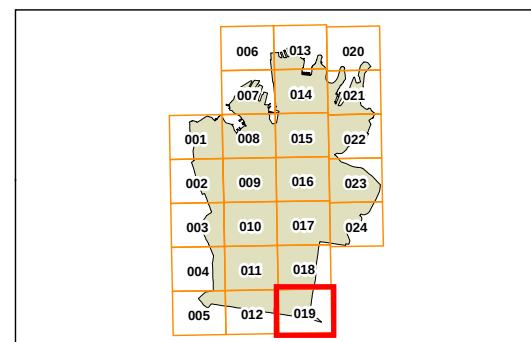
Land Zoning Map - Sheet LZN_019

Zone

- | | |
|-----|-------------------------|
| E1 | Local Centre |
| E2 | Commercial Centre |
| E3 | Productivity Support |
| MU1 | Mixed Use |
| R1 | General Residential |
| R2 | Low Density Residential |
| SP1 | Special Activities |
| SP2 | Infrastructure |
| RE1 | Public Recreation |

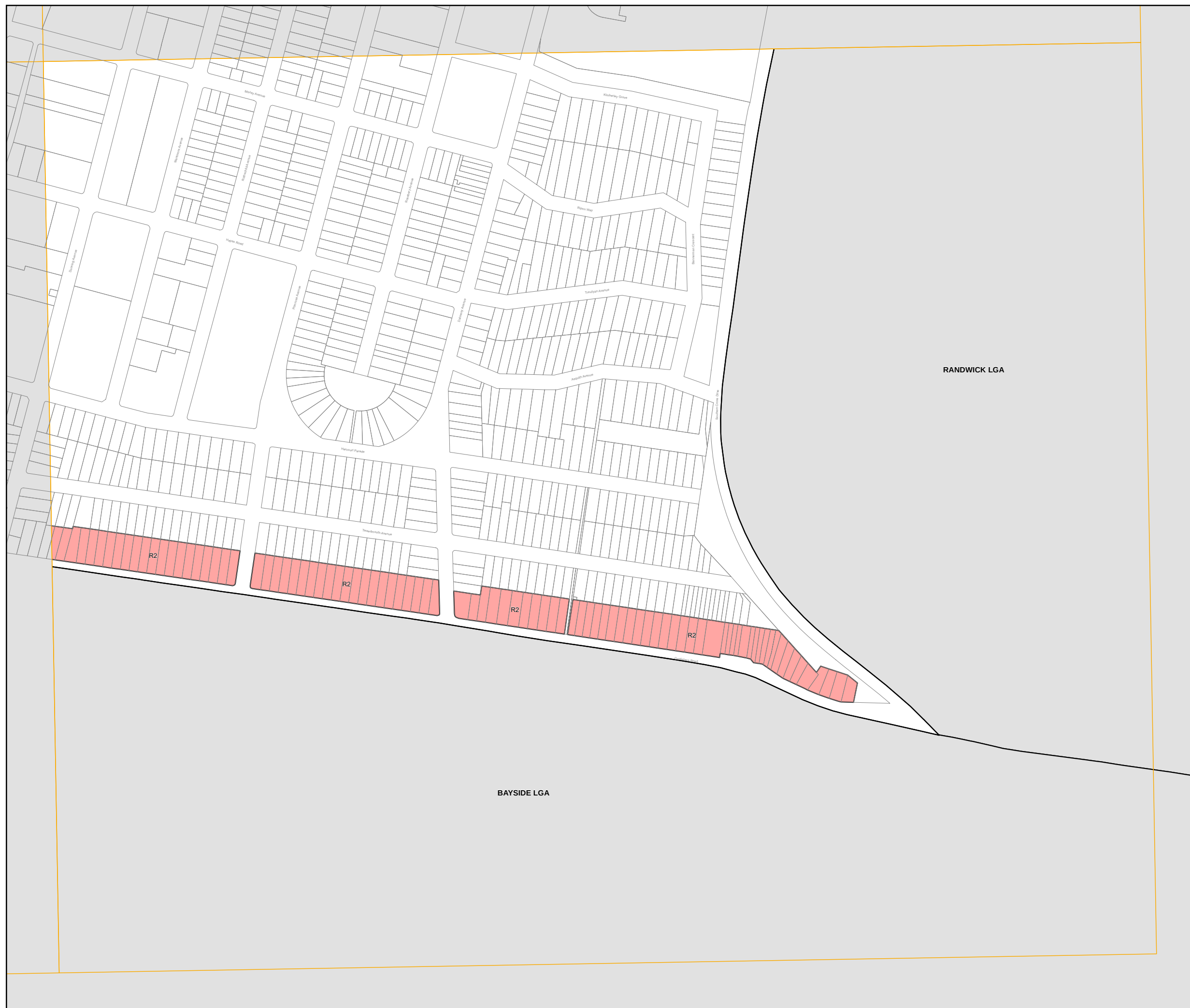
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Projection: GDA 1994
Zone 56

Map identification number:
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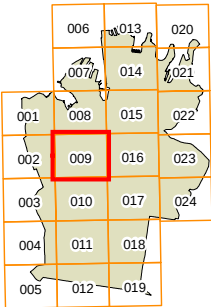
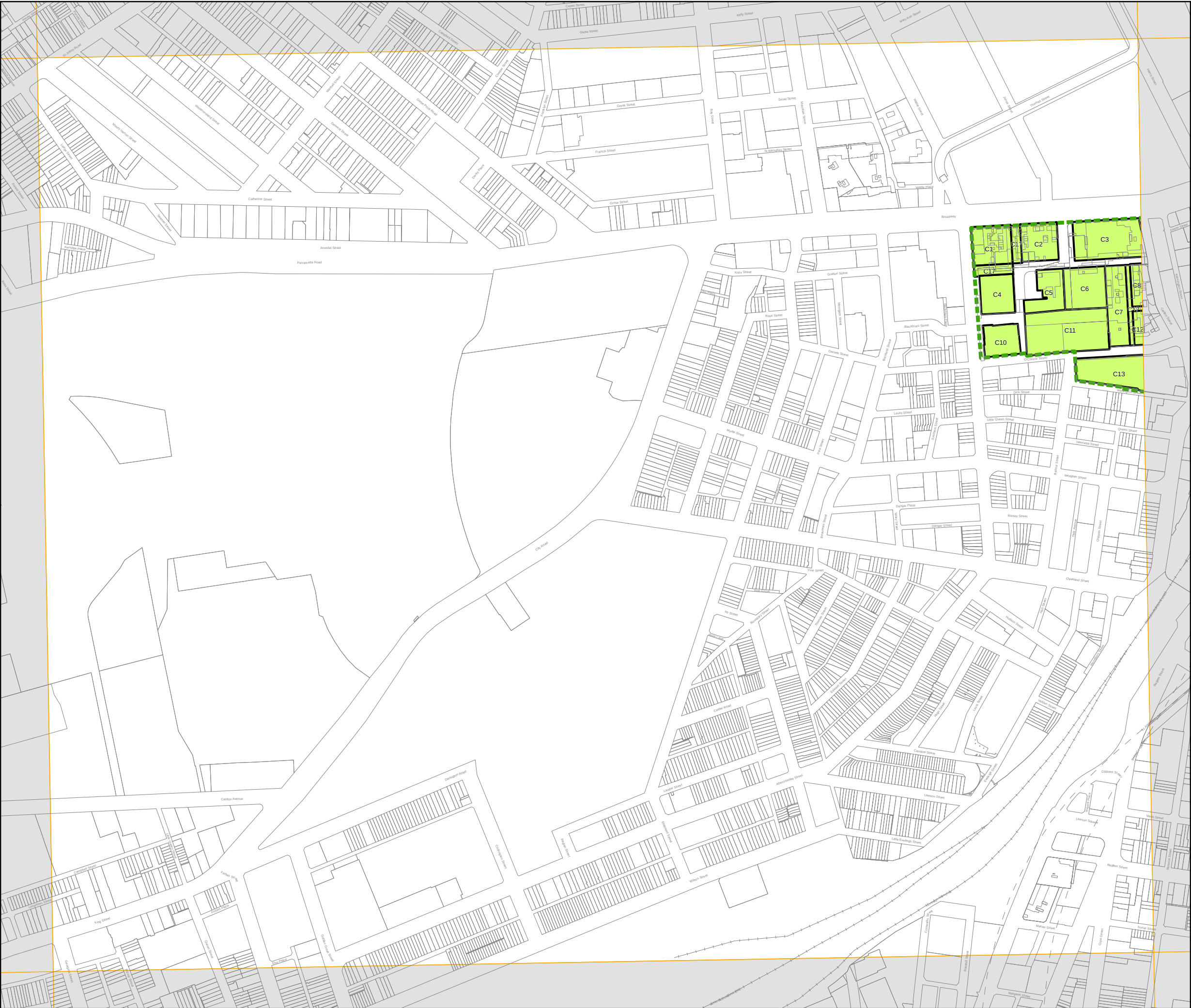
Special Provision Area Map
- Sheet SPA_009

Sites

 Central Park-CUB (refer to Clause XXX)

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0 200m

Scale: 1:5,000 @ A3

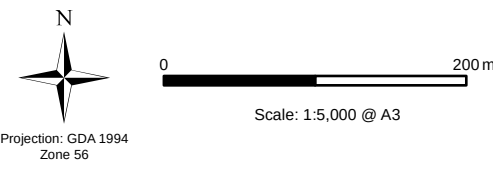
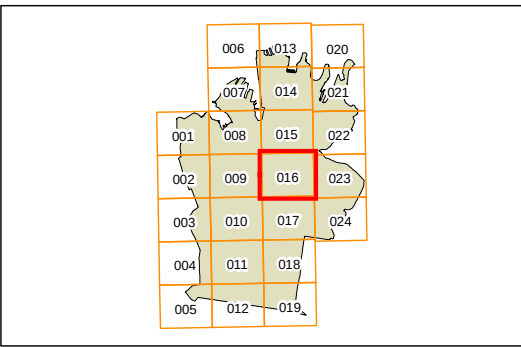
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Zone 56

Map identification number:
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Special Provision Area Map
- Sheet SPA_016

Sites
Central Park-CUB (refer to Clause XXX)

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State Environmental Planning Policy (Precincts–Eastern Harbour City) 2021

– Redfern–Waterloo Authority Sites maps

Amend the following State Environmental Planning Policy (Precincts–Eastern Harbour City) 2021 maps to remove the subject sites and transfer to Sydney Local Environmental Plan 2012:

- Land Application Map (sheet 001)
- Additional Permitted Uses Map (sheet 001)
- Floor Space Ratio Map (sheet 001)
- Gross Floor Area Map (sheet 001)
- Height of Buildings Map (sheet 001)
- Heritage Map (sheet 001)
- Land Zoning Map (sheet 001)

**State Environmental Planning Policy (Major Development) 2005
Redfern – Waterloo Authority Sites — Land Application Map**

Sheet LAP_001

 Subject Land
 Area A

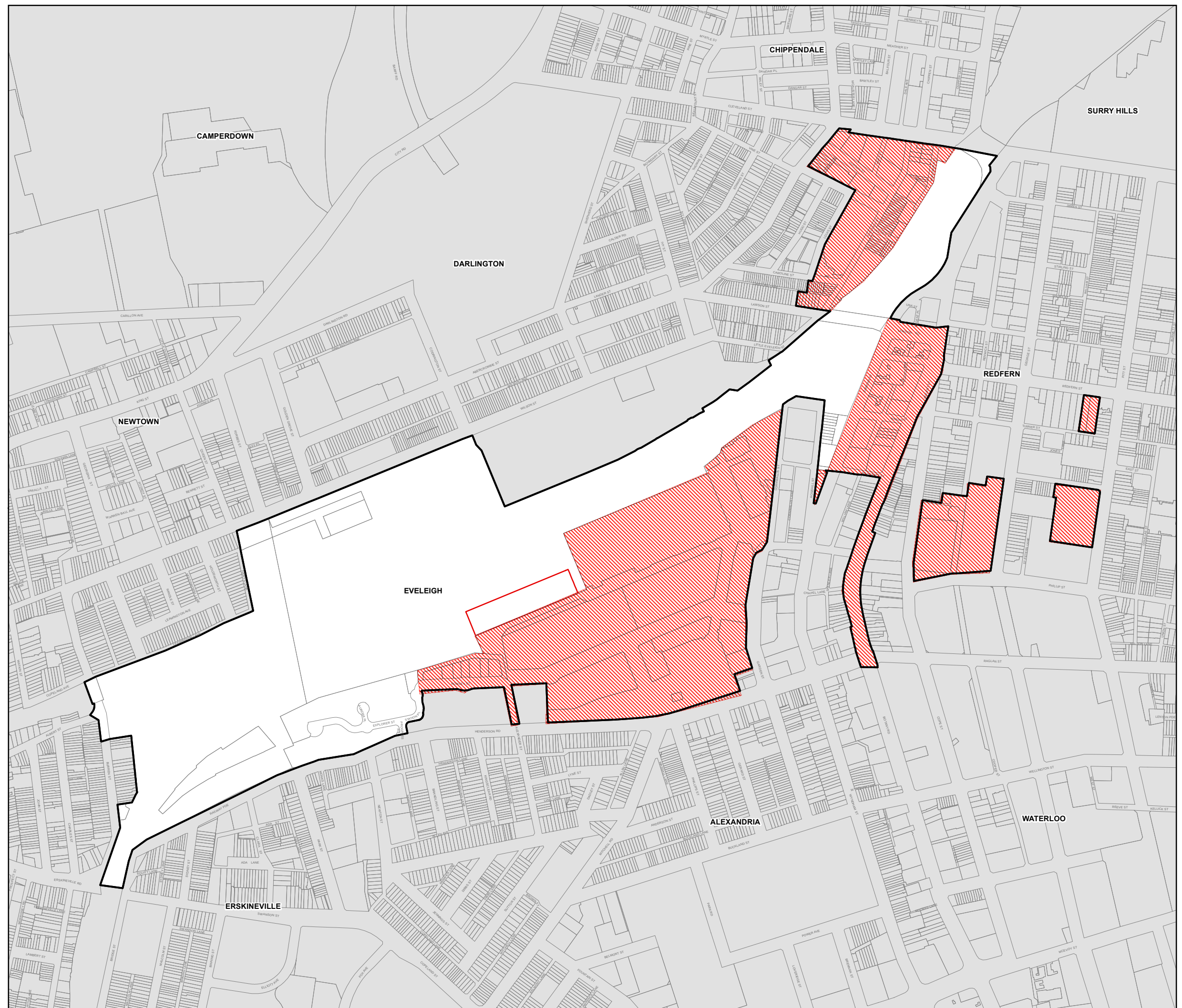
Cadastre
 Cadastre 06/12/2023 © Spatial Services

**Update map to
exclude all areas
shown hatched in
red from the SEPP,
to be transferred
to Sydney LEP
2012.**



 N
0 50 100 150
Metres
Projection: GDA 1994
MGA Zone 56
Scale: 1:6,000 @ A3

Map Identification Number: SEPP_MD_RWA_LAP_001_20231206

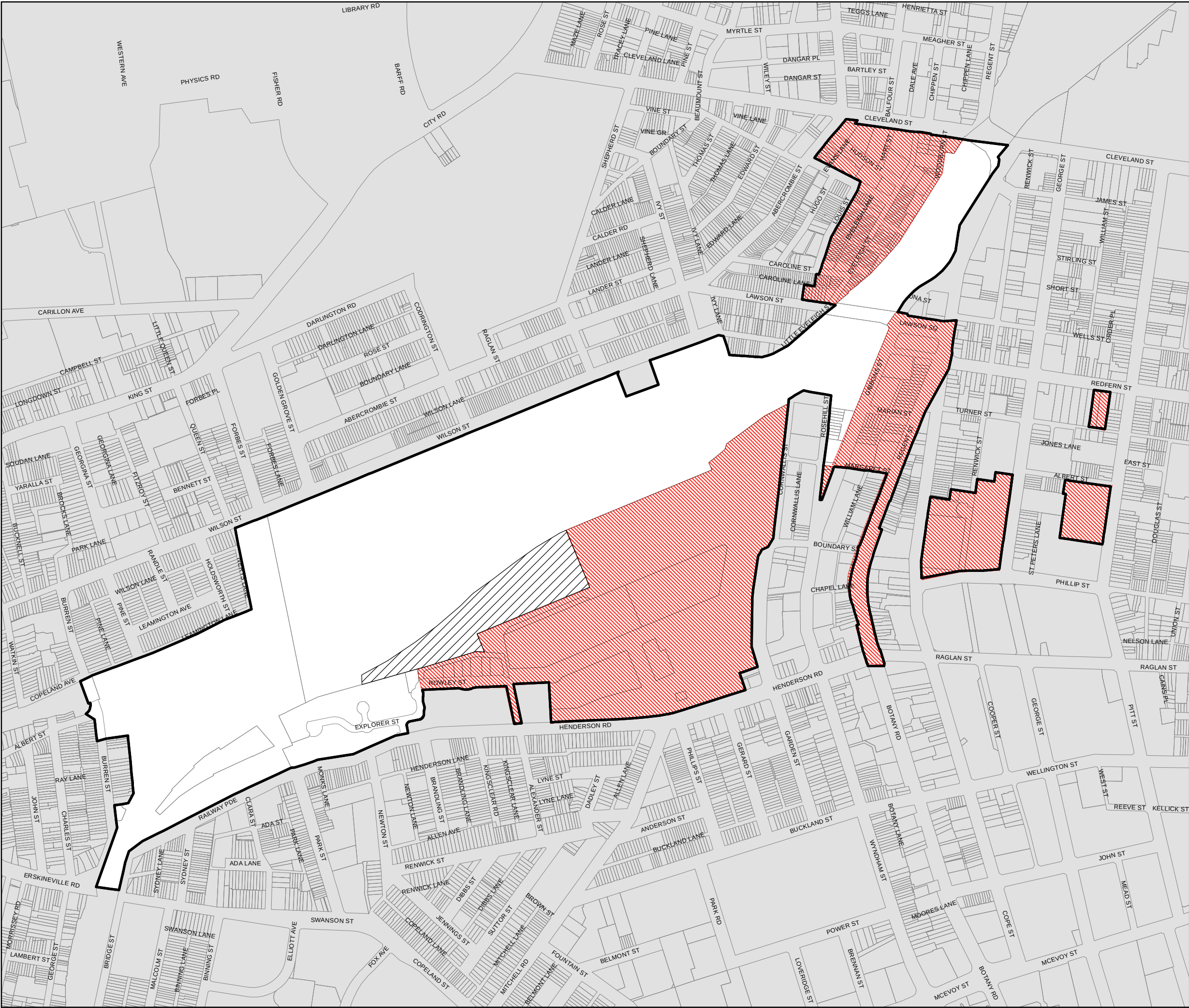
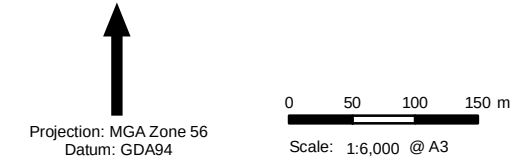


**State Environmental Planning
Policy (Major Development) 2005
Redfern-Waterloo Authority Sites—
Additional Permitted Uses Map**

Sheet APU_001

-  Subject Land
-  Clause 23A
- Cadastre**
-  Cadastre 09/09/2011 © NSW LPI

**Update map to
exclude all areas
shown hatched in
red from the SEPP,
to be transferred
to Sydney LEP
2012.**





Planning and
Environment

State Environmental Planning
Policy (Major Development) 2005
Redfern - Waterloo Authority
Sites — Floor Space Ratio Map

Sheet FSR_001

Subject Land

Floor Space Ratio (n:1)

Total Maximum FSR/FSR For Residential Component

N	1:1	0.5:1
S	1.5:1	0.75:1
T2	2:1	1:1
T3	2:1	2:1
V	3:1	1:1

Maximum FSR

EX	Existing FSR
Q	1.3:1
T1	2:1
AB	7:1
	Private Road

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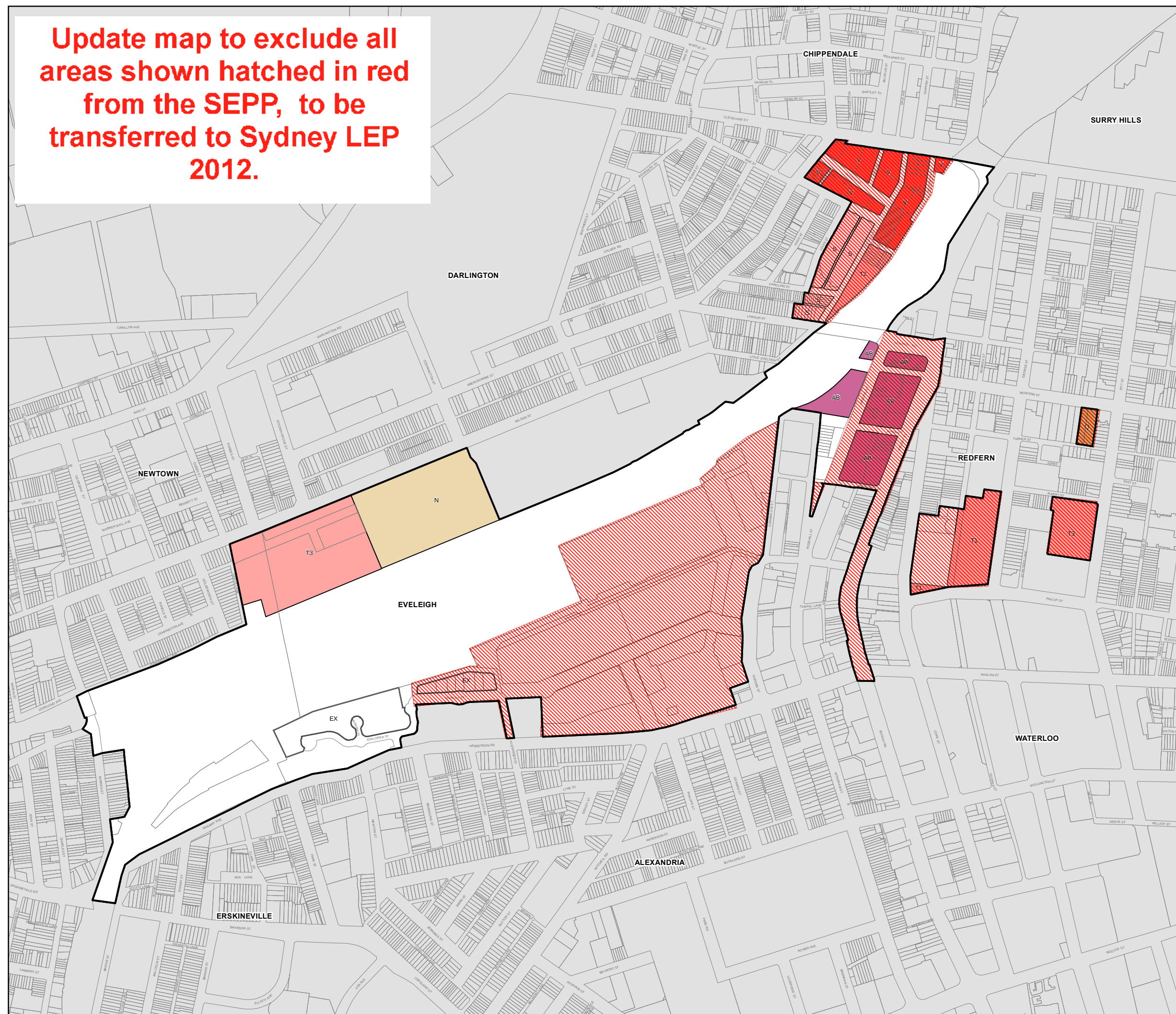
0 50 100 150
Metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:6,000 @ A3

Map Identification Number: SEPP_MD_RWA_FSR_001_20221120

Update map to exclude all
areas shown hatched in red
from the SEPP, to be
transferred to Sydney LEP
2012.



**State Environmental Planning
Policy (Major Development) 2005
Redfern Waterloo Authority Sites
— Gross Floor Area Map**

Sheet GFA_001

	Subject Land
Maximum Gross Floor Area (m²)	
	A 42,055
	B 1,300
	C 6,955
	D 12,805
	E 3,976
	F 2,840
	G 8,305
	H 41,800
	I 42,000
	J 44,000
	K 16,450
	L 15,000
	Australian Technology Park
	Private Road

Cadastre
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Projection: GDA 1994
MGA Zone 56

Map Identification Number: SEPP_MD_RWA_GFA_001_20230320





Planning and
Environment

**State Environmental Planning
Policy (Major Development) 2005
Redfern-Waterloo Authority
Sites — Heritage Map**

Sheet HER_001

 Subject Land

 Heritage Item

Cadastre

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Australian Technology Park

- 1 Locomotive Workshop
- 2 New Locomotive Workshop
- 3 Works Manager's Office

South Eveleigh

- 4 Large Erecting Shop

North Eveleigh

- 5 Carriage Workshops
- 6 Blacksmith's Shop

Redfern Railway Station

- 11 Redfern Station Booking Office

Former Redfern Public School

- 12 Two Buildings on George and Phillip Streets

Former Rachel Forster Hospital

- 13 Five Storey Surgery Building and
Part of Two Storey Colonnade Building

Former Local Court House

- 14 Former Court House Building



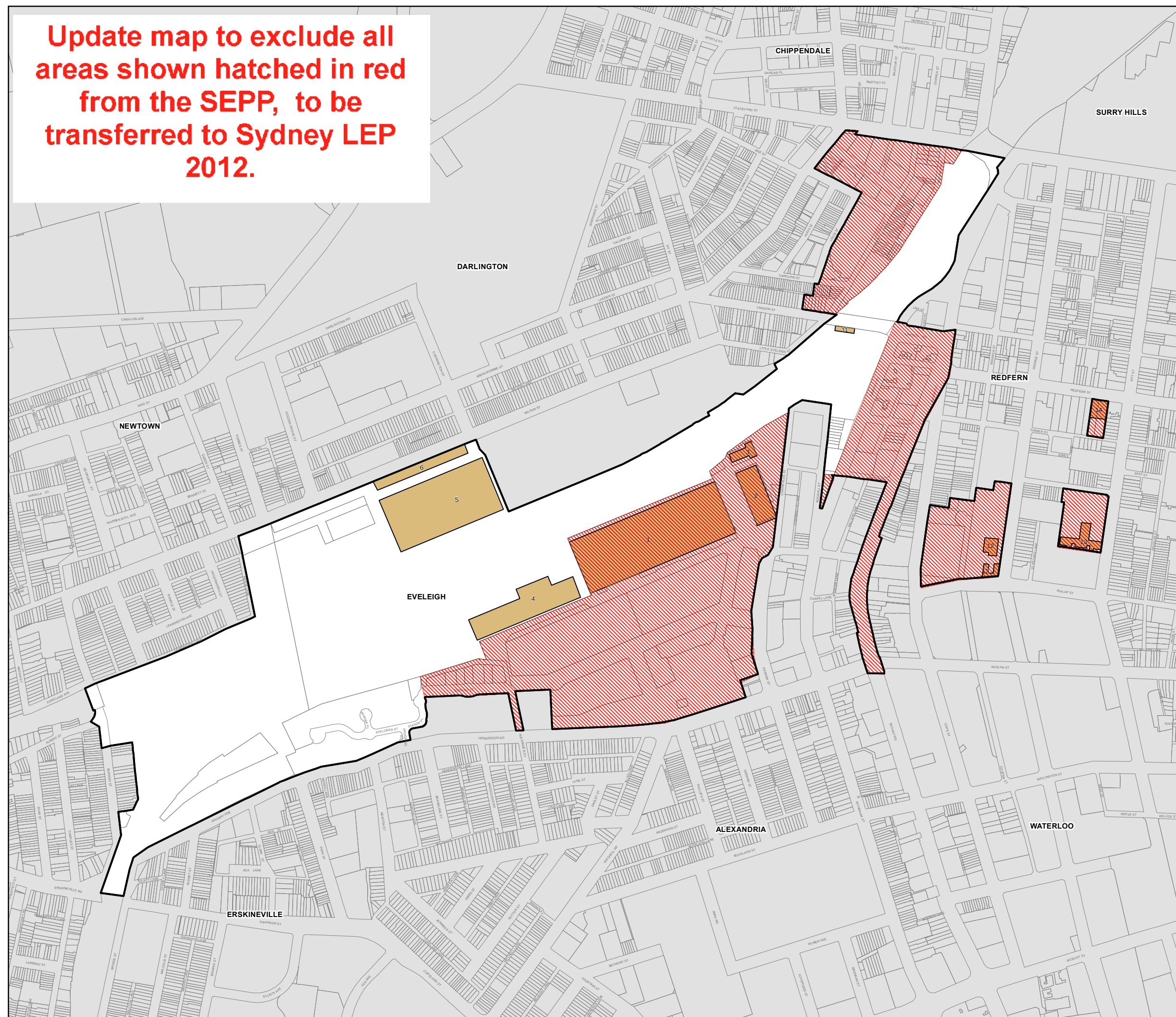
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Metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:6,000 @ A3

Map Identification Number: SEPP_MD_RWA_HER_001_20221120

**Update map to exclude all
areas shown hatched in red
from the SEPP, to be
transferred to Sydney LEP
2012.**



**State Environmental Planning Policy (Major Development) 2005
Redfern–Waterloo Authority
Sites — Height of Buildings Map**

Sheet HOB_001

 Subject Land

Maximum Building Height

-  E 2 Storeys
-  J 3 Storeys
-  M 4 Storeys
-  O 5 Storeys
-  P 6 Storeys
-  T 9 Storeys
-  U1 10 Storeys
-  U2 11 Storeys
-  V 12 Storeys
-  W 14 Storeys
-  X 16 Storeys
-  Y 18 Storeys
-  EX Existing
-  Private Road

Cadastre

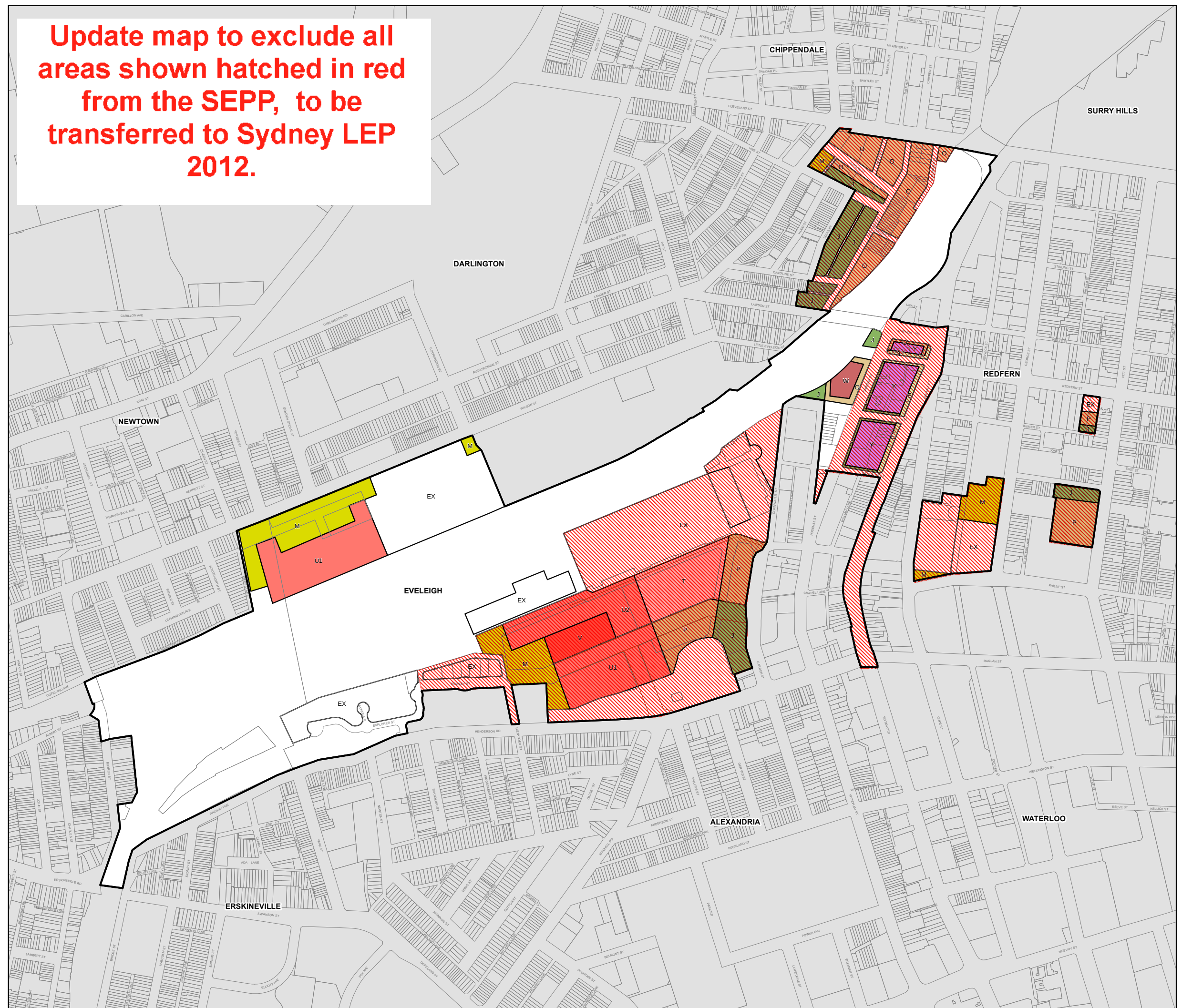
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 N
0 50 100 150
Metres
Projection: GDA 1994
MGA Zone 56
Scale: 1:6,000 @ A3

Map Identification Number: SEPP_MD_RWA_HOB_001_20231206

**Update map to exclude all
areas shown hatched in red
from the SEPP, to be
transferred to Sydney LEP
2012.**



**State Environmental Planning Policy (Major Development) 2005
Redfern - Waterloo Authority Sites
— Land Zoning Map**

Sheet LZN_001

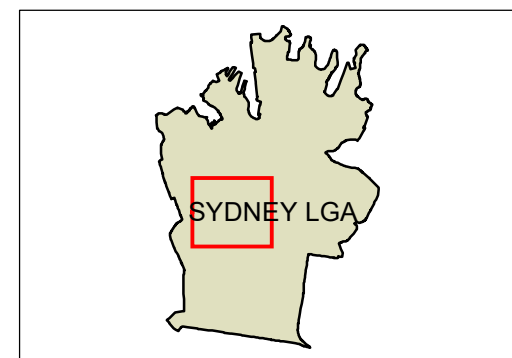
 Subject Land

Zone

-  **A** Residential Zone—Medium Density Residential
-  **B** Business Zone—Local Centre
-  **C** Business Zone—Business Park
-  **D** Business Zone—Mixed Use
-  **E** Business Zone—Commercial Core
-  **F** Special Purpose Zone—Community
-  **G** Special Purpose Zone—Infrastructure
-  **H** Recreation Zone—Public Recreation
-  **I** Recreation Zone—Private Recreation
-  Private Road

Cadastral

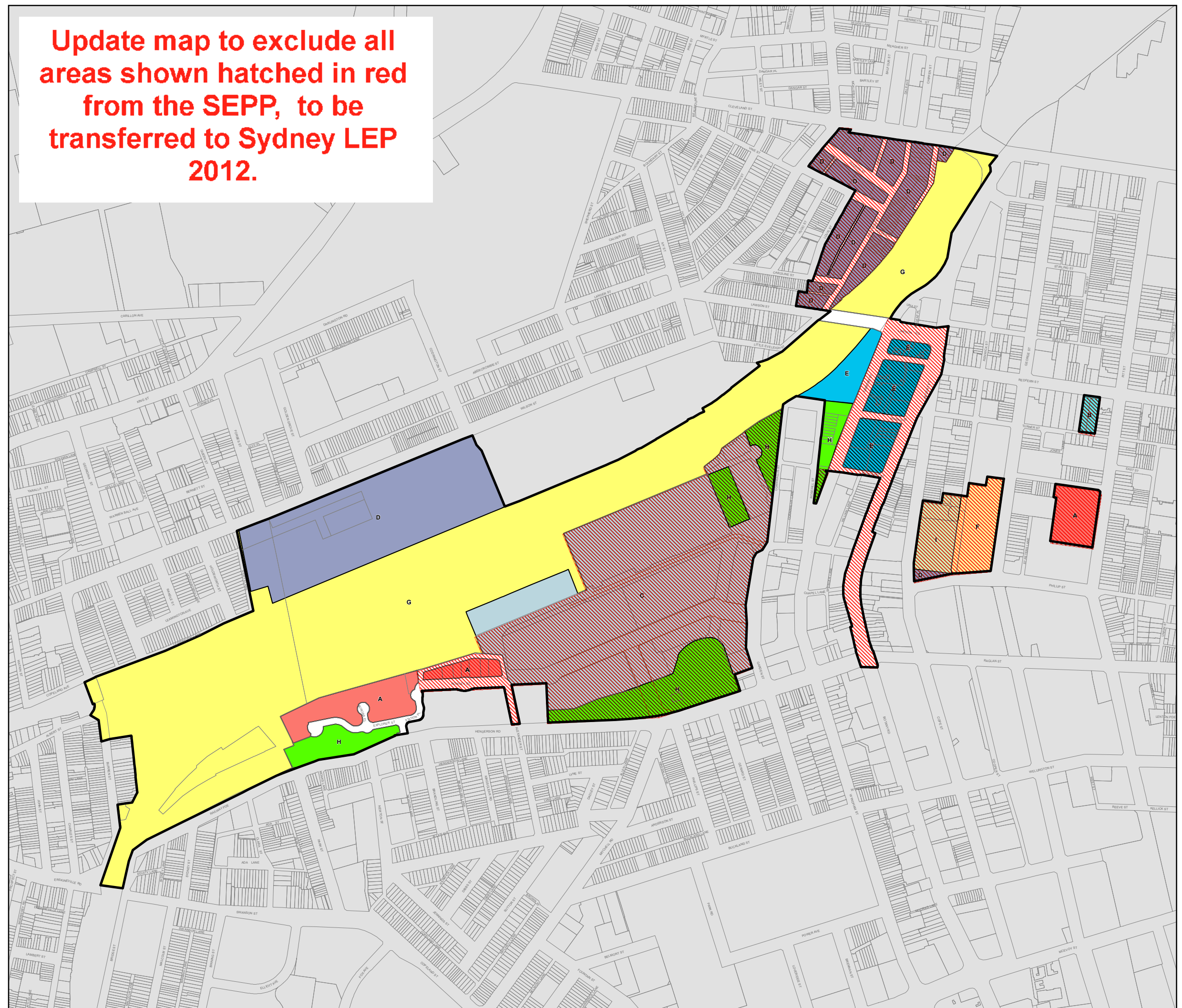
 Cadastral 06/12/2023 © Spatial Services



 N
0 50 100 150
Metres
Projection: GDA 1994
MGA Zone 56
Scale: 1:6,000 @ A3

Map Identification Number: SEPP_MD_RWA_LZN_001_20231206

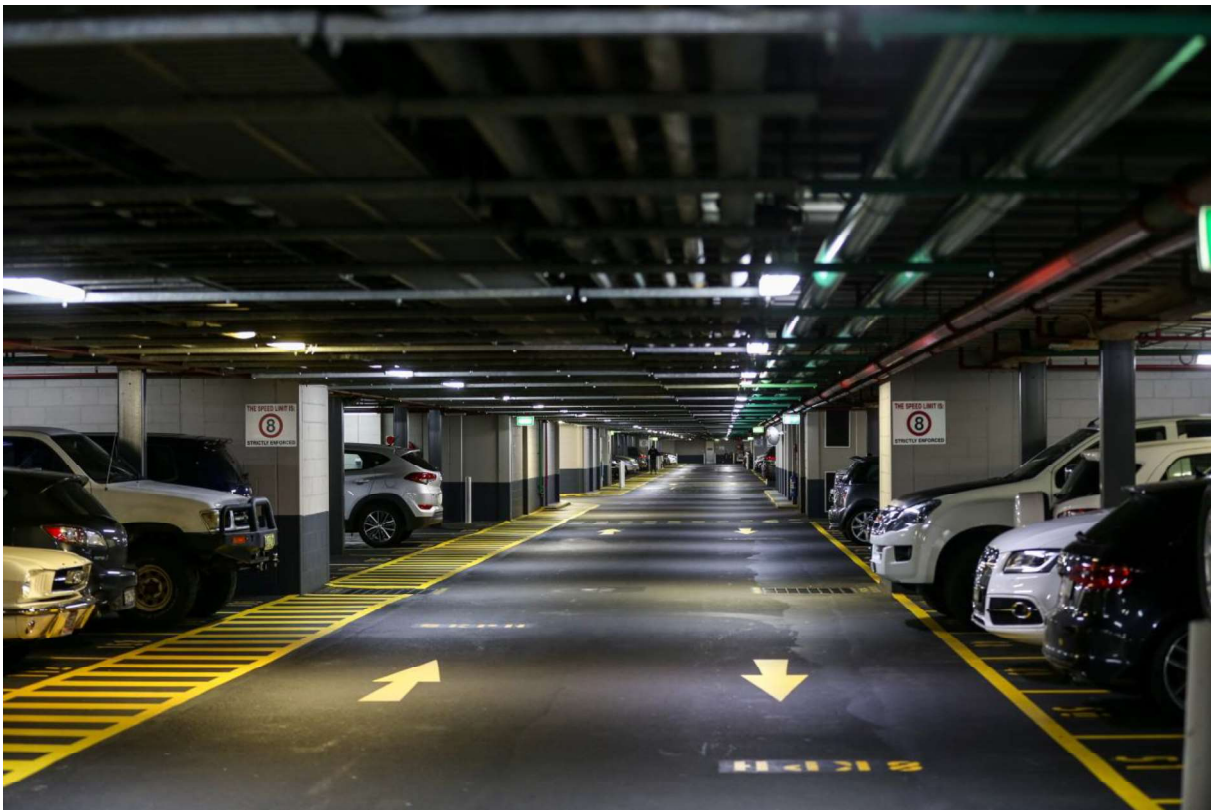
**Update map to exclude all
areas shown hatched in red
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transferred to Sydney LEP
2012.**



Attachment B3

**Parking Rates Update
(Appendix C to the Planning Proposal)**

Appendix C – Parking Rates Update



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Retail parking	13
Hotels and serviced apartments	14

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Executive Summary

The City is updating the maximum parking rates in Sydney Local Environmental Plan 2012 (the LEP) that apply to new development. The new rates incorporate updated car ownership and usage data, and respond to changes in this data since the rates were last updated.

This report documents the data and methodology used to develop the new parking rates. It is intended to be exhibited alongside the new rates.

This report deals with the maximum amount of parking that can be provided in off-street, on-site parking facilities within new commercial, retail, hotel, residential, industrial and other development. It does not deal with on-street parking.

The new parking rates do not apply to existing developments, only for new development applications lodged after the LEP is made.

Parking rates for dwellings should be reduced

The report finds car ownership rates in the city are lower than the current maximum rates of provision for parking in residential development, and recommends they be reduced accordingly.

The reduced rates are focused on high accessibility areas and smaller apartments, as they are where the biggest discrepancies between ownership and current rates are. Larger apartments and apartments in low accessibility areas are less affected. Single dwellings are unchanged.

Parking rates for businesses in high accessibility areas should be reduced

The report finds people who work in Sydney CBD are half as likely to drive to work than they were for the 2011 census, when the current rates were developed. Public transport improvements associated with the City and South East Light Rail and the new Sydney Metro will further reduce the need to drive into the city for work or services.

The report recommends creating a new location category for non-residential development in Central Sydney, and setting lower parking rates for the category. It also recommends reducing maximum parking rates for commercial development in high accessibility areas outside Central Sydney, and hotel development in medium and high accessibility areas.

Parking rates for industrial, warehouse, retail and commercial development in medium and low accessibility areas is recommended to remain unchanged.

Background

The City's current parking rates were developed in 2010 and implemented as part of Sydney LEP 2012. The City is updating the maximum parking rates that apply for different types of new development as part of an update to Sydney LEP and DCP 2012.

The City's parking control is a maximum parking rate. That means the rates in the local environmental plan are the maximum a development can provide. A development may provide fewer parking spaces than the maximum, including no parking.

This report is positioned within a general understanding in contemporary transport planning that accommodating private cars encourages private car usage, and that unnecessary private car usage should be avoided due to its adverse traffic congestion, environmental, health and social impacts. Providing parking is one of the primary ways in which private cars are accommodated within the urban environment.

This update is to ensure parking provision in new developments reflects the community's current rates of private car ownership and car usage, and that there is not an overprovision of parking that would result in excess private car usage. This report uses the latest reliable data from the Census and other sources to match car ownership and usage with different development and dwelling types. Where possible, the City sets parking rates at slightly below current ownership levels, recognising that the overall trend is downward over time.

The 2016 Census has been used as the basis for this analysis. The 2021 Census was not used, as it was taken during the height of international border closures for Covid-19, which significantly skewed the demographic makeup of the City of Sydney and made the car ownership data unreliable for use.

Acknowledging that accessibility is not evenly distributed across the local area, the City's parking controls refer to accessibility categories. Broadly, parking rates are higher in lower accessibility areas. In the planning controls these are referred to as Land Use and Transport Integration (LUTI) for residential, and Public Transport Accessibility Levels (PTAL) for everything else. PTAL maps accessibility to and frequency of public transport services, while LUTI also includes walking accessibility to nearby services. In the controls LUTI is graded as A, B and C, and PTAL is graded as D, E and F. In this report they will usually be referred to as high, medium and low accessibility areas. Current maps are available on the City's Planning Controls Viewer at: <https://geomap.cityofsydney.nsw.gov.au/gxe/?viewer=Planning>

Updating the accessibility area mapping to reflect new public transport infrastructure is the subject of a separate but related review of the planning controls.

Residential parking

Existing framework

Sydney LEP 2012 sets parking rates for residential apartment buildings by apartment type, based on the number of bedrooms.

To calculate the total maximum number of parking spaces an apartment building may provide, take the number of studio, 1 bedroom, 2 bedroom and 3+ bedroom apartments, multiply them by their respective maximum rates, and add the results together. The total amount of parking spaces can be allocated to apartments in any way the developer chooses.

The example at Table 1 demonstrates how parking rates are calculated, using the current maximum parking rates for LUTI A.

Apartments	Parking spaces
Studio: 15	$15 \times 0.1 = 1.5$
1 bedroom: 50	$50 \times 0.3 = 15$
2 bedroom: 118	$118 \times 0.7 = 82.6$
3+ bedroom: 18	$18 \times 1 = 18$
Total	117.1, rounded to 117

Table 1. Example of calculating car parking

Case for change

When supply of parking in new residential developments is higher than car ownership it has many detrimental effects. Basement car parking is expensive to deliver and adds to the cost of new housing, and lighting and air circulation adds to the energy demands and operational expenses of apartment buildings. Owners are also incentivised to rent out car spaces they do not use, which can become commuter parking for people working in the local area and contributes to peak hour trip generation and congestion, undermining the maximum parking controls for commercial office and business premises, and controls restricting new commercial car parks.

To understand whether the current maximum parking rates represent an oversupply compared to car ownership, data from the 2016 Census was analysed to show car ownership by apartment type in each accessibility area. The results are shown in Table 2 below.

LUTI A	Car ownership (average)	LEP 2012 maximum rates
0bd	0.12	0.1
1bd	0.31	0.3
2bd	0.56	0.7
3bd+	0.75	1
LUTI B		
0bd	0.18	0.2
1bd	0.48	0.4
2bd	0.77	0.8
3bd+	1.08	1.1
LUTI C		
0bd	0.36	0.4
1bd	0.71	0.5
2bd	1.00	1
3bd+	1.31	1.2

Table 2. Car ownership rates per accessibility area and apartment type compared with LEP 2012 maximum rates

The current rates differ from car ownership by approximately +/- 30% of standard deviation from the mean.

Where the current LEP parking rate is about equal or less than current car ownership, the rates are proposed to be kept the same. The instances where the rate is similar or higher than car ownership for that category warrant further investigation, and a decrease may be recommended.

If there is a reason to anticipate growth in necessary car ownership then a parking rate category may be maintained above existing car ownership rates. For example, the City supports families living in apartments in the inner city, so the rate for 3+ bedroom apartments in LUTI A is proposed to be kept unchanged even though it is significantly higher than current ownership rates.

Where existing ownership is higher than the current LEP parking rates, the new rates have not been increased to align with ownership, and where rates are similar, a small reduction is proposed. This is because the Census captures all existing dwellings including a significant stock of old apartment buildings with generous parking provision. The new parking controls are future-focused and are intended to build on the 2012 controls and support a broad trend towards reducing car ownership.

Recommended rates

The recommended rates for residential flat buildings, dual occupancies and multi dwelling housing are shown below at Table 3. Where they are proposed to change the existing rate is crossed out, where they are not changing there is only one number shown.

	LUTI A	LUTI B	LUTI C
Studio	0.1	0.2 0.15	0.4 0.3
1 BD	0.3 0.25	0.4	0.5
2 BD	0.7 0.5	0.8 0.7	1 0.9
3+ BD	1	1.1 1	1.2

Table 3. Recommended maximum parking rates for multi-dwelling housing

Apartments with 3 or more bedrooms in LUTI A are being kept at 1 parking space per apartment. This is the existing rate and is slightly generous compared to car ownership rate of 0.75 cars per household in that category. The rate is recommended to support and encourage a shift to inner city apartment living among families. This demographic may have a higher requirement for parking than existing residents of large inner city apartments.

Houses

In Sydney LEP 2012 maximum parking rates for dwelling houses, attached dwellings and semi-detached dwellings are one or two per dwelling, depending on LUTI accessibility category and the size of the dwelling (in bedrooms). All houses in LUTI A have a maximum one per dwelling, and all houses in LUTI C have a maximum of two per dwelling. Houses in LUTI B with one or two bedrooms have a maximum of one per dwelling, whereas larger houses with more than two bedrooms have a maximum of two per dwelling. This is illustrated in table 4.

Houses	LUTI A	LUTI B	LUTI C
2 bedrooms or less	1	1	2
3 or more bedrooms	1	2	2

Table 4. Current maximum parking rates for houses

As a result of changes to the extent of the LUTI categories, some houses may change categories and as a result have a lower maximum parking rate. While the planning controls do not affect existing development, substantial renovations requiring a development application would trigger assessment against the new parking controls and could result in a loss of parking. This is not intended as part of the review.

Unlike apartment buildings built after 1996, many houses are eligible for two on-street parking permits under the Neighbourhood Parking Policy. While the loss of parking from two to one space may result in some reduction in car ownership, the availability of parking permits means the reduction could also spill over into additional demand for on-street parking.

To avoid this outcome and simplify the parking controls for houses, the proposed new rate is a flat maximum of two parking spaces per dwelling. This is shown at Table 5.

While the proposed rate results in an increase in potential parking rates for houses in the LUTI A category and small houses in the LUTI B category, the City does not expect any significant growth of new housing stock to be in the form of detached, semi-detached or attached dwellings, so the traffic implications from the increased maximum parking rate are very minor. Because the rate is a maximum, for practical reasons of site size and lot layout, renovations and rebuilds of properties with one or no parking spaces will likely elect not increase the amount of parking.

Houses	LUTI A	LUTI B	LUTI C
2 bedrooms or less	1 2	1 2	2
3 or more bedrooms	1 2	2	2

Table 5. Proposed maximum parking rates for houses

Business parking

Existing framework

Sydney LEP 2012 sets maximum parking rates for business premises and office premises, using NSW Standard Instrument definitions for commercial development.

The maximum amount of parking for office premises and business premises is calculated in two ways, depending on the size of the development. For small developments the amount is calculated based on the amount of floor space, and for large developments the amount is calculated based on the site area of the development. The rates, and the trigger for large development, differ according to accessibility category. The existing rates for smaller developments are shown at Table 6.

PTAL D	PTAL E	PTAL F
for buildings under 3.5:1 FSR: 1 per 175 sqm	for buildings under 2.5:1 FSR: 1 per 125 sqm	for buildings under 1.5:1 FSR: 1 per 75 sqm

Table 6. Current maximum parking rates for business premises and office premises

For developments larger than the respective floor space ratio cut off in each accessibility category, a formula applies. That formula is the same for each accessibility area, and equates the maximum number of car spaces to the proportion of site area used for businesses and offices divided by 50. The formula is shown below.

$$M = \frac{(G \times A)}{(50 \times T)}$$

where –

M is the maximum number of car parking spaces, and

G is the gross floor area of all office premises and business premises in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres.

The equation takes into account mixed use buildings. The part of the equation where A is divided by T gives the proportion of total GFA being used for offices and businesses. If a development is exclusively offices and businesses, then the A over T section cancels out, and the equation works as shown below.

$$M = \frac{G}{50}$$

Or in words, the site area divided by 50.

The equation keeps the amount of parking steady as floorspace increases above the FSR cut off.

This is illustrated in Table 7.

Floor space (GFA in sqm)	Site area (in sqm)	FSR X:1	PTAL F 1 per 75sqm	PTAL E 1 per 125sqm	PTAL D 1 per 175sqm
500	1000	0.5	8	4	3
750	1000	0.75	10	6	4
1000	1000	1	13	8	6
1250	1000	1.25	17	10	7
1500	1000	1.5	20	12	9
			Site area/50		
1750	1000	1.75	20	14	10
2000	1000	2	20	16	11
2250	1000	2.25	20	18	13
2500	1000	2.5	20	20	14
				Site area/50	
2750	1000	2.75	20	20	16
3000	1000	3	20	20	17
3250	1000	3.25	20	20	19
3500	1000	3.5	20	20	20
					Site area/50
3750	1000	3.75	20	20	20
4000	1000	4	20	20	20

Table 7. Relationship between per square metre rate and site area rate

Case for change

To determine whether a change to office and business car parking is necessary, the transport context of people driving to work in the local area has been analysed. This is distinct from car ownership, and because the City of Sydney is an employment centre for Greater Sydney, must account for transport behaviours of people who do not necessarily live in the local area. There are a few key areas to examine in this regard including Census Journey to Work data, and the changed context of recent and planned public transport projects.

Low and medium accessibility areas

The City has a broad objective of encouraging growth of employment floorspace in strategic locations outside Central Sydney, including Green Square Town Centre and the Southern Enterprise Area.

These areas do not benefit from being the centre of Greater Sydney's radial transport network, so public transport access for workers from diverse parts of Sydney, including within the local area, is not as reliable.

Therefore, there is no proposed change to the parking rates that apply within the low and medium accessibility categories.

Census Journey to Work data

The Census asks how people travel to their place of work, and what area they work in. Taking the answers involving a private vehicle (both as driver and passenger) for those who work in Central Sydney provides a reliable, big picture modal split figure for workers in the city, regardless of where they live.

The office and business parking rates in Sydney LEP were developed prior to 2010, when the 2006 Census would have been the most up to date data available. Comparing the modal split from 2006 to 2016 provides a useful trend to understand broader shifts in travel patterns.

The comparison in the Journey to Work data is shown in Table 8. It shows a 26 per cent increase in public transport (all modes), a 14 per cent increase in active transport, and a 50 per cent reduction in private vehicle usage.

Mode	Place of Work: Sydney (C) – Inner 2006	Place of Work: Sydney, Haymarket, The Rocks SA2 2016	Change
PT (all modes)	56.32%	70.91%	+26%
Vehicle (driver and passenger)	26.85%	13.47%	-50%
Active (walk and cycle)	5.96%	6.77%	+14%
Other	1.56%	0.35%	-78%
WFH/Didn't go to work	8.57%	7.73%	-10%
Not stated	0.74%	0.77%	+4%
Total	230,575	320,828	

Table 8. Comparison of modal split for Inner Sydney workers between 2006 and 2016

Changed transport context

Central Sydney has seen a markedly changed transport context with the completion of the George Street light rail in late 2019, and the opening of Sydney Metro through Central Sydney in 2024.

Changes to parking rates

The existing parking rates for businesses and offices in high accessibility areas do not reflect these changes to modal split in recent years, both as a result of public transport improvements and behaviour change.

To ensure the planning controls continue to discourage non-essential private vehicle usage, the City is proposing reduced maximum rates of parking provision in high accessibility areas.

A new area category for Central Sydney is proposed, taking into account the area's unique concentration of transport connectivity and high level of competition for street space from active transport, economic functions and essential private vehicle use. The proposed new parking rates for the new Central Sydney area are shown at Table 9, and work out to be approximately half the existing rate of parking provision when using real world examples.

PTAL D (existing)	Central Sydney (proposed)
for buildings under 3.5:1 FSR: 1 per 175 sqm	for buildings under 3:1 FSR: 1 per 300 sqm
for buildings over 3.5:1 FSR: $M = \frac{(G \times A)}{(50 \times T)}$	for buildings over 3:1 FSR: $M = \frac{(G \times A)}{(\mathbf{100} \times T)}$

Table 9. Comparison of existing and proposed maximum parking rate for business premises and office premises in Central Sydney

In high accessibility areas outside Central Sydney the parking rate for offices and businesses is proposed to decrease by a lesser extent. The proposed new parking rates for offices and businesses in the PTAL D area are shown at Table 10, and work out to be approximately two thirds the existing rate of provision when using real world examples.

PTAL D (existing)	PTAL D (proposed)
for buildings under 3.5:1 FSR: 1 per 175 sqm	for buildings under 3:1 FSR: 1 per 225 sqm
for buildings over 3.5:1 FSR: $M = \frac{(G \times A)}{(50 \times T)}$	for buildings over 3:1 FSR: $M = \frac{(G \times A)}{(\mathbf{75} \times T)}$

Table 10. Comparison of existing and proposed maximum parking rate for business premises and office premises in PTAL D area

These rates are consistent with the changes in modal split shown in the 2016 Census and more recent TfNSW data, and will help ensure development is not creating unnecessary trip generation and traffic impacts on local roads.

The proposed new rates will also ensure the forecast growth of commercial floor space in Central Sydney and in City Fringe areas will be supportable and sustainable. Increased development capacity for commercial and employment uses unlocked by the Central Sydney Planning Strategy and other precinct planning proposals will enable significant growth of new floor space for office and business premises. The proposed readjustment of maximum parking rates in line with the latest data will ensure the anticipated growth does not cause unsustainable traffic impacts.

The proposed new rates are designed to work within the existing parking rates structure for business uses. This is illustrated in Table 11 below. This table also shows the reduction in parking for PTAL D and Central Sydney for development over the FSR cap when compared to PTAL F and E, which was not a feature of the previous parking controls.

Appendix C – Parking Rates Update

Floor space (GFA in sqm)	Site area (in sqm)	FSR X:1	PTAL F 1 per 75sqm	PTAL E 1 per 125sqm	PTAL D 1 per 175sqm	Central Sydney 1 per 300sqm
500	1000	0.5	7	4	2	2
750	1000	0.75	10	6	3	3
1000	1000	1	13	8	4	3
1250	1000	1.25	17	10	6	4
1500	1000	1.5	20	12	7	5
Site area/50						0
1750	1000	1.75	20	14	8	6
2000	1000	2	20	16	9	7
2250	1000	2.25	20	18	10	8
2500	1000	2.5	20	20	11	8
Site area/50						0
2750	1000	2.75	20	20	12	9
3000	1000	3	20	20	13	10
Site area/75						Site area/100
3250	1000	3.25	20	20	13	10
3500	1000	3.5	20	20	13	10
3750	1000	3.75	20	20	13	10
4000	1000	4	20	20	13	10

Table 11. Relationship between per square metre rate and site area rate (proposed)

Retail parking

Existing framework

Sydney LEP 2012 sets out maximum parking rates for retail premises.

In the low and medium accessibility areas, the maximum amount of parking spaces is calculated according to gross floor area. In the lowest accessibility area that is a maximum of one space per 50 square metres of retail floor space, and in the medium accessibility area a maximum of one space per 60 square metres.

In the highest accessibility area the rate is one space per 90 square metres, unless it is within a building with a floor space ratio of over 3.5:1. For these buildings, the rate is calculated the same as office and business premises, with a site area-based formula equating to the proportion of site area used for retail premises divided by 50.

Case for change

For the highest accessibility area, the floor space ratio cut off of 3.5:1 is intended to align with the parking controls for office and business premises. As shown in **Error! Reference source not found.** 12, it is proposed to change this to 3:1, and the rate of provision to site area divided by 75, in line with proposed changes to office and business parking rates in PTAL D. This will reduce the amount of parking permissible for retail developments in large buildings in the highest accessibility area. Research into parking provision for retail in Central Sydney and the highest accessibility areas outside Central Sydney has shown very little to no parking is typically provided for retail premises, so the impact of this reduction is limited.

There is not proposed to be a new rate for Central Sydney, so the PTAL D rate will continue to apply in Central Sydney. The PTAL D rate is shown at **Error! Reference source not found.**

PTAL D	PTAL E	PTAL F
for buildings under 3.5:1 3:1 FSR: 1 per 90 sqm	1 per 60 sqm	1 per 50 sqm
for buildings over 3.5:1 3:1 site $M = \frac{(G \times A)}{(50 \times 75 \times T)}$		

Table 12. Proposed maximum parking rates for retail development

Hotels and serviced apartments

Existing framework

Sydney LEP 2012 sets a maximum rate of parking provision for developments with ‘serviced apartments’ and ‘hotel or motel accommodation’, using NSW Standard Instrument definitions.

The maximum amount is one car parking space per four bedrooms, for the first 100 bedrooms. After the first 100 bedrooms, the rate is one space per five bedrooms. The rate is the same across the local area, without differences for accessibility.

Case for change

Rates based on accessibility category are necessary to recognise the different roles of hotels in different parts of the local area. Hotels in Central Sydney rarely provide parking, but if they were to provide at the existing rate it would represent a large provision compared to the demand from guests, and there is the potential to commercialise the parking spaces with adverse impacts on peak hour traffic. However, hotels outside Central Sydney with reduced access to public transport and the airport may have guests who have arrived by car and require the use of a car during their stay.

Analysis of hotel developments over the past decade in the local area shows they typically provide very little or no parking, however those that do provide parking deliver the maximum available. Therefore it is important to verify the maximum rate available is still suitable and would not encourage unnecessary private vehicle trips if delivered in full.

The controls use the terminology of “bedrooms”, rather than hotel rooms. This terminology has been the subject of some misunderstanding and has been applied inconsistently in development applications. The distinction is less evident in hotels and motels, but creates significant distortions when applied to serviced apartments, which typically have larger dwelling sizes.

The “stepping down” of the parking rate at 100 bedrooms has also been the source of some misunderstanding and inconsistent application.

New hotel parking rates

The proposed new rates for hotels and serviced apartments are shown at Table 13. The proposed maximum parking rates include distinctions for Central Sydney and the three accessibility categories outside Central Sydney. The rates are per key (or hotel room) not bedroom. Finally, the proposed rates are flat regardless of scale, ending the step-down after 100 bedrooms.

Central Sydney	PTAL D	PTAL E	PTAL F
1 per 10 keys	1 per 5 keys	1 per 5 keys	1 per 4 keys

Table 13. Proposed maximum parking rates for hotel development

The combination of the lower rates and only counting room keys delivers about a 50% reduction in parking spaces for hotels in Central Sydney, and a one third reduction in other areas.



Attachment B4

**Heritage Inventory Sheets
(Appendix D to the Planning Proposal)**

Appendix D –Heritage Inventory Sheets



Heritage nomination form

A. Nominated item

1. Name

Name*	Terraces
Other or former names	The Stonemason's Cottage

2. Location

Street address*	46-48 Kensington Street, Chippendale, NSW 2008
Alternate street address	
Local government area*	City of Sydney Council

Land parcels*	Lot	Lot 4	Section (if applicable)		DP	1192442
	Lot		Section (if applicable)		DP	

Coordinates	
Latitude	
Longitude	
Datum	

3. Extent of nomination



Source of map or plan	Geocortex
Description of the boundary, if required	Extent of building

4. Ownership

Name of owner(s)*	Kensington St 4 Pty Ltd
Business / organisation name, if applicable	
Address	Greycliff Agency Pty Ltd, Level 10 488 Kent St, SYDNEY NSW 2000
Phone	
Email	
Ownership explanation, if required	

B. Statement of Significance

The stone terraces at 46-48 Kensington Street, Chippendale have historical, historical association, aesthetic/creative/technical achievement significance and are both rare and representative, at a local level.

Completed in 1855, the dwelling are good examples of mid-19th century working class housing located near the industrial areas on the city's fringe, demonstrating early patterns of residential life and the growth of the Kensington Estate in Chippendale.

The houses have historical association with the stonemasons who purchased the two lots and are presumed to have constructed the buildings (John Boyle and David Clifton), and Tooth & Co as they slowly acquired surrounding properties for staff accommodation.

The houses are impressive as substantial two-storey sandstone terraces with sparrows picked and margined sandstone blocks and a timber-framed cantilevered balcony. The group of terraces lining Kensington Street (including the subject site) form a largely intact streetscape, dating from the mid-19th century until the early 20th century.

Terrace houses from the 1850s are comparatively rare in Sydney. Within the Sydney City council area, this terrace group is among the few examples of mid-19th century working-class housing groups. The dwellings also exemplify the early residential and industrial identity of Chippendale, representing the domestic life of the working class in the 19th century.

C. Description

5. Describe the existing item

Description*	Located at 46-48 Kensington Street, Chippendale, this substantial pair of two-storey stone terrace houses exemplify mid-19th century architecture in inner Sydney. Built primarily from stone, the terraces feature a main gable-roofed block facing the street, both with a two-storey skillion-roofed wing at the rear. All roofs are corrugated metal, though the front roof was slate until c.1955. Each terrace has their front door (with glazed fanlight) on the outer edge of the façade adjacent to a double-hung timber sash window. This is replicated on the first floor, with the door leading to a projecting timber balcony. The front doors of each terrace open onto a hallway, with doors leading to a front room and a rear room with stairs to the upper level which has a matching layout. Openings between the terraces link the front rooms on both levels. A new single storey structure was added along the rear boundary of the lot in 2015 with a glass roof. The rear wings are also face sandstone, though were most likely rendered as they are of mixed ashlar and rubble construction. Internally, the terraces have painted plaster walls with some exposed sandstone, sandstone floors on the ground level and a concrete slab in the rear courtyard. The terraces have an important physical and historical relationship with nearby residential and industrial buildings and are representative of the Victorian Workers 'Terrace style. The group of terraces on Kensington Street date from the mid-19th century until the early 20th century and form a largely intact streetscape. The houses at 46-48 Kensington Street are significant for their contribution to this important residential and industrial streetscape.
Condition of fabric and/or archaeological potential*	The dwellings at 46-48 Kensington Street are in good condition. No archaeological assessment has been carried out.
Integrity / intactness*	The dwellings at 46-48 Kensington Street have a reasonable degree of integrity.
Modification dates	• In 1936, the skillion roof, guttering and dampers were renewed (No. 46) • In 1940, Installation of electricity for lighting (No. 48) • In 1955, removal of slate roof, reclad roof with galvanised corrugated iron, ridge capping, eaves, gutters and downpipes renewed (No. 46 & 48) • In 2015, refurbished with minor alterations and construction of the glazed courtyard at the rear.

When was the last time you inspected the item?	September 2024
Current use	Commercial
Original or former use/s	Residential
Any additional comments	

D. History**6. Origins and historical evolution**

Years of construction*	Start		End	1855
Designer or architect*				
Maker or builder*	John Boyle (No.46) and David Clifton (No. 48), Stonemasons			
Historical outline*	1819 Major George Druitt was granted 8 acres of land on Parramatta Road, naming it "Cassino" 1834 John Tooth purchased a substantial portion of Druitt's land and established the Kent Brewery. 1841 Druitt sold the eastern part of his grant, marking the beginnings of the Kensington subdivision. 1842 Kensington Street's subdivision began, with significant land sales occurring over the next few years. This is known as the Kensington Estate. 1849 Kensington Street's alignment is officially surveyed and proclaimed. 1850-1860 Kensington Street sees rapid development with houses primarily occupied by tenants. Circa 1855 Construction of both the terrace houses completed. 1880s-1890s Demolition and rebuilding occur on some allotments on the east side of Kensington Street. Late 19th Century Tooth's Brewery acquires residential land around the brewery, including properties on Kensington Street. 1911-1930s Tooth's continues purchasing houses on Kensington Street, some of which are demolished for industrial purposes. 1936 Modification on No. 46 including renewal of skillion roof, overhaul guttering and dampers 1940 Installation of electric light on No. 48 1940s Many remaining houses on Kensington Street owned by Tooth's fall into dilapidation. 1955 Modification including removal of slate roof, reclad roof with galvanized corrugated iron, ridge capping, eaves, gutters, and renewal of downpipes for both No. 46 and 48.			

	20 th Century	Terraces on Kensington Street experience longer tenancies and some are not re-let, becoming boarded up.
	2015	Refurbishment as part of Central Park redevelopment

7. Historical themes represented

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document [NSW Historical Themes](#) if completing this section.

Relevant National / Australian themes	8 Developing Australia's Cultural Life – Domestic Life – 5 Working – Labour 4 Building settlements, towns, and cities – Accommodation
Relevant NSW / State themes	Domestic Life Labour Accommodation

E. Criteria for assessing heritage significance in NSW**8. Assessment under Heritage Council criteria of local significance (2023)**

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion A) Completed in 1855, the terrace houses at 46-48 Kensington Street are historically significant as examples of mid-19th century working class housing located near the industrial areas on the city's fringe, demonstrating early patterns of residential life in the fringe suburban areas. The buildings also reflect the residential growth of the Kensington Estate in Chippendale. They terraces have historical significance at a local level.
An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion B) The terrace houses have historical association to John Boyle and David Clifton, stonemasons who purchased the two lots and are presumed to have constructed the buildings. Acquired by Tooths in 1911/1938 and continuously tenanted thereafter, the terraces evidence the Kent Brewery's expansion policy. These buildings demonstrate the brewery's potential for growth by acquiring surrounding property adjacent to their site. They have historical associations at a local level.
An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area) (Criterion C) Aesthetically, the buildings hold significance as a substantial two-storey terrace in the Victorian Regency style, which feature sparrow picked and margined sandstone blocks with finely detailed cantilevered balcony. The Kensington Terrace group is highly significant for its early, rare terraces that form part of a largely intact streetscape, reflecting mid-Victorian detailing and form. The terrace houses are significant for their contribution to this important residential and industrial streetscape. They terraces have aesthetic significance at a local level.
An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons (Criterion D) N/A
An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion E) N/A

An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion F)

Terrace houses from the 1850s are comparatively rare in Sydney. Within the Sydney City council area, this particular terrace group is among the few examples of mid-19th century working-class housing groups. The Kensington Street Terrace Houses provides a unique insight into the lifestyle of and living conditions of working-class residents in mid-19th century Sydney. Originally part of a dense residential area, it is now isolated due to the expansion of surrounding industrial development.

As dwellings dating from the 1850s, the terraces are rare.

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments) (Criterion G)

The terrace houses exemplify the early residential and industrial identity of Chippendale. It represents the domestic life of the working class in the 19th century and serves as a notable example of Victorian era working class domestic architecture.

They terraces are representative examples of early Victorian dwellings.

F. Heritage listings

9. Existing heritage listings

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
✓		National Trust register
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Photographs

10. Principal and other photographs



Caption*	Western elevation of 46-48 Kensington Street, Chippendale
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney



Caption*	View south towards western elevation of 46-48 Kensington Street, Chippendale
Date of photograph*	29 July 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney



Caption*	Western elevation of 46-48 Kensington Street, Chippendale
Date of photograph*	29 July 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

H. Recommended Management

The terraces at 46-48 Kensington Street, Chippendale should be retained and conserved.

A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan/Strategy, should be prepared for the terraces prior to any major works being undertaken and shall be in accordance with the relevant planning controls.

An Archaeological Assessment should be prepared prior to any significant ground disturbing works being undertaken and shall be in accordance with the relevant planning controls.

All conservation and future modifications should be undertaken in accordance with the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

I. Details

11. Primary author of this form

Name	Adele Zubrzycka
Position and organisation, if applicable	Senior Specialist Planner Heritage, City of Sydney Council
Contact phone number	(02) 8974 4114
Email address	azubrzycka@cityofsydney.nsw.gov.au
Date form completed	29/11/2024
Signature	

12. References used to complete this form

Author	Date Published	Title
NBRS	2005	Former Carlton and United Brewery Site Conservation Management Plan
Paul Davies	2012	Specific Element Conservation Management Plan for the Former Carlton United Brewery - Rum Store and the Kensington Street Terraces
Planning Workshop	1991	Kent Brewery Conservation Plan
GML	2006	Former Carlton and United Brewery Site, Broadway: Heritage Impact Statement.
Anita Heiss	2013	Aboriginal People and Place, Barani: Indigenous History of Sydney City

Historical Timeline for 46-48 Kensington Street

Year	Description
1819	Major George Druitt was granted 8 acres of land on Parramatta Road, naming it "Cassino"
1834	John Tooth purchased a substantial portion of Druitt's land and established the Kent Brewery.
1841	Druitt sold the eastern part of his grant, marking the beginnings of the Kensington subdivision.
1842	Kensington Street's subdivision began, with significant land sales occurring over the next few years.
1849	Kensington Street's alignment is officially surveyed and proclaimed.
1850-1860	Kensington Street sees rapid development with houses primarily occupied by tenants.
Circa 1855	Construction of both the terrace houses are completed.
1880s-1890s	Demolition and rebuilding occur on some allotments on the east side of Kensington Street.
Late 19 th Century	Tooth's Brewery acquires residential land around the brewery, including properties on Kensington Street.
1911-1930s	Tooth's continues purchasing houses on Kensington Street, some of which are demolished for industrial purposes.
1936	Modification on No. 46 including renewal of skillion roof, overhaul guttering and dampers
1940	Installation of electric light on No. 48
1940s	Many remaining houses on Kensington Street owned by Tooth's fall into dilapidation.
1955	Modification including removal of slate roof, reclad roof with galvanized corrugated iron, ridge capping, eaves, gutters, and renewal of downpipes for both No. 46 and 48.
20 th Century	Terraces on Kensington Street experience longer tenancies and some are not re-let, becoming boarded up.

Heritage nomination form

A. Nominated item

1. Name

Name*	Former Carlton & United Breweries Main Gate
Other or former names	Number 1 Main Gate No 1 Gate Portal (Part of the Carlton & United Breweries Site) Former Kent Brewery Gate

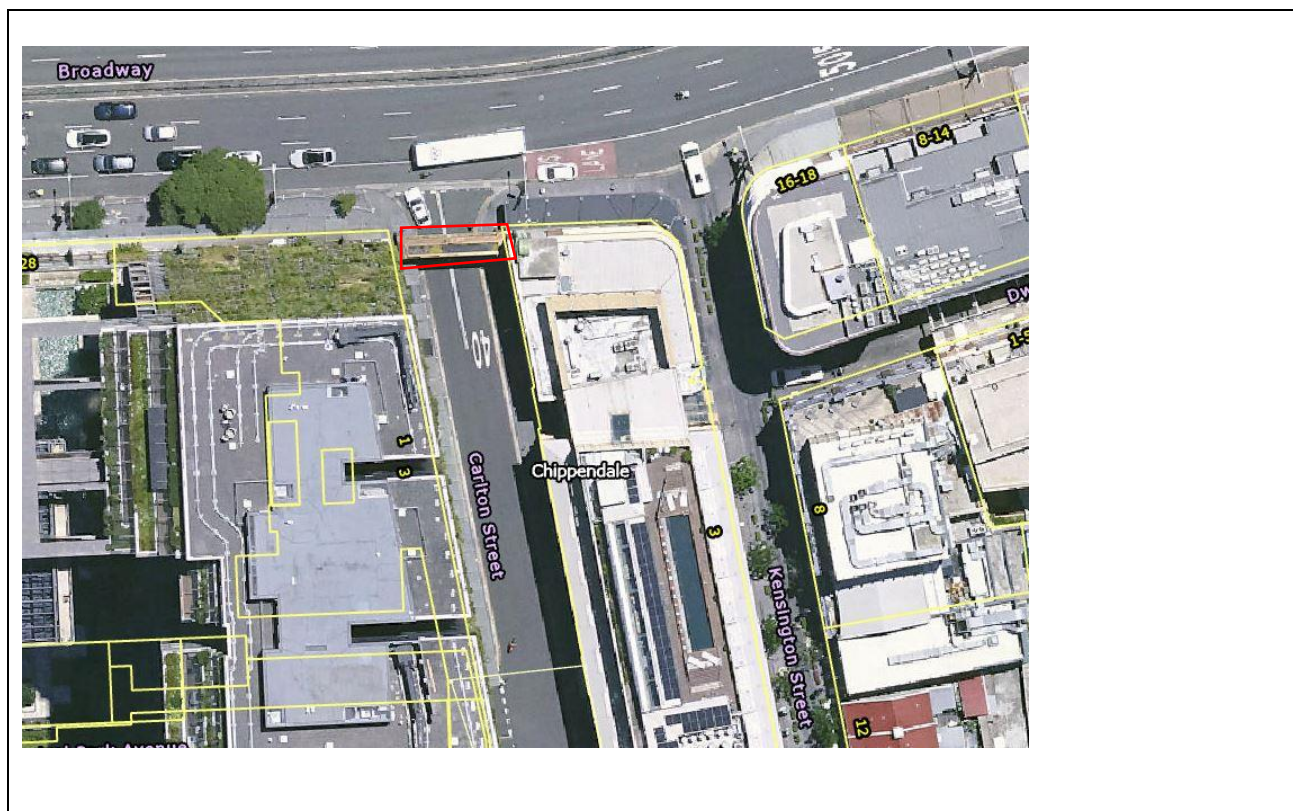
2. Location

Street address*	5010 Carlton Street, Chippendale, NSW 2008
Alternate street address	26 Broadway, Chippendale
Local government area*	City of Sydney Council

Land parcels*	Lot		Section (if applicable)		DP	
	Lot		Section (if applicable)		DP	

Coordinates	
Latitude	
Longitude	
Datum	

3. Extent of nomination



Source of map or plan	
Description of the boundary, if required	

4. Ownership

Name of owner(s)*	City of Sydney
Business / organisation name, if applicable	
Address	
Phone	
Email	
Ownership explanation, if required	

B. Statement of Significance

Statement of significance*
Built in 1939, the former Carlton & United Breweries Main Gate has historical, associative and aesthetic significance at a local level. The structure replaced an earlier entry portal and illustrates the original access to the Brewery site from Parramatta Street (now Broadway) following road widening to create Broadway in the late 1930s. It symbolises the long-standing ownership and operation of the Tooth & Co. Brewery, reflecting the scale and importance of the brewery in the mid-20th century. The gateway has historical associative significance because of its association with the Tooth family, who were prominent Sydney figures and greatly influenced Sydney and Chippendale's industrial and cultural development, as well as the latter ownership of the site by Carlton & United Breweries. The "Invicta" white horse rampant symbolises the Kentish origins of the brewery. The gate has aesthetic significance for its fine intact Art Deco styling incorporating high quality materials, including glazed terracotta tiles with faience glaze and polished granite. It has technical significance for its use of faience facing and the innovative top hung gates (now removed) that receded into the head beam. It is a rare surviving example of a faience Art Deco gateway, and with the neighbouring Old Clare and other hotels to the north, the Former Carlton & United Breweries Main Gate contributes to the Interwar Art Deco streetscape of Broadway. It has high integrity value for its intact fabric.
Comparisons*
Very few, if any, surviving examples of large-scale brewery or industrial site gateways survive in NSW. The Ridley Memorial gate (1933) Wayville West Showground, South Australia, is comparable to a certain extent. This gateway is constructed of 50mm thick Ferro cement walls with piers 300x300mm.

C. Description

5. Describe the item

Description*
The gateway is a reinforced concrete portal structure clad in finely detailed Wunderlich (faience) glazed terracotta blocks on polished granite tiled plinths, in the Inter-War Art Deco style. The side piers feature fluted tiles and terracotta grille vents above windows. The stepped parapet features the logo of Tooth & Co, a white horse rampant (known as Invicta, the symbol of the county of Kent, where the founder John Tooth was born) on a blue ground, within a shield with the word INVICTA near the bottom. Previously, the parapet featured the text TOOTH & CO. LIMITED KENT BREWERY in metal letters, and later CARLTON, which have been removed. The decorative top hung metal gates (now removed) featured two inset "KB" logos and raised in two sections by a motor in the portal structure.

	The roof of the structure is asphalt, with copper drainpipes and rainwater heads. The hollow piers of the portal structure provided ladder access to the motor room and housed a Watchman's office (integrity unknown). Interiors have a rendered and painted finish. Access to the piers was via bronze clad doors on the inside faces of the portal, with glazed windows from these spaces on the southern elevations of each pier. The Main Gateway contributes to the streetscape, as one of a group of Interwar period hotel related built elements including the Old Clare adjacent to the east, in a complimentary style.
Condition of fabric and/or archaeological potential*	Good
Integrity / intactness*	The Main Gateway has a high degree of integrity and has retained the majority of its fabric including the Invicta horse rampart emblem, copper downpipes, terracotta cladding and polished granite plinths. Metal lettering indicating the two names of the brewery have been removed. There is an interpretive panel display mounted to the exterior of the western pier and additional backlit interpretation panels mounted to the southern side of both piers.
Modification dates	
When was the last time you inspected the item?	October 2024
Current use	Entry Gateway
Original or former use/s	Entry Gateway
Any additional comments	

D. History

6. Origins and historical evolution

Years of construction*	Start	1939	End	1940
Designer or architect*	Copeman Lemont and Keesing (Urbis, 2015)			
Maker or builder*	F.T. Eastman & Sons; Terracotta supplied by Wunderlich			
Historical outline*	The "Eora people" was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as "Eora Country". Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language "Eora" or whether this was actually a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters.			

With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s. Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney (Heiss 2013).

In November 1834, John Tooth purchased 4 acres, 1 rood and 32 perches from Major George Druitt, part of an 8-acre grant to Druitt in 1819. This purchase did not have a frontage to Parramatta Street, but did include a right of way over a private road leading from Parramatta Street to the property. In June 1835 John Tooth and Charles Newnham announced their intention of opening the "Kent Brewery" as partners in the firm of Newnham and Tooth with the intention "to produce ALE and PORTER from MALT and HOPS, at moderate prices". The buildings were set back a considerable distance from Parramatta Street (now Broadway) and were approached by the private road along the eastern boundary of the site. This entrance was the primary access to the Brewery after 1834/35.

By 1881 the whole area was owned by Tooth & Company which had previously been held as three individual pieces of land, and was consolidated into a single title for the first time including the former right of way, which continued to be used as the main entrance into the brewery. The whole site comprised over five acres.

In the years between the beginning of the 20th century and the first World War, the Kent Brewery made the largest ever extension to its land ownership around the brewery and undertook a large-scale building program. The areas purchased in this period included almost all the west side of Kensington Street and both sides of Carlton Street (where the gate is located) and Balfour Street (now Central Park Avenue) north of Irving Street. All were residential areas when purchased but the houses were then demolished to extend the brewery. By about 1912 the Aerated Water Building, a Second Malt Store, a Single Storey Store, a Spirit and Sugar Store and the Administration Building had been built on the west side of Kensington Street. At about the same time, a receiving office with crenelated detailing was built on the west of the entrance road.

Together with the buildings constructed on the west side of Kensington Street, the buildings at the south-east corner of the site combined to line the east side of the road into the brewery. This gave much greater emphasis to the former Kent Road, now Carlton Street, than had been possible previously when the brewery boundary had consisted of residential allotments.

Following the widening of Parramatta Street to form today's Broadway in the 1930s, the current Main Gateway was constructed, replacing an earlier gate, with masonry piers and an arched metal sign with the text TOOTH & CO LIMITED, KENT BREWERY, surmounted by a horse rampant. Photos of this period indicate that the earlier sign included neon lighting. Other

	gates and gatehouse structures for the brewery were constructed on Kensington Street and on Irving Street. After considering designs from various architectural firms, the present gateway was constructed at the Broadway entrance to the brewery. Its design, like its predecessor, incorporated the white horse rampant, a symbol of its Kentish origins. The Westminster, County Clare, Great Western and Australian hotels, all near the brewery (but not all Tooth's houses) were also rebuilt. At the same time the company had also re-purchased that part of its Broadway frontage between the main entrance and Balfour Street which was surplus to road widening requirements. In 1940 it leased the site to Wunderlich for display purposes, initially for a period of five years. In August 1983 all the brewing interests of Toths were purchased by Carlton & United Breweries (CUB). CUB continued the production of most of Tooth's lines and began to produce Carlton's products at the Kent brewery. In 2005, the brewery was closed and the site sold to Frasers Property in 2007. By 2009, much of the broader site was demolished and Central Park precinct was completed by 2014. The Main Gate was retained for the development and continues to act as a key landmark along Broadway and remnant of the brewery's operations in the area.
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7. Historical themes represented

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document [NSW Historical Themes](#) if completing this section.

Relevant National / Australian themes	
Relevant NSW / State themes	5 Working – Labour – represents industrial activities associated with the Tooth & Co., later Carlton United Brewery 8 Developing Australia's Cultural Life – Creative Endeavour – example of Interwar Art Deco architecture demonstrating manufacturing innovations. 4 Building settlements, towns, and cities – Towns, suburbs and villages – The gateway contributes to the urban landscape of Broadway, illustrating the evolution of the area from an industrial hub to a significant urban precinct.

E. Criteria for heritage significance

8. Assessment against Heritage NSW 2023 criteria for assessing heritage significance in NSW

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion A)
The Main Gateway is historically significant as it symbolises the long-standing ownership and operation of the Tooth & Co. Brewery, which has been a key industrial site in Sydney for almost 150 years. Built in 1939, the Main Gateway provides evidence of the widening of Parramatta Street to create Broadway. The Kent Brewery Gate replaced an earlier entry portal and symbolises the development of the Kent Brewery from 1835 to 1980. Together with nearby hotels and former brewery buildings, the gate illustrates the dramatic change in the character of the area following the widening of Parramatta Street in the 1930s.
An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion B)
The 'Invicta' white horse rampart emblem symbolises the Kentish origins of the brewery and the long association of the site with Tooth & Co. It marks the location of the original extent of Tooths Kent Brewery and signifies the ownership and occupation of the site by Tooths Brewery and associated beverages.
An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area) (Criterion C)
The Main Gateway has aesthetic significance for its fine Art Deco styling incorporating high quality materials, faience glazed terracotta tiles, polished granite, and bronze claddings. Together with the adjacent Old Clare Hotel, and other Inter-War hotels to the north, the Main Gateway contributes to the Art Deco streetscape of Broadway.
An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons (Criterion D)
There is no evidence to demonstrate that the Main Gateway has strong or special association with a particular community or cultural group in NSW for social, cultural, or spiritual reasons.
An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion E)
The gateway has limited research potential due to its well-documented construction and role within the brewery landscape.
An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion F)
The concept of a grand entrance to an industrial site is unusual and the use of high-quality materials and intricate detailing in an industrial site is relatively rare. The original design for the gates by Copeman Lemont and Keesing incorporated innovative top hung gates (now removed) that receded into the head beam. The gate is a rare and relatively intact example of intricately detailed Art Deco styling, incorporating glazed terracotta tiles.

F. Heritage listings

9. Existing heritage listings

If completing this section, mark against each listing whether the item is listed or not. You may want to contact the relevant local council or organisation to check the item's listing status.

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
	✓	National Trust register –
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Photograph

10. Principal or main photograph*

You may be contacted to provide the copyright holder details for this photograph and any additional images provided.



Caption*	Main Gateway northern elevation viewed from Broadway
Date of photograph*	29/10/2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

H. Recommended Management

The Main Gateway should be retained and conserved.

A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan/Strategy, should be prepared for the Main Gate prior to any major works being undertaken and shall be in accordance with the relevant planning controls.

All conservation and future modifications should be undertaken in accordance with the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

The faience (glazed terracotta) facing, granite, copper downpipes and bronze cladding is not to be painted, coated or rendered.

I. Details**11. Primary author of this form*****11. Primary author of this form**

Name	Adele Zubrzycka
Position and organisation, if applicable	Senior Specialist Planner Heritage, City of Sydney Council
Contact phone number	(02) 8974 4114
Email address	azubrzycka@cityofsydney.nsw.gov.au
Date form completed	29/11/2024
Signature	

12. References used to complete this form*

Author	Date Published	Title
Anita Heiss	2013	Aboriginal People and Place, Barani: Indigenous History of Sydney City
NBRS	2005	Former Carlton and United Brewery Site Conservation Management Plan
Urbis	2009	Fraser's Broadway, Sydney – Interpretation Strategy
Urbis	2009	Block 2, Fraser's Broadway – Heritage Impact Statement

J. Additional photographs and images

Caption*	Main Gateway southern elevation viewed from Carlton Street
Date of photograph*	08/07/2024
Name of photographer*	City of Sydney
Copyright holder, if known	



Caption*	Main Gateway southern elevation viewed from Carlton Street
Date of photograph*	29/10/2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney



Caption*	Main Gateway eastern elevation viewed from Carlton Street
Date of photograph*	29/10/2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

Heritage nomination form

A. Nominated item

1. Name

Name*	The Abercrombie and Abercrombie Terraces
Other or former names	Australian Hotel Abercrombie Hotel Abercrombie Street Terraces Terrace (Part of Carlton United Brewery site)

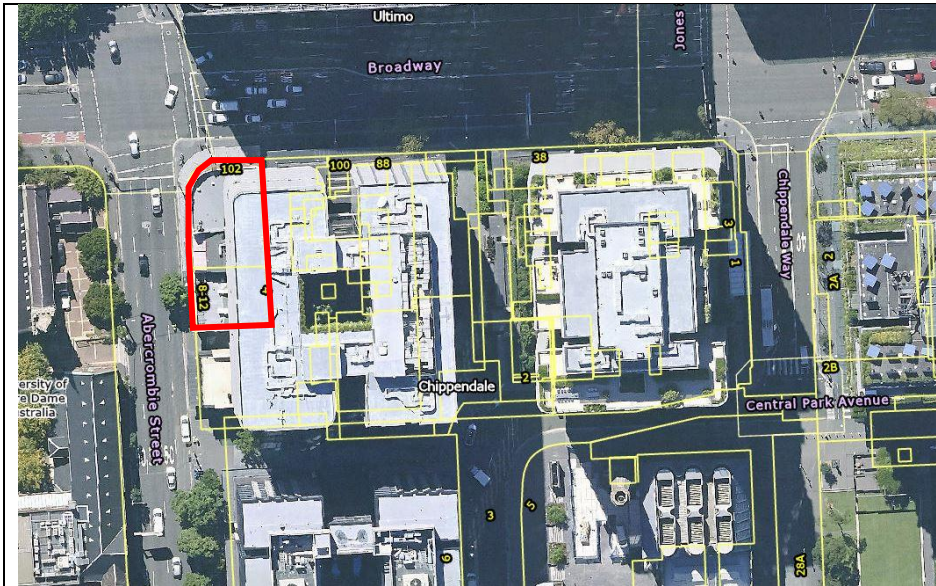
2. Location

Street address*	100 Broadway Chippendale 2008
Alternate street address	102 Broadway Chippendale 2008
	8-12 Abercrombie Street Chippendale 2008
Local government area*	City of Sydney Council

Land parcels*	Lot	207	Section (if applicable)		DP	1240831
	Lot	208	Section (if applicable)		DP	1240831

Coordinates	
Latitude	
Longitude	
Datum	

3. Extent of nomination



Source of map or plan	
Description of the boundary, if required	

4. Ownership

Name of owner(s)*	JGS PRIVATE CAPITAL PTY LTD
Business / organisation name, if applicable	
Address	
Phone	
Email	
Ownership explanation, if required	

B. Statement of Significance**Statement of significance***

The Abercrombie (formerly the Australian Hotel) and Abercrombie Terraces have historic, aesthetic, associative, and representative significance at a local level. The Abercrombie is associated with the Kent Brewery, Tooths and Co, and Carlton & United Breweries, as well as civic redevelopments, including the realignment and upgrading of Broadway in 1933. The Abercrombie has a long association with the hotel trade, and the broader site has been associated with hotel trade since the mid-1840s. The building is significant for its association with Tooth and Co architects Copeman, Lemont and Keesing, who designed several hotels in the 1930 and early 40s, many of which were designed in the Functionalist and related Art Deco styles. The building has a stylistic relationship to other hotels and building on the former brewery site. The Hotel is aesthetically representative of the Functionalist style (Urbis 2009).

The Abercrombie Terraces have significance at a local level for their historic, aesthetic, research potential, representative values, and their rarity. Constructed circa 1846, the terraces are of historical significance as they are amongst some of the oldest known structures in Chippendale and provide a remnant of working-class terrace construction. The buildings are also historically representative of the changing character of the area which was largely converted to a retail area in the 1880s and are representative of Federation retail premises. Together with the Abercrombie, the terraces form a succinct and visually intact group and make a contribution to the streetscape.

C. Description

5. Describe the existing item

Description*	The Abercrombie and Abercrombie Terraces sit within the footprint of the DUO Towers Central Park development. The Abercrombie (formerly the Australian Hotel) and the Abercrombie Terraces are incorporated as part of the development's podium, yet physically detached from the towers themselves. The Abercrombie is a two - three storey Inter-War Functionalist Style hotel building constructed in 1938 and sited on a prominent corner location. The building has a basement level, is three storeys at the corner, but only two storeys on part of the Abercrombie Street boundary. The building features face brickwork, vertical fins, and a curving facade with deeply recessed balconies, all of which are typical features of the style. Bands of red textured brick emphasise the horizontality and a stepped parapet rises to define the curved corner with "Australian Hotel" lettering on a tiled panel. A curved awning wraps around the building, with an original pressed metal soffit. Glazed ceramic tiles line the walls below awning. The building retains its original timber-framed double-hung sash windows (with horizontal glazing bars) and timber doors with original chrome plated handles and fittings. Internally, the hotel has undergone substantial change in relation to redevelopment of the site for the DUO Tower development in 2009. However, it retains original tiling in the front bar and external stairs. A courtyard (beer garden) has been constructed at the rear of the hotel, and a roof terrace on the second-storey section of the building. The Abercrombie Terraces (formerly the Abercrombie Street Terraces) comprises a group of three shop-top buildings constructed in circa 1846 and altered for use as shops in circa 1911. The façade on the upper level is rendered in ashlar pattern. The pedimented parapet capping appears to have been re-rendered at some stage. The three terraces sit behind a fragment of pedimented facade which appears to have originally continued both north and south. The ashlar rendered façade and parapet date to 1911 (Urbis 2009:114). Several internal repairs and restorations to the terraces were carried out for the DUO Tower development in 2016. The Abercrombie continues to operate as a hotel. The Abercrombie Terraces operate as a wine bar and restaurant.
Condition of fabric and/or archaeological potential*	The Abercrombie and Abercrombie Terraces were restored in conjunction with the DUO Towers Central Park development between 2015 and 2018 (Urbis 2018) and are in good condition. Archaeological potential is unknown.
Integrity / intactness*	Moderate

Modification dates	Several modifications to the Abercrombie and Abercrombie Terraces were carried out for the DUO Tower development between 2016 and 2018. Between 2016 and 2018 some fabric at the rear of the Abercrombie and Abercrombie Terraces was demolished to accommodate tower footings, a new lift and stair core and hotel courtyard. The hotel's original awning was replaced in 2018 (Urbis 2018:63). Partial demolitions of interiors were carried out to accommodate new hotel layouts during this time. Tiled wall finishes in the main bar of the former Australian Hotel (now Abercrombie) were retained. Internal repairs and restorations were carried out to the Abercrombie Terraces between 2016 and 2018. The following fabric was retained as part of the restoration works: glazed wall and trim tiles to ground level shop front, original green wall tiles, mosaic floor tiles (to shopfront entry), original marble treads, some decorative mouldings, some window glazing and window sills, some pressed metal ceiling panels at the shopfront entrance and some timber flooring (reinstated in ground floor of terrace no. 8) and patched in other rooms (Urbis 2018:10-57). Wall battens were reinstated in some terraces. A collapsed internal staircase in terrace no. 10 was replaced with a code-complaint staircase. Fireplaces were reinstated. Ground floor lathe and plaster ceilings were removed in all terraces excluding one room in terrace no. 10 (Urbis 2018:10-17). New timber joists and flooring were installed and laid where required (Urbis 2018:10-55).
When was the last time you inspected the item?	September 2024
Current use	Hotel, restaurant, bar and wine shop
Original or former use/s	Hotel Shop Dwelling
Any additional comments	

D. History**6. Origins and historical evolution**

Years of construction*	Start	Australian Hotel (now Abercrombie) - 1938 Terraces – c1846	End	Australian Hotel (now Abercrombie) – 1938 Terraces – c1911
Designer or architect*	Australian Hotel – Copeman, Lemont & Keesing (1938) DUO Central Park – Forster and Partners in collaboration with PTW Architects (2007-2018) The Abercrombie – H&E Architects (2017)			
Maker or builder*	Australian Hotel – H. W. Thompson Terraces – Unknown			
Historical outline*	The "Eora people" was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as "Eora Country". Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language "Eora" or whether this was actually a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters. With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s. Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney (Heiss 2013). The Abercrombie and Abercrombie Terraces occupy land granted to Felix Wilson in 1841, as part of the Military Gardens Subdivision. It was sold to John Bryen in 1843 (Urbis 2009:54). Over the ensuing decade, the subdivided land developed into a working-class housing, shops and small industries. It was considered a slum by the mid-19th century (GML 2006:15-16). Wilson's grant was immediately west of the Kent Brewery, which was established in 1835. By 1900, the brewery had acquired significant land holdings in the area.			

John Bryen purchased neighbouring properties over the years appears to have built the Abercrombie Terraces in c.1846 (City of Sydney Archives, Item 0503/37) during this time along with the Australian Inn, which occupied the corner of Parramatta and Abercrombie Street (Urbis 2009:55). The Australian Inn was purchased by Tooth and Company in 1923 (Department of Lands, Land & Property Information Book 1290 No 733).

The realignment of George Street West (formerly Parramatta Street and now Broadway) in 1933 resulted in the rebuilding of several structures on the new southern street frontage. One was the Australia Inn, which was demolished and a replaced on the new alignment in 1938. The new hotel was named the Australian Hotel (now Abercrombie) and designed by architects Copeman, Lemont and Keesing. H.W. Thompson was contracted for its construction. The Australian Hotel was one of five hotels built in the CBD in the Inter-War Functionalist style. Three were built in close proximity to the Carlton (Tooths) Brewery site, namely the Australian, the Kegroom Tavern (now Old Clare Hotel) and Sutherlands. The other two were the Hollywood and the Civic.

The Australian Hotel was featured in contemporary journals which noted its use of colour, particularly in the interiors, as well as its modern rounded lines. The hotel provided both bar service and accommodation. It provided an important venue for both social and recreational opportunities for the surrounding community. In 1971 it underwent minor alterations and additions to the value of \$20,000. In 1989, its saloon bar was altered to the value of \$45,000. A vacant area was converted to form a beer garden and carpark in 1989. The Australian Hotel operated until 2016 at which time it was largely intact.

The Abercrombie Terraces were constructed in circa 1846 and rented to a variety of working class tenants. In 1911, the terraces were reconfigured from dwellings to shop tops. The terrace closest to the Australia Inn became part of the hotel and was used as a bottle shop with a hotel bedroom above (Urbis 2009:58-62). Alterations involved the construction of new shopfronts which extended to the street frontage and their new facades were modelled after the adjoining 19th century Australia Inn (not the current building) which also underwent extensive refurbishment at this time. The Abercrombie Terraces continued to be tenanted and owned by John Bryen's estate until 1951, when they were purchased by Tooth and Company (LPI Book 2170 No 498). Tenants during this period included a haberdasher, a confectioner, a ham and beef shop, a hairdresser and a tailor (Sands Directory 1913).

In 1988, Australian Hotel was purchased by Carlton and United Breweries subsidiary Traction (No. 2) Pty Ltd (Urbis 2009:60). The Carlton and United Brewery site was placed under conditional contract to Australand in 2004. The Kent Brewery ceased production of beer in late January 2005. The sale to Australand did not subsequently proceed (NBRSP 2012:15,37).

	In 2007, the site (including the Australian Hotel and Abercrombie Terraces) was purchased by Frasers Broadway Pty Ltd (Sydney Morning Herald 2007). In 2017, works commenced at the site of Australian Hotel (now the Abercrombie) and Abercrombie Terraces for the DUO Tower development.
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7. Historical themes represented

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document [NSW Historical Themes](#) if completing this section.

Relevant National / Australian themes	<u>The Abercrombie</u> – 3 Developing local, regional and national economies – Commerce 8 Developing Australia's cultural life - Leisure <u>Terraces</u> – 4 Building settlements, towns and cities – Accommodation 3 Developing local, regional and national economies – Commerce
Relevant NSW / State themes	<u>The Abercrombie</u> – Commerce Leisure <u>Terraces</u> – Accommodation Commerce

E. Criteria for assessing heritage significance in NSW

8. Assessment under Heritage Council criteria of local significance (2023)

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area). (Criterion A)
The Abercrombie (formerly the Australian Hotel) is related to major redevelopment of the Carlton (Tooths) Brewery, and realignment and upgrading of Broadway during the 1930s and 1940s. It is significant for association with the Kent Brewery established in 1835 and its lengthy association with the hotel trade. It has historical significance at a local level. The Abercrombie Terraces are amongst the oldest known remaining structures in Chippendale and remnants of the area's working class development and typical terrace design and construction. They have historical significance at a local level.

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area). (Criterion B)
The Abercrombie (formerly the Australian Hotel) was designed by well-known pub architects Copeman, Lemont and Keesing, who were responsible for the design and development of several other hotels for Tooth and Co. (including the Castle Connell Hotel). It has historical significance at a local level. Terraces - Nil
An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area). (Criterion C)
The Abercrombie (formerly the Australian Hotel) has aesthetic significance at a local level. The significance of the building lies largely in the integrity of style, materials, and finishes which visually tie it to the nearby former Brewery buildings, landscape features and hotels. The hotel as a moderately intact example of the Inter-War Functionalist style makes an important contribution to the streetscape of the Broadway precinct. Significant in that this hotel includes a large open yard at the rear of the hotel, this has allowed the development of an external beer-garden, a feature which is uncommon in inner city hotels, which is now transformed as a heritage courtyard in the Central Park and DUO Towers development. The Abercrombie Terraces have aesthetic significance at a local level. They are characterised by a unified group with predominantly intact exteriors and restored interiors. The terraces compliment that adjacent St Benedicts Church and contribute to the overall streetscape.
An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons. (Criterion D)
While it is recognised that the Abercrombie (formerly the Australian Hotel), as with most public houses, has a regular local clientele, the building is not viewed as significant in this regard, as it appears to be more valued for its amenity and does not demonstrate a community esteem for its cultural values. Terraces - Nil
An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area). (Criterion E)
Abercrombie –The Abercrombie's rear courtyard may contain archaeological remains of a Victorian shop that was built on the site in the 1860s and demolished in the later Victorian period (Urbis 2009:79). However, the site's archaeological potential following the 2016-2018 redevelopment and restorations works is unknown. Depending on their survival, these remains may have research significance at a local level. Abercrombie Terraces – The terrace footprints and rear yards may contain archaeological remnants including underfloor and ceiling space archaeological deposits, remains of former services including cesspits and/ or remains of the Military Gardens as well as layers of fill (Urbis 2009:81). However, their archaeological potential following the 2016-2018 redevelopment and restorations works is unknown. Depending on their survival, these remains may have a level of high research significance at a local level.

An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion F)

The Abercrombie Terraces are considered rare at a local level. They are amongst the oldest known structures in the area and surviving housing from this period is rare in Sydney. Although the 1911 shopfronts are not wholly intact, there is a moderate degree of retained original fabric and it is uncommon to find Federation shopfronts with this degree of integrity, particularly in groups. Typically shops from this period are substantially altered on the ground floor. The Abercrombie hotel portion of the item is not considered to meet the threshold for significance under this criterion.

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments) (Criterion G)

The Abercrombie (formerly the Australian Hotel) and Abercrombie Terraces have representative significance at a local level. The Abercrombie is a relatively intact example of the Inter-War Functionalist style of hotel which serviced both the industrial and residential areas in this location. It is also representative of the simplicity obtainable in this style. The Abercrombie Terraces reflect the historical evolution of the area from residential to retail/ commercial. The buildings are representative of typical Federation period retail/residential premises and are also significant as some of the earliest known structures in the area.

F. Heritage listings

9. Existing heritage listings

If completing this section, mark against each listing whether the item is listed or not. You may want to contact the relevant local council or organisation to check the item's listing status.

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
	✓	National Trust register
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Photograph**10. Principal or main photograph***

You may be contacted to provide the copyright holder details for this photograph and any additional images provided.



Caption*	Principal façade front corner of Broadway and Abercrombie Street
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

H. Recommended Management

The Abercrombie and Abercrombie Terraces should be retained and conserved.

A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan/Strategy, should be prepared for the Abercrombie and Abercrombie Terraces prior to any major works being undertaken and shall be in accordance with the relevant planning controls.

An Archaeological Assessment should be prepared prior to any significant ground disturbing works being undertaken and shall be in accordance with the relevant planning controls.

All conservation and future modifications should be undertaken in accordance with the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

H. Details

11. Primary author of this form*

Name	Adele Zubrzycka
Position and organisation, if applicable	Senior Specialist Planner Heritage, City of Sydney Council
Contact phone number	(02) 8974 4114
Email address	azubrzycka@cityofsydney.nsw.gov.au
Date form completed	29/11/2024
Signature	

12. References used to complete this form*

Author	Date Published	Title
Anita Heiss	2013	Aboriginal People and Place, Barani: Indigenous History of Sydney City
NBRS	2005	Former Carlton and United Brewery Site Conservation Management Plan
Urbis	2009	Special Element Conservation Plan: Australian Hotel (Asset No. 40) and Abercrombie Street Terraces (Asset Nos. 42A, B & C) Former Carlton and United Brewery Site, 26 Broadway, Chippendale, Sydney NSW. Prepared for Frasers Broadway.
Urbis	2018	Conservation Works Schedule Diary: Australian Hotel and Terraces. Prepared for Brookfield Multiplex.
GML	2006	Former Carlton and United Brewery Site, Broadway: Heritage Impact Statement.
Sands Directory	1913	Sands Sydney, Suburban and Country Commercial Directory

J. Additional photographs and images



Caption*	Western elevation front Abercrombie St, Chippendale. Abercrombie terraces to the right.
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

Heritage item nomination form

A. Nominated item

1. Name

Name*	The Old Clare Hotel
Other or former names	Hotel Clare County Clare Hotel Clare Hotel Kegroom Tavern Carlton United Brewery (C.U.B.) Administration Building Administration Building

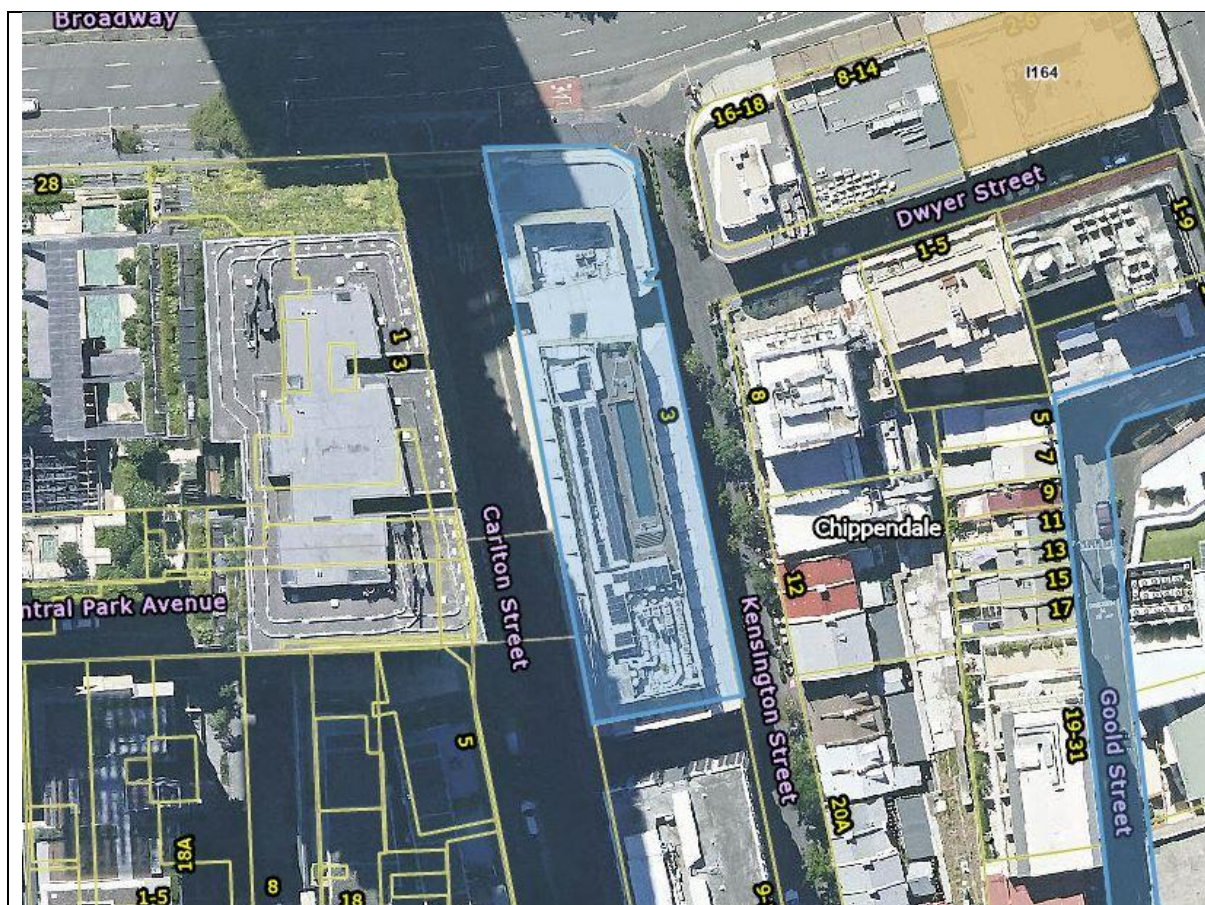
2. Location

Street address*	3 Kensington Street, Chippendale NSW 2008
Alternate street address	1- 3 Kensington Street, Chippendale NSW 2008
Local government area*	City of Sydney Council

Land parcels*	Lot	6	Section (if applicable)		DP	1142053
	Lot	1	Section (if applicable)		DP	191024

Coordinates	
Latitude	
Longitude	
Datum	

3. Extent of nomination



Source of map or plan	Geocortex
Description of the boundary, if required	

4. Ownership

Name of owner(s)*	INVICTUS PACIFIC ALPHA MANAGEMENT PTY LTD
Business / organisation name, if applicable	
Address	
Phone	
Email	
Ownership explanation, if required	

B. Statement of Significance**5. Why is it important?**

Statement of significance*
The Old Clare Hotel is an adaptive re-use development amalgamating two existing buildings with high heritage significance - the former County Clare Hotel and former Carlton and United Breweries Administration Building (Building 10A and 10B). The former County Clare Hotel is significant as a largely intact hotel and pub which has a direct relationship to the main entrance of the former Carlton and United Breweries and Tooths Brewery site. It has significance as a fine example of a well-maintained corner hotel in the Inter-War Functionalist style in the CBD. The interior of the hotel is significant for the quality of the timber panelling and plaster Art Deco ceilings which have been largely retained and represent fine examples of the interior decor in hotels of this period. The exterior of the building has aesthetic significance as an important element in the streetscape and as a fine example of the decorative style of the period. The building has social significance as part of the network of corner hotels that provided a social/recreational venue for the local community, and as one of the groups of five brick hotels in similar style, located in close proximity to the former Carlton & United Breweries site. The former Administrative Building has historical significance for retaining fragmentary associations with the Federation period of the Brewery. The building has aesthetic significance as an example of Interwar Free Classical architecture and contributes to the Carlton and Kensington Street streetscapes. It reflects the early 20th century custom of breweries to build in prestigious styles and the Brewery's continued association with prominent Sydney architects Spain & Cosh throughout the Federation period. The original 2 storey section of the building holds high significance at a local level, for its fine architecture and streetscape values and as an intact example of the Federation Free style (NBRS&P 2005).

C. Description

Description*
The Old Clare Hotel is an adaptive re-use development that encompasses former Administration Buildings 10A and 10B and the former County Clare Hotel. The site was redeveloped between 2011 and 2015 as part of the broader Central Park project. A geometric module guided the scale and structure of the new development. To accommodate their adaptive reuse, a four-storey glass atrium was constructed between the former Administration Building (10A and 10B) to the south and the former County Clare Hotel to the north to connect each building. Vertical additions, a pool, pool deck and bar were incorporated into the former County Clare Hotel and the Administration Building as part of the 2015 redevelopment. The former County Clare Hotel is a three-storey face brick Inter-War Functionalist style building featuring glazed terracotta tile detailing and is located adjacent to the entrance of the Former Carlton & United Breweries Main Gate (formerly No 1 Gate Portal). The simple curving face brick facade of the building features timber double hung windows enclosed within bands of ribbed terracotta tiles. A prominent vertical element of decorative tiles defines the western corner of the building, and a similar but less prominent element is located on the southeastern corner. The main stair with curved timber lined walls is contained within a block which rises above the roofline.

A reinforced concrete band set on short columns forms a top to the parapet wall and this feature is repeated on the top of the stair block. Timber frame windows and a glass block panel light stairwell are also extant.

Internally, the original elliptical ceiling feature in the public bar, partially curvilinear ceiling at the former Saloon Bar, and the original take-away bottle shop area with strong Art Deco themes have been retained, along with a timber keg slide to the cellar.

The former Administration Building comprises Administration Buildings 10A and 10B which were built over two stages between 1910 (10B) and 1931 (10A). Administration Building 10B is a 3-storey brick building constructed in 1910. It was designed by Spain and Cosh in Federation Free Classical style and differed substantially in technique and materials from earlier brewery buildings. The provision of a large centralised administrative building and its execution in a comparatively expressive imposing Mannerist style is an indication of the Brewery's desire to project a prestigious image.

The construction of the facades, above the ground floor sill height, in mid chestnut brown brickwork laid in English bond and contrasting dark brick voussoirs and stinger coursing and the heavily rusticated sandstone base on the Carlton Street (formerly Main Avenue) elevation contrasts with the monochromatic brickwork and corbelled detailing of earlier brewery buildings. The two symmetrically opposing projecting bays establish a more comprehensively symmetrical composition than the repetitive rhythm of bays of the earlier buildings, and the battered detail of their stone base provide further emphasis to this symmetry. The rusticated masonry is detailed with dressed reveals, margins and segmental arches over the basement windows are finished with a dressed roll. The stone has weathered to an even golden colour with no obvious banding.

The treatment of the north elevation facing Kensington Street is simpler. In the absence of a stone base, the projecting bays are cantilevered in an Italianate style by corbelled and dentil courses of brickwork. The Boardroom and the Anteroom were retained as a single luxury suite as part of the 2015 development along with the original executive washroom, parquet floor and pendant light fittings.

Administration Building 10A is a 3-storey building with basement constructed to the north of Building 10B between 1930-31. It occupies the site of the former Aerated Water Building, constructed in 1912, and retained the Aerated Water Building's cellar. It was designed by architects Robertson and Marks to match the Classical Free Style form of Building B. Facades are constructed of chestnut brown brickwork laid in cement mortar in English bond, with contrasting dark brick voussoirs and stringer coursing on the engaged piers.

	The segmental arched windows on each floor level are paired between each pier. Basement openings feature Art Nouveau style grills and the same dark voussoirs as the main windows directly above. Both the north and east elevations facing Kensington Street are similar in their construction and detail to the Carlton Street (formerly Main Avenue) façade, except that grills of the basement openings are simple railings with no Art Nouveau elaboration.
Condition of fabric and/or archaeological potential*	Former County Clare Hotel: Good. Some vegetation growth along mortar joints. Former Administration Building 10A and 10B: Good. Archaeological potential: There is moderate archaeological potential for evidence of former residential buildings associated with the 1842 Kensington Estate to survive in the footprint of former Administration Building 10B (NBRS 2012:66). A well associated with the Aerated Waters Building survives in the basement of the former Administrative Building 10A.
Integrity / intactness*	The former County Clare Hotel's external fabric is highly intact, although its external wall tiles at street level and signage are not original. Much of its internal configurations and fabric have been retained although some internal reconfigurations occurred prior to the 2015 redevelopment. It has a high level of integrity. A four-storey clad atrium has been constructed along its southern elevation to create a covered walkway between the former County Clare Hotel and Administrative Building 10A. Parts of the former Administrative Building (10A and 10B) have been internally modified prior to, and in association with, the 2015 adaptive reuse redevelopment. Penetrations have been made within former window bays along its Kensington Street elevation to facilitate access in and out of the building at ground floor level. The southern elevation is a new element of the building, reclad following the demolition of an earlier extension to its south for the broader Central Park redevelopment (NBRS 2012:30). Retained features include flooring and timber panelling in the former Carlton and United Breweries boardroom. A single storey vertical addition has been constructed on the rooftop of each building which includes a pool, pool deck and roof bar area.
Modification dates	Former County Clare Hotel: Adaptive re-use for the Old Clare Hotel development between 2011 to 2015. Further renovations in 2019 that included the addition of seven new rooms within the former County Clare Hotel building. Administration Building: Building 10B was altered to form a single building with newly constructed Building 10A in 1930. Additional storey designed by Robertson & Marks added to Building 10B in 1954 to form a singular hipped roof construction. An external fire escape stair also designed by Robertson & Marks was added at this time.

	Interior alterations carried out in the 1970s which included modifications to the ground and first floors. Adaptive re-use for the Old Clare Hotel development between 2011 to 2015.
When was the last time you inspected the item?	September 2024
Current use	Hotel and Events
Original or former use/s	Hotel Administration Aerated Waters Factory
Any additional comments	

D. History

7. Origins and historical evolution

Years of construction*	Start	1910: Administration Building 10B 1930: Administrative Building 10A 1938: Former County Clare Hotel	End	1912: Administration Building 10B 1932: Administrative Building 10A 1941: Former County Clare Hotel
Designer or architect*	Administration Building 10A – Spain & Cosh Administration Building 10B – Robertson & Marks Former County Clare Hotel - Sidney Warden The Old Clare Hotel adaptive reuse – Tonkin Zulikha Greer			
Maker or builder*	Administration Building 10A - Unknown Administration Building 10B - Unknown Former County Clare Hotel - S. D. C. Kennedy and Bird Pty. Ltd			

Historical outline*	The Old Clare Hotel sits on traditional land of the Eora people. The "Eora people" was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as "Eora Country". Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language "Eora" or whether this was actually a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters. With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s. Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney (Heiss 2013). The former County Clare Hotel was designed by Sidney Warden in 1938, built by S.D.C. Kennedy and Bird Pty. Ltd., and opened in 1941. It replaced an earlier landmark hotel named Ryan's, which was demolished due to road widening along the southern side of Parramatta Road (now Broadway). The building is one of five hotels constructed in this style in the city between 1838 and 1942; the others are the Australian (Broadway), Sutherlands, the Hollywood, and the Civic Hotel. When it was opened, the former County Clare attracted favourable recognition for its design and finishes, including its sophisticated use of materials, sweeping oval bar and saloon (Davies 2012:16). Sidney Warden was well known for the quality of his work and also designed the nearby Broadway Hotel. Bars and toilets were located on the ground floor, residential accommodation on the first and second floors and a basement cellar included stores, cool room, boiler and other services. The former County Clare Hotel appears to have remained generally intact until 1969 when a relatively small programme of alterations and additions was carried out internally. A more substantial renovation was implemented in 1973/74 at which time the public bar was rebuilt, and other alterations were carried out on the ground floor. Renovations again took place in 1979. The greatest changes occurred in 1982/3 and in 1985 when major alterations were made to the food bar and new ground floor toilets were built. Land occupied by former Administration Buildings 10A and 10B was acquired by Tooth & Co. in 1901. A row of terraces that fronted Kensington Street and backed onto Carlton Street (the Main Avenue), occupying Allotments 1 & 2 of the 1842 Kensington Estate subdivision, were demolished to make way for the buildings in 1910. Administrative Building 10B was constructed in 1910 and land to its north was developed for an Aerated Water Building designed by Spain, Cosh & Minnett in 1912. The Aerated Water Building was entirely reconstructed for a new Administrative Building (Building 10A) in 1930. This acted as an addition to Administrative Building 10B to the north, using a similar design and almost identical brickwork. Most of the interior former Administrative Building
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	interiors were stripped in the late 1930s to 1950s (NBRS 2012:32). However, fabric associated with the showbar (used for the tasting and promotion of the company's product.), boardroom anteroom and executive bathroom survive (NBRS 2012:32). In August 1983 all the brewing interests of Tooths were purchased by Carlton & United Breweries (CUB). CUB continued the production of most of Tooth's lines and began to produce Carlton's products at the Kent brewery. The Carlton and United Brewery site was placed under conditional contract to Australand (now Frasers Property Groups Australia) in 2004. The Kent Brewery ceased production of beer in late January 2005 (NBRS&P 2012:37). The sale to Australand did not subsequently proceed (NBRS&P 2012:15). In 2007, the site was purchased by Frasers Broadway Pty Ltd (Sydney Morning Herald 2007). By 2009, much of the broader site was demolished and Central Park precinct was completed by 2014. Adaptive re-use and redevelopment of the site commenced in 2009. From 2011 to 2015, the former County Clare Hotel and the former Carlton and United Brewery Administration Buildings 10A and 10B were adaptively re-used for a boutique hotel development that joined the two buildings and formed what is now the Old Clare Hotel.
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8. Historical themes represented

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Relevant National / Australian themes	Former County Clare Inn Developing local, regional and national economies – Commerce Developing Australia's cultural life – Leisure Former Administration Buildings 10A and 10B Developing local, regional and national economies – Industry Working - Labour
Relevant NSW / State themes	Former County Clare Inn Commerce Leisure Former Administration Buildings 10A and 10B Industry Labour

E. Criteria for heritage significance

9. Assessment against Heritage NSW 2023 criteria for assessing heritage significance in NSW

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion A)
The Old Clare Hotel (formerly the County Clare Hotel and Administration Buildings 10A and 10B) has long associations with the Sydney hotel trade and the Carlton and United Breweries (formerly Toth's Brewery). The former County Clare Hotel component of the item has local significance for its lengthy association with the hotel trade and the building has significance for its association with the Carlton (Toth's) Brewery which it adjoins. It has historic significance for its association with the realignment of Broadway in the late 1930s. It replaced an earlier landmark hotel named Ryan's. The former Administration Buildings 10A and 10B have historical significance as the Toth's and later Carlton & United Breweries administrative centre from the late-Federation period to the 1980s. They demonstrate the process of land acquisition and brewery expansion in the early 20th century as well as the process of intermittent adaptation and reconstruction to provide for changing administrative needs. The pair of buildings have a high level of historical significance as an excellent example of the early 20th century custom of breweries to build in prestigious styles and project a prestigious public image.
An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion B)
The Old Clare Hotel has historical associations with the Toth family and prominent brewery managers and staff of the early 20th century. Associations with the original architects Spain & Cosh have largely been dissipated through adaptations but the pair of buildings retain associations with the 1930s Architects Robertson & Marks.
An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area) (Criterion C)
The Old Clare Hotel has aesthetic significance at a local level. The former County Clare Hotel component of the item has aesthetic significance as a largely intact example of the Inter-war Functionalist style hotel. The significance of the building lies in the quality and condition of the detailing both internally and externally. The Art Deco style ceilings and timber panelling to the ground floor have significance as a fine example of the interior detailing of this style of corner hotel. The former Administration Building component of the item has aesthetic significance as a well implemented integration of Interwar Free Classical style alterations and additions by Robertson & Marks to the original Federation Free style Administrative Building designed by Spain & Cosh in 1910. It contributes to the streetscape, particularly along Kensington Street. Building 10B retains an exceptionally high level of aesthetic significance at a local level, as a finely executed remnant of the Federation Free style designed by prominent Sydney architects, Spain & Cosh. The masterly integration of the Interwar Free Classical style alterations and additions by Robertson and Marks does not diminish the aesthetic significance of the original section of the building.
An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons (Criterion D)
The Old Clare Hotel is some social significance at a local level for its role in providing a social/recreational venue for the local community. The former Administration Building component of the item may have potential social significance to past Carlton and United Breweries employees.

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion E)
The Old Clare Hotel has research significance at a local level due to the presence of a well in the basement of Administrative Building 10A. The well is associated with the former Aerated Waters Building and supplied water to the building. There is moderate archaeological potential for evidence of former residential buildings associated with the 1842 Kensington Estate to survive in the footprint of former Administration Building 10B (NBR 2012:66).
An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion F)
The Old Clare Hotel is a locally rare example of the corner hotel which is largely intact both externally and internally.
An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments) (Criterion G)
The Old Clare Hotel has local significance as a fine example of a hotel the Inter-War Functionalist style which retains its original functions of bar and accommodation. The retained Boardroom Suite in the former Administration Building has high representative value under this criterion.

F. Heritage listings

10. Existing heritage listings

If completing this section, mark against each listing whether the item is listed or not. You may want to contact the relevant local council or organisation to check the item's listing status.

Listed	Not Listed	Listing
	✓	Commonwealth Heritage List
	✓	National Heritage List
	✓	Register of the National Estate
	✓	Declared Aboriginal place
	✓	Local environmental plan (LEP) – heritage item (or draft item)
	✓	LEP – heritage conservation area (or draft area)
	✓	NSW government agency Heritage and Conservation Register
	✓	National Trust register
	✓	Aboriginal Heritage Information Management System
	✓	National shipwreck database
	✓	Engineers Australia list

G. Photograph

11. Principal or main photograph*

You may be contacted to provide the copyright holder details for this photograph and any additional images provided.



Caption*	Principal façade (northern elevation) of Old Clare Hotel viewed from Broadway.
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

H. Recommended Management

The Old Clare Hotel should be retained and conserved.

A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan/Strategy, should be prepared for the Old Clare Hotel prior to any major works being undertaken and shall be in accordance with the relevant planning controls.

All conservation and future modifications should be undertaken in accordance with the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

The face brickwork is not to be rendered, painted or coated.

I. Details**12. Primary author of this form***

Name	Adele Zubrzycka
Position and organisation, if applicable	Senior Specialist Planner Heritage, City of Sydney Council
Contact phone number	(02) 8974 4114
Email address	azubrzycka@cityofsydney.nsw.gov.au
Date form completed	29/11/2024
Signature	

13. References used to complete this form*

Author	Date Published	Title
NBR&P	2005	Former Carlton and United Brewery Site: Conservation Management Plan.
Sydney Morning Herald	13 June 2007	"Brewery site sold to Singapore developer"
Paul Davies Pty Ltd	2012	Specific Element Conservation Management Plan for the Former Carlton United Brewery Administration Building and County Clare Hotel, Central Park, Broadway. Prepared for Frasers Broadway Pty Ltd
Paul Davies Pty Ltd	2012	Administration Building and County Clare Hotel: Heritage Impact Statement.
Anita Heiss	2013	Aboriginal People and Place, Barani: Indigenous History of Sydney City

J. Additional photographs and images



Caption*	Western elevation viewed from Carlton Street partly showing former Administrative Building (10A) facade, now the Old Clare Hotel.
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney



Caption*	Western elevation viewed from Carlton Street partly showing the former Administrative Building (10A and 10B) facade, now the Old Clare Hotel.
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	



Caption*	Eastern elevation viewed from Kensington Street partly showing the former Administrative Building (10A and 10B), now the Old Clare Hotel.
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney



Caption*	Part of the eastern elevation viewed from Kensington Street showing new clad atrium between the Old Clare Hotel and the former Administrative Building (10B).
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney



Caption*	Part of The Old Clare Hotel’s eastern elevation viewed from Kensington Street, Chippendale.
Date of photograph*	29 October 2024
Name of photographer*	City of Sydney
Copyright holder, if known	City of Sydney

Attachment C

**Sydney Development Control Plan 2012 –
Policy and Housekeeping Amendments**

Sydney Development Control Plan 2012 – Policy and housekeeping – Amendments



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Post-exhibition amendments are shown in **red**, with deletions in ~~striketrough~~ and additions and edits in underline.

Housing

Amendment 1 – Co-living and boarding houses

- a. **Delete Section 4.4.1 ‘Boarding houses and student accommodation’ and replace with the following text:**

4.4.1 Boarding houses and co-living housing

Boarding houses contain rooms which provide affordable housing and are managed by a registered community housing provider.

Co-living housing as defined in the Sydney LEP comprises 6 or more private rooms and may also be used as student accommodation.

Both housing types have shared facilities and provide a principal place of residence for at least 3 months in a boarding or private room.

State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) includes requirements for boarding houses and co-living housing, ~~though parts may not apply in all areas of the City of Sydney.~~

This section applies to all boarding house and co-living development. It applies Housing SEPP standards to areas of the City of Sydney where the Housing SEPP does not apply (see clause 1.9 Sydney LEP 2012). It also provides minimum standards that apply throughout the City of Sydney.

Definition

Private room means a boarding room in a boarding house or a private room in a co-living housing development.

Objectives

- (a) Ensure a good level of amenity and accommodation to meet the needs of residents.
- (b) Minimise adverse impacts on other properties and public space in the vicinity.
- (c) Ensure development responds and contributes to the context of the local area, including its key natural and built features.

Provisions

- (1) Local character, siting and amenity principles from the NSW Government’s Apartment Design Guide are to be incorporated where possible.

4.4.1.1 Subdivision

Objectives

- (a) Secure the availability of boarding housing and co-living accommodation in perpetuity.

Provisions

- (1) The strata subdivision or community title subdivision of a boarding house or co-living housing is not permitted.

4.4.1.2 Private rooms

Objectives

- (a) Ensure private rooms are of sufficient size and proportion to enable a good level of amenity and liveability.

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– Amendments

- (b) Ensure private rooms receive adequate access to daylight.
- (c) Ensure private rooms achieve adequate protection from noise.
- (d) Ensure any personal facilities provided in private rooms do not reduce the functionality and enjoyment of the liveable space.
- (e) Ensure private rooms can achieve natural light, ventilation and cooling without reliance on artificial lighting, mechanical ventilation or air conditioning.
- (f) Ensure private rooms are sized appropriately to fit furnishings and allow circulation.

Provisions

- (1) No private room is to be occupied by more than 2 adult residents.
- (2) Private rooms are to be located away from significant noise sources or incorporate adequate sound insulation to insulate from external noise sources.
- (3) No private room, excluding any area used for the purposes of private kitchen or bathroom, is to have a gross internal floor area exceeding 25 square metres or less than:
 - (a) 12 square metres for a room intended to be used by a single resident, or
 - (b) 16 square metres in all other circumstances.
- (4) If a bathroom, kitchen or laundry is provided in a private room, they are to meet or exceed the following minimum clear dimensions:
 - (a) for any kitchen: 2.9 square metres including a minimum 600 millimetres clear space in front of the kitchen bench provided for circulation space.
 - (b) for any bathroom: 2.1 square metres (including 0.8 square metres for a shower).
 - (c) for any laundry: 1.1 square metres.
- (5) The minimum dimension of a private room is to be 3.5 metres.
- (9) Furniture layouts in private rooms must demonstrate unimpeded clear internal circulation.
- (6) Wardrobe space of at least 1.5 square metres is to be provided in addition to the minimum required private room area.
- (7) Each private room is to have sufficient space to provide a bed, sofa and a chair and table with at least 600 millimetres clearance between furniture.
- (8) Any co-living private room being used as off-campus student accommodation is to provide sufficient space for a workspace, including chair and desk.
- (10) Kitchens included in private rooms are to be provided with a refrigerator, cooktop, microwave, cupboards and shelves as a minimum.
- (11) Bathrooms included in private rooms are to be provided with a shower, hand basin and toilet as a minimum.
- (12) Laundries included in private rooms are to be provided with a wash tub and washing machine.
- (13) Each private room is to have access to natural light from windows with a minimum aggregate area of 10 per cent of the floor area of the room. Skylights are not to be the sole source of natural light.
- (14) A window in an external wall is to be visible from every point in a private room excluding bathrooms.
- (15) All private rooms are to be naturally ventilated. Natural ventilation is to be by windows with operable sashes on an external wall not facing a common circulation area. Windows are to include insect screens. The effective openable area of window openings is to be equal to at least 5 per cent of the floor area of the room.
- (16) Private rooms are to be provided with one ceiling fan per room.

(17) Private rooms are to have a minimum floor-to-ceiling height of 2.7 metres, excluding bathrooms.

(18) 30 percent of all private rooms are to have access to private open space with a minimum area of 4 square metres in the form of a balcony or terrace area. This requirement may be waived if the provision of balconies or private open space conflicts with the retention of a heritage item.

(19) In boarding houses classified as Class 3 by the Building Code of Australia, each private room is to meet the fire safety standards of a sole occupancy unit under the Building Code, whether or not it is intended to be a sole occupancy.

4.4.1.2 Communal kitchen, bathroom, laundry and drying areas

Objective

(a) Ensure shared facilities are adequate and provide ~~good levels of~~ amenity for residents additional to private facilities.

Provisions

(1) ~~At least one e-Communal~~ kitchen ~~facilities are area is~~ to be provided, with a total minimum area that is the greater of:

(a) 6.5 square metres; or

(b) ~~1.2~~ 0.5 square metres for each resident occupying a private room without a kitchen.

(2) ~~Total e-Communal~~ kitchen facilities ~~are to~~ must include adequate sinks, stove top cookers, ovens, refrigeration, dishwashers, storage and bench space for every 6 residents (or part of):

~~(a) one sink with running hot and cold water; and~~

~~(b) one stove top cooker and oven with appropriate exhaust ventilation.~~

~~(3) For each resident occupying a private room without a refrigerator, the communal kitchen is to provide proportionally for each of those residents:~~

~~(a) 0.13 cubic metres of refrigerator storage space;~~

~~(b) 0.05 cubic metres of freezer storage space; and~~

~~(c) 0.30 cubic metres of lockable drawer or cupboard storage space.~~

(4) Communal bathroom facilities are to be provided and accessible to all residents 24 hours per day and to include at least:

(a) one wash basin, with hot and cold water, and one toilet for every 10 occupants of a room that does not contain a bathroom;

(b) one shower or bath for every 10 occupants of a room that does not contain a shower; and

(c) one accessible WC adjacent to each communal living area for boarding houses and co-living housing 3 storeys or more, irrespective of whether habitable rooms contain private bathrooms.

(5) Laundry facilities are to be provided and for every 12 residents without a private laundry include in a common laundry at least:

(a) one 5kg capacity automatic washing machine and one domestic dryer ~~for every 12 residents~~; and

(b) at least one large laundry tub with hot and cold running water.

(6) Drying facilities such as clotheslines are to be located to maximise their solar access, where possible, and ensure that the usability of the space is not compromised.

4.4.1.3 Communal living areas

Objectives

- (a) Ensure communal living areas are of sufficient size to provide good amenity to residents.
- (b) Prevent communal living areas being used to provide essential building services and utility areas.

Provisions

- (1) A boarding house or co-living housing development containing at least 6 private rooms is to have at least one communal living area.
- (2) For development containing 6 private rooms, communal living areas are to be provided with a minimum area of 30 square metres and with a minimum dimension of 3 metres.
- (3) For development containing more than 6 private rooms, communal living areas are to be provided with a minimum area of 30 square metres, a minimum dimension of 3 metres, plus at least 2 square metres for each additional private room.
- (4) A minimum of one square metre of direct solar access is to be provided to a window to a communal living area for 3 hours between 9am and 3pm at 21 June.
- (5) Communal living areas can include a communal dining area, but cannot include private rooms, bathrooms, laundries, reception areas, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like.
- (6) Communal living areas are to be located:
 - (a) near commonly used spaces, such as kitchen, laundry, lobby entry area, or manager's office, with transparent internal doors, to enable natural surveillance from resident circulation;
 - (b) adjacent to the communal open space;
 - (c) on each level of a multi-storey building, where appropriate; and
 - (d) where they will have minimal impact on habitable rooms and adjoining properties.

4.4.1.4 Communal open spaces

Objectives

- (a) Ensure outdoor communal open space is of sufficient size and quality to provide good amenity to residents.
- (b) Prevent essential building services impacting upon communal open space area.
- (c) Limit the impact of development on adjoining properties and public spaces, including heritage items.
- (d) Ensure habitable rooms have adequate protection from noise.

Provisions

- (1) Communal open space is to be provided on site with a total area of at least 20 per cent of the site area and with a minimum dimension of 3 metres.
- (2) Driveways, parking areas, essential access paths such as fire escape routes and outdoor clothes drying areas do not contribute to the communal open space area.
- (3) Communal open space must not be located within a front or side setback area.
- (4) Communal outdoor open space is to be located and designed to:
 - (a) consider visual privacy, acoustic privacy, safety, security and wind effects,

- (b) generally be north-facing to receive a minimum 2 hours solar access to at least 50 per cent of the area during 9am and 3pm on 21 June;
- (c) be provided at ground level where possible;
- (d) provide partial cover from weather, but remain 80 per cent open to the sky;
- (e) incorporate soft or porous surfaces for 50 per cent of the area;
- (f) be connected to communal indoor spaces, such as kitchens or living areas;
- (g) contain communal facilities such as barbecues, seating and pergolas where appropriate;
and
- (h) be screened from adjoining properties and the public domain with plantings, such as a trellis with climbing vines.

4.4.1.5 Amenity and safety

Objectives

- (a) Ensure boarding houses and co-living housing provide a good level of resident amenity and safety in communal spaces, corridors and private rooms.
- (b) Ensure that boarding houses and co-living housing have the future flexibility and adaptability to meet the needs and abilities of all occupants.

Provisions

- (1) Communal spaces, including laundry, bathroom, kitchen and living areas, are to be located in safe and accessible locations.
- (2) Lifts, stairs and other vertical circulation are to be provided to ensure all residents can easily access private rooms and common areas given the proposed number of habitable rooms, the height of the building and location of communal facilities.
- (3) Corridors are to provide clear lines of sight to room entries from the vertical circulation points.
- (4) Daylight and natural ventilation are to be provided to all common circulation spaces.
- (5) All provided appliances are to feature an energy star rating of 3.5 or higher, unless otherwise legislated.
- (6) Any new boarding house or co-living housing development is to be designed to the ~~Silver Level of the ABCB~~ Livable Housing Design Standard (LHD) Guidelines.
- (7) The ~~Silver Level LHD Guideline~~ requirement for a safe, continuous and step free path of travel from the street entrance and/or parking area to habitable rooms is not required to those areas on the second and third floor of a boarding house or co-living housing development that is less than 4 storeys high and does not include any lift.

4.4.1.6 Managing local amenity impacts

Objectives

- (a) Minimise visual privacy and acoustic privacy impacts from boarding houses and co-living housing to neighbouring buildings.
- (b) Minimise impacts of development on adjoining properties and the local area.

Provisions

- (1) For development of 3 storeys or greater, the building is to comply with the minimum building separation distances specified in the NSW Government's Apartment Design Guide.

- (2) Where existing adjoining development does not comply with the required minimum building separation distances in 4.4.1.6 (1), setbacks between windows and balconies and separation from side and rear boundaries are to be in accordance with visual privacy separation distances in the NSW Government's Apartment Design Guide. Development of less than 3 storeys may have proportionally reduced setbacks.
- (3) Main entry points are to be located at the front of the site, away from side boundary areas near adjoining properties.
- (4) Communal areas and private room windows are to be located away from the main living area or habitable room windows of any adjacent buildings.
- (5) Screen fencing, plantings and acoustic barriers may be used to augment visual privacy and acoustic privacy where location, design and orientation does not mitigate privacy impacts.
- (6) Double glazed windows are to be provided where noise transmission will affect neighbouring buildings.
- (7) The consent authority may request an acoustic report prepared by a suitably qualified acoustical consultant, if there is the potential for significant impacts from noise emissions, which investigates and identifies:
- (a) sensitive noise receivers potentially impacted by the development;
 - (b) the existing acoustic environment at the receiver locations;
 - (c) suitable assessment criteria;
 - (d) proposed acoustic control measures;
 - (e) predicted noise at the identified sensitive receivers; and
 - (f) whether the development will cause a nuisance or result in an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- (8) An application for a boarding house or co-living housing incorporating 75 or more private rooms is to be supported by a Transport Impact Study in accordance with the requirements in Schedule 7.4 'Transport Impact Study requirements'.

4.4.1.7 Plan of Management

Objectives

- (a) Ensure that development operates with minimal impact on adjacent properties and public spaces.
- (b) Maintain a good level of amenity for residents.

Provisions

- (1) An operating 'Plan of Management' is to be submitted with an application for a new, an intensification of or continued operation of an existing boarding house or co-living housing. At a minimum, the Plan of Management is to include details of:
- (a) staffing arrangements, including the contact details of any on-site manager, off-site manager or resident caretaker who has overall responsibility for the operation, administration, cleanliness, maintenance and fire safety of the premises;
 - (b) plans outlining the maximum occupancy for the boarding house or co-living housing, including the manager, maximum occupancy rate for each habitable room, room furnishings, provisions of communal areas and facilities, and access and facilities for people with disability;
 - (c) measures to minimise unreasonable impact to the habitable areas of adjoining properties, including the management of communal open spaces. For development located within

residential areas or where adjoining sites contain dwellings this use of open space should be restricted to before 10pm;

(d) waste minimisation, recycling and collection arrangements.

(e) professional cleaning and pest control arrangements, including cleaning of communal facilities; and

(f) safety and security measures, including:

(i) perimeter lighting;

(ii) surveillance or security camera systems;

(iii) fencing and secure gates;

(iv) room and access key arrangements;

(v) a landline telephone for residents to ring emergency services; and

(vi) internal signage, including:

1. the name and contact number of the property caretaker or manager,
2. emergency contact numbers for essential services, and
3. house rules.

4.4.1.8 Waste and Recycling Management

Note: Section 3.14.1 'Waste and recycling management plans', Section 3.11.13 'Design and location of loading docks and waste and recycling collection points' of this DCP apply to development for the purposes of boarding houses and co-living housing.

Objective

(a) Ensure development provides appropriate facilities and space to manage waste, maximise recovery of resources and protect the health and safety of occupants.

Provision

(1) Development must comply with the requirements for residential development in the City of Sydney's Guidelines for Waste Management in New Developments and the City's Waste management Local Approvals Policy.

Amendment 2 – Flexible and adaptable dwellings

a. Remove Section 4.2.3.12 'Flexible housing and dwelling mix' and Section 3.12.2 'Adaptable dwelling mix' and replace with the following text:

4.2.3.12 Dwelling mix and accessibility

Providing a mix of dwelling types and sizes ensures the City can accommodate a diverse range of household types.

Accessible housing is designed to enable occupation by people of all ages and abilities. Design criteria for accessible housing are set out in the National Construction Code, ~~Livable Housing Australia's 'Livable Housing Design Guidelines'~~ and relevant Australian Standards.

Objectives

(a) Ensure housing meets the needs of different people and household types.

(b) Ensure housing meets the changing needs of people over time.

- (c) Ensure development provides housing suitable for families with children.

Provisions

- (1) Development involving delivery of more than 20 new dwellings is to provide a mix of dwelling sizes consistent with the following proportions:

- (a) Dwellings with three or more bedrooms: at least 20 per cent
- (b) Dwellings with one bedroom or no bedrooms (studios): at least 30 per cent
- (c) Dwellings with two bedrooms: up to 50 per cent

- (2) At least 50 per cent of dwellings on the ground floor, and dwellings on the same level as any communal open space, are to provide housing suitable for families with children, and have:

- (a) three or more bedrooms, with at least two master bedrooms of at least ~~12~~ 10 square metres in size excluding built-in wardrobe space (up to the dwelling mix in provision (1));
- (b) a separate laundry room;
- (c) a bath with 500mm clear distance on one side; and
- (d) direct access to the street or the communal open space where possible

- (3) Development for seniors housing, build-to-rent housing, social housing, affordable rental housing, boarding houses or co-living is exempt from provisions (1) and (2).

- (4) For proposed dual key apartments, each area with a lockable door, kitchen and bathroom is to be treated separately for the purposes of calculating dwelling mix.

- (5) Development for new dwellings is required to provide a minimum proportion of dwellings that meet the Livable Housing Design (LHD) Guidelines at the following levels:

- (a) Australian Building Codes Board Livable Housing Design Standard Silver Level – 100 per cent of dwellings; and
- (b) Platinum Level Australian Standard (Adaptable Housing AS 4299), with bathroom and laundry walls in their post-adapted location circulation at all internal doorways in accordance with Australian Standard 1428.1:2021 Section 10.3 :
 - i. 0 to 7 dwellings – Nil;
 - ii. 8 to 14 dwellings – 1 dwelling;
 - iii. 15 to 20 dwellings – 2 dwellings;
 - iv. 21 to 29 dwellings – 3 dwellings; or
 - v. 30 or more dwellings – at least 15 per cent of total dwellings.

- (6) ~~LHD Platinum Adaptable~~ dwellings are to be equally provided in all dwelling sizes included in the development.

- (7) Apartment entry doors and adjacent circulation spaces (except for studios and 1 bedroom apartments) must be designed to be consistent with Australian Standard 1428.1:2021 Section 10.3 to create sufficient space to manage, prams, mobility devices, wheelchairs and the like.

b. Edit the text in Section 4.2.3.3 'Internal common areas' provision 3 as follows, with strikethrough representing deletion and underline representing additions or edits:

- ~~(3) Common corridors are to be at least 2m wide in front of lifts.~~

- (3) Common corridors must be designed to maximise safety and security and have a clear width of at least:

- (a) corridors up to 6 metres long: 1.2 metres;
- (b) corridors 6 metres or longer: 1.55 metres;
- (c) corridor areas in front of lifts: 2 metres.

c. Edit the text in Section 4.2.3.8 'Common open space' as follows, with strikethrough representing deletion and underline representing additions or edits:

Objective

(a) Ensure that residential amenity is enhanced with landscaping, private and common open space including spaces that support children's play, communal indoor spaces, sun access, ventilation and acoustic privacy.

4.2.3.8 Common open space and communal indoor spaces

(1) Provide an area of common open space under common title that is at least 25% of the total site area and has a minimum dimension of 6m. The calculation of the required area of common open space is to exclude driveways, parking areas, essential access paths such as fire escape routes, indoor gymnasiums and outdoor clothes drying areas.

(2) The common open space is to be located and designed to achieve good amenity for the dwellings in terms of solar access, natural air flow and ventilation, and outlook. At least 30% of the required common open space area is to receive 2 hours of direct sunlight between 9am and 3pm on 21 June.

(3) Common open space may be located on elevated gardens or roof tops provided that the area and overall design can be used for the recreation and amenity needs of residents.

(4) Roof top areas designed for use as recreation facilities are to have a high standard of finish and design. The design of exterior private open spaces such as roof top gardens must address visual and acoustic privacy, safety, security and wind effects.

(5) Common open space is to be located and designed to:

- (a) be seen from the street between buildings;
- (b) have a northerly aspect where possible;
- (c) be additional to public and common thoroughfares;
- (d) be clearly demarcated as a private area for use by residents only;
- (e) include passive surveillance from adjacent internal living areas or pathways;
- ~~(f) provide for active and passive recreation needs of all residents; and~~
- (f) facilitate flexible and active uses;
- (g) provide for social connections among residents and visitors; and
- (h) provide soft landscaping.

(6) ~~In development with 21 or more dwellings~~ common open space is to be designed to include play spaces suitable for:

~~(a) in development with 20 or fewer dwellings that includes 2 or 3 bedroom dwellings — 0-5 year old children; or~~

~~(b) in development with 21 or more dwellings — 0-5 year-old children and 6-10 year old children.~~

(7) Play space in common open space is to:

(a) include a minimum of three pieces of age appropriate play equipment to Australian Standards and with appropriate clearances or, an alternative to standard play equipment designed by a qualified landscape architect to provide age-appropriate imaginative and informal play opportunities;

(b) be integrated with the overall communal open space;

(c) provide adequate clearances and separations to enable multiple user groups to occupy the space at the same time;

(d) incorporate planting;

(e) incorporate at least one opportunity for nature play such as a sandpit;

(f) incorporate seating for carers;

(g) be linked to a path or hardstand area suitable for ride on toys (which may be the shared internal path network if adequate width is provided); and

(e) in development with 30 or more dwellings, be adjacent to an accessible toilet with change table and internal communal toy storage room.

(8) Development with less than 20 dwellings, or for seniors housing, build-to-rent housing, social housing, affordable rental housing, boarding houses or co-living, is exempt from provisions (6) and (7).

(9) Unpaved soft landscaped area must comprise a minimum of 50% of the total area of common open space.

(10) The minimum consolidated area of common open space will only be permitted above the ground level where:

(a) a location at ground level is not possible due to conditions of the site;

(b) the proposed common open space will provide a similar level of amenity as a common open space at ground level; and

(c) there will be no significant impact on surrounding properties in respect to the loss of privacy.

(11) Suitably sized and soundproofed communal spaces are to be provided for:

(a) in development with 50 or more dwellings – a music practice space of 12sqm for each 50 dwellings;

(b) in development with 100 or more dwellings – a hosting large gatherings space of 50sqm for each 100 dwellings

(c) a space for sharing tools and domestic equipment that are used infrequently like drills, pressure hoses, buckets and the like of 10sqm for each 100 dwellings.

Greening Sydney

Amendment 3 – Urban ecology

a. Remove Section 3.5 ‘Urban Ecology’ and replace with the following text:

3.5 Landscaping, tree planting, deep soil, urban ecology and tree management

This section applies to all development.

See also:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Related documents:
 - Greening Sydney Strategy
 - Urban Ecology Strategic Action Plan
 - Sydney Landscape Code
 - Urban Forest Strategy
 - Tree Management and Donation Policy
 - Street Tree Master Plan
 - Register of Significant Trees
 - Park Tree Management Plans

3.5.1 Landscaping documentation

This provision does not apply to single dwellings, terraces and dual occupancies, except where they are a heritage item.

Objectives

- (a) Ensure landscape documentation addresses all relevant aspects of the DCP, relevant policies and guides at a suitable level of detail and is produced by a person with suitable skills.
- (b) Ensure development is consistent with the Sydney Landscape Code.

Provisions

- (1) A landscape plan must be submitted with all development applications that include a change in site coverage of the building footprint (including the basement) or works to landscape areas or setbacks.
- (2) A landscape plan is to be prepared by a suitably qualified landscape architect where the capital investment value (CIV) exceeds \$1,000,000 and the landscape area exceeds 75 square metres. For development on sites containing heritage items the landscape architect must have experience designing heritage landscapes.
- (3) Landscape plan is to include:
 - (a) existing site conditions including existing planting, paving, walls, fences, structures, levels, drainage, and services;
 - (b) the species and size of trees to be retained and removed on the site and neighbouring properties, and tree protection zones and structural root zones for the trees to be retained;

- (c) where any tree may be affected, for example there are any works within the tree protection zone – an arboricultural impact assessment report (AIA) prepared to Australian Standards and the City's Arborist Report guide;
- (d) location and details of proposed planting on the site including planting on structure if proposed. Details must include soil depth and area, quantity, type and supply size of plant species;
- (e) location, area and number of existing and proposed habitat and habitat features, and proposed ecology and biodiversity measures;
- (f) location and details of proposed structures on the site including paving, walls and associated footings, timber decking, services, furniture, shade structures, lighting and other features;
- (g) details of earthworks and soil depths including finished levels and any mounding;
- (h) deep soil diagram or plan that locates and quantifies the size and minimum dimension of all deep soil areas;
- (i) locations and quantity of canopy trees, indicating species, container size at planting and tree size at maturity;
- (j) details of drainage, waterproofing and watering systems;
- (k) landscape technical specification;
- (l) maintenance requirements, including any requirements for access and safe working at height for planting on structure; and
- (m) for development on sites containing heritage items, documentation is to include information regarding:
 - (i) the retention of original or significant landscaping, including plants with direct links or association with the heritage item;
 - (ii) reinstatement of significant landscape features and plants that have been removed;
 - (iii) details of how planting design retains and contributes to significant views to and from the heritage item as identified by a heritage assessment.
 - (iv) permeable surfaces to assist with on-site management of stormwater.

3.5.2 Urban greening, canopy trees and deep soil

This section applies to development outside Central Sydney.

Objectives

- (a) Increase canopy cover to realise the benefits provided by trees which include:
 - (i) Managing urban heat
 - (ii) Reducing air pollution
 - (iii) Providing habitat
 - (iv) Improving community health and wellbeing
- (b) Ensure development provides sufficient deep soil and space above ground to ensure the viability of new and existing trees.
- (c) Ensure trees are healthy and appropriately sized, so the benefits of canopy cover are maximised
- (d) Ensure plantings on structure, where provided, are viable and contribute to enhancing vegetation cover and complement tree canopy.
- (e) Reduce flooding and stormwater runoff impacts from development and enhance infiltration of rainwater to the water table by providing substantial connected areas of deep soil.

- (f) Maximise the extent of local canopy by planting new trees close to canopy areas on adjoining properties.
- (g) Ensure deep soil and canopy requirements are met even where that limits extent of basements, buildings or other structures.

Provisions

- (1) All development is to be designed to reasonably minimise the impact on existing trees on site and to protect street trees and trees on adjoining land by:
 - (a) setting back all structures, and
 - (b) protecting branches and root zones including during construction.
- (2) Development is to:
 - (a) provide deep soil areas in accordance with Table 1 Trees and deep soil; and
 - (b) locate contiguous deep soil areas to maximise the number of trees that can be planted;
 - (c) provide tree planting and size of trees in accordance with Table 1 Trees and deep soil;
- (3) Deep soil zones are to have a minimum plan dimension of 3 metres.
- (4) The required area of deep soil in Table 1 may be reduced by the area occupied by:
 - (a) essential services infrastructure (such as stormwater pits and pipes) with a maximum combined total dimension of 300mm x 300mm, located on the perimeter of the deep soil zone;
 - (b) landscape structures requiring a pier footing with a maximum dimension of up to 300mm x 300mm in plan and which are positioned to allow for unimpeded root development of any tree within the deep soil zone. This can include lightweight fences, light poles, seating, stepping stone paths up to 800mm wide or timber decking with spaced decking boards.
- (5) For dwelling houses - the deep soil zone may be covered by raised permeable timber decking up to a maximum area of 16 square metres. Decking must be constructed to allow for canopy tree growth.
- (6) Where the consent authority is satisfied that required tree plantings cannot be achieved due to site constraints:
 - (a) the number and size of trees may be substituted in accordance with the options in Table 2 Green roof replacement will not be required for dwelling houses, attached dwellings, semi-detached dwellings, dual occupancies and sites with secondary dwellings;
 - (b) site constraints may include heritage, narrow sites, steep slopes, geological conditions, constrained servicing requirements, active frontages, where full site coverage is anticipated or where flood level planning considerations affect the basement. Cost impacts, provision of private vehicle parking, a pool, land contamination, high water table or basement design will not be reasonable considerations for varying the requirements; and
 - (c) if a green roof replacement is proposed, the design must allow for the structural wet soil loads.

Table 1. Trees and deep soil

Development	Site dimensions	Minimum deep soil zone	Minimum quantum and size of trees
Dwelling houses, attached dwellings,	Up to 130 square metres		None

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Development	Site dimensions	Minimum deep soil zone	Minimum quantum and size of trees
semi-detached dwellings, dual occupancies and sites with secondary dwellings.	Above 130 and up to 150 square metres		
	(2) with rear lane access		None
	(3) with no rear lane access	None	1 tree of small size (if reasonable)
	Above 150 and up to 200 square metres	15% of site area	1 tree of small plus size
	Above 200 and up to 400 square metres	15% of site area	1 tree of medium size, and one additional tree of small size per 50 square metres of site area above 200 square metres
	Above 400 and up to 600 square metres	15% of site area	2 trees of medium size, and one additional tree of small size per 50 square metres of site area above 400 square metres
	Above 600 square metres	20% of site area	1 tree of medium size per 150 square metres of site area
Industrial	Up to 1000 square metres	15% of site area	1 tree of medium size per 200 square metres of site area
	Above 1000 square metres	15% of site area and at least one area of at least 100 square metres with a minimum dimension of 6 metres	1 tree of medium size per 200 square metres of site area
All other uses	Up to 150 square metres	None on-site, however front building setbacks of 3 metres or more are to	

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Development	Site dimensions	Minimum deep soil zone	Minimum quantum and size of trees
		provide deep soil and suitably sized trees.	
	Above 150 and up to 650 square metres	7% of site area	1 tree of small plus size for every 150 square metres of site area, and one additional tree of small size for every excess 50 square metres of site area
	Above 650 square metres	15% of site area	3 trees of medium size, and one additional tree of medium size per 200 square metres of site area above 650 square metres
	Above 1,000 square metres	20% of site area and at least one area of at least 100 square metres with a minimum dimension of 6 metres	5 trees of medium size, and one additional tree of medium size per 150 square metres of site area above 1,000 square metres

Notes:

- The site area used to calculate deep soil and tree planting requirements excludes any area dedicated to Council.
- Tree sizes are defined in Table 2 Tree green roof replacements.

Table 2. Tree and green roof replacements

Tree size category	Minimum canopy diameter	Green roof replacement rate	Tree substitution options
Small	3 metres (Minimum 5 metre height)	14 square metres	1 small plus sized tree may be substituted for 2 required small sized trees
Small plus	5 metres	40 square metres	4 small sized trees may be substituted for

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Tree size category	Minimum canopy diameter	Green roof replacement rate	Tree substitution options
			1 required small plus sized tree 1 medium sized tree may be substituted for 2 required small plus sized trees
Medium	8 metres	100 square metres	3 small plus sized trees may be substituted for 1 required medium sized tree 1 large sized tree may be substituted for 2 required medium sized trees
Large	12 metres	225 square metres	N/A

Note: Multiple required trees may be substituted.

(7) Planting requirements:

(a) tree species and their sizing in relation to table 3.x are to be in accordance with the City's Tree Species List, Street Tree Master Plan, Park Tree Management Plans and the Landscape Code and any relevant list published by the City of Sydney; and

(b) for trees:

- (i) where possible, new trees are to be planted where they can extend existing canopy on adjacent land for contiguous canopy.
- (ii) proposed canopies are not to conflict with or be covered by any structures (including construction scaffolding zones) and must be planted with a maximum overlap of 25 percent of canopy diameter with any other tree canopy; and
- (iii) are to be planted in deep soil where possible; and

(c) soil depths (excluding mulch or drainage layers) and areas, required to ensure long term viability of plantings, must be at least:

- (i) for any tree - 1 metre depth and area of 60 percent of the area of the mature canopy; and
- (ii) for any shrub - 450 millimetres depth; and
- (iii) for ground cover planting - 200 millimetres depth.

(8) Tree planting is required within any proposed surface car parking area, in accordance with the following requirements:

- (a) one tree of medium size planted between each four car spaces (in addition to any perimeter plantings) and distributed to maximise shade over areas of asphalt and paving; and
- (b) trees must be planted in deep soil areas with a raised kerb barrier that facilitates passive irrigation and native ground cover plantings at the base.

3.5.3 Urban ecology and habitat

This section applies to development outside Central Sydney.

Habitats in urban areas can be found in places such as front yards, side passages, parks, vacant lots, degraded channels, yards, bridges and landfills. They can be highly modified and are extremely diverse. Key habitat are habitat areas where priority species have been sighted or are known to occur.

Habitat stepping stones are one or more separate patches of habitat in the space between key habitat which provide resources and refuge to assist animals move through the landscape. They can be provided as biodiverse green walls, roofs, elevated garden beds, planter boxes with flowering plants or small linear gardens designed to attract priority species as listed in the Landscape Code.

Hollow bearing trees provide habitat for a range of species and are usually found in mature trees. The cavity opening size and depth varies, from small openings (2-6cm in diameter) to large (18-30cm in diameter).

3.5.3.1 Ecological Assessment Requirements

Development with the potential to impact on significant habitat must provide an Ecological Assessment prepared by a suitably qualified ecologist.

Objective

- (a) Minimise the loss of habitat areas
- (b) Ensure ecological values are professionally assessed at the high level of detail and mitigation measures are described.

Provision

- (1) An Ecological Assessment is required for development that involves:
 - (a) demolition of buildings that have been vacant for more than one year, and
 - (b) demolition of buildings with site area coverage of more than 1,000 square metres
 - (c) removal or disturbance of an existing vegetated area of more than 200 square metres which has been undisturbed for 5 or more years or includes habitat features listed in the Landscape Code such as hollow bearing trees, rock features, and large ponds.
- (2) When required, an Ecological Assessment must:
 - (a) document the species present on and adjoining the development site;
 - (b) identify any species that are of particular conservation significance, including threatened species and priority species identified in the relevant Urban Ecology Strategic Action Plan;
 - (c) determine the nature and extent of impacts to flora and fauna, particularly those of priority species, that are likely to result from each stage of development;
 - (d) include assessment of hollow bearing trees and any proposal to retain live and or dead trees (or parts of trees) for habitat. Where the tree (or parts of tree) is proposed for retention, the assessment must include information from an AQF Level 5 Arborist outlining the tree health, structure and retention value; and
 - (e) outline the mitigation measures that will be employed to avoid or minimise such impacts including:
 - (i) clearance and location of any onsite indigenous flora and fauna prior to work commencing;
 - (ii) protection of any significant habitat features;

- (iii) restoration or creation of compensatory habitat for any important habitat features removed or disturbed as a result of the development;
- (iv) incorporation of suitable locally-indigenous species in the site landscaping, consistent with the relevant Urban Ecology Strategic Action Plan and Landscape Code.
- (v) on sites with substantial vegetation – a staging plan relating to demolition and removal.

3.5.3.3 Biodiversity corridor requirements

This section applies to land identified as 'Area affected by corridor' on the Biodiversity Map.

Objectives

- (a) Improve the resilience and sustainability of urban environments by increasing the diversity and abundance of locally indigenous flora and fauna species.
- (b) Protect, link and enhance biodiversity corridors and improve connectivity between areas of existing habitat.
- (c) Maximise contiguous landscape areas across adjacent properties within identified biodiversity corridors.
- (d) Minimise the loss of habitat areas

Provisions

- (1) Development must include habitat areas at least 1 metre wide with combined area equal to:
 - (a) sites less than 150 square metres – half of the area of the front setback and a quarter of any required private open space; or
 - (b) sites 150 square metres or more – 50% of the area of deep soil.
- (2) Habitat areas must be provided as areas:
 - (a) extending along street and park boundaries within any required setback; and
 - (b) extending along boundaries adjoining neighbouring landscape or habitat areas; or
 - (c) any residual area required by (1) – as *habitat stepping stones*.
- (3) Habitat areas must:
 - (a) include: diverse tree planting where there is sufficient space; minimum 2 understorey plants (shrubs) per square metre; and ground cover plants (such as native grasses and sedges) planted at a minimum density of 6 to 8 plants per square metre, as described in the City of Sydney Landscape Code;
 - (b) have soil areas and depths in accordance with section 3.5.2; and
 - (c) include at least 1 habitat feature per 150 square metres of site area drawn from the list in the City of Sydney Landscape Code.
- (4) Development must minimise the loss of habitat in planned front, side and rear setback areas.

3.5.3.4 Bird Strike

This provision does not apply to heritage items or to single dwellings.

Objective

- (a) Reduce instances of bird collisions with glazed surfaces adjacent to the foreshore, Alexandra canal and large public parks.

Provisions

- (1) Sites identified as 'Bird strike affected' on the Biodiversity Map must provide anti-bird strike treatment on each external window, glazed door and other glazed building surface on the first three levels including ground floor. Anti-bird strike treatments must include at least one of the following:

- (a) Recess the glazing by at least 0.5 metres which may be a deep reveal, window surround or combination of these;
- (b) external treatments and shading elements such as louvers, overhangs and awnings or mesh with a maximum open dimension of 100mm x 100mm;
- (c) adhesive film or acid-etching applied to the exterior surface of the glass to create visual patterns which breaks up the transparency of glazing and prevent birds from perceiving it as clear or fly-through. Horizontal lines must be spaced no more than 50mm apart and vertical lines no more than 100mm apart;
- (d) anti-bird strike UV patterning; or
- (e) fritted, etched, channelled or translucent glass such as silkscreen with a maximum untreated dimension of 100mm x 100mm.

3.5.5 Tree management

The following objectives and provisions describe the trees that are protected and should be read in conjunction with the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Definitions

Dead means a tree which is no longer alive and is completely bare of live foliage.

Deadwood means dead branches within a tree's crown that have naturally died and no longer have foliage.

Dying means gradually ceasing to exist or function and is now beyond remediation or in irreversible decline with large sections of the trees canopy completely dead.

Failed means a tree or tree part which has fallen, or is in the process of falling, because of but not limited to splitting of branches, trunks or significant heaving soil around the base of the tree.

Imminently dangerous includes but is not restricted to obvious instability of the root system, evidence of abnormal soil heaving or cracking, loss of structural roots, extensive root decay, substantial storm damage and structural defects that are imminently hazardous, such as splitting branches that are likely to fail within 48 hours.

Objectives

- (a) Maintain canopy cover to realise the benefits provided by trees which include reducing urban heat and improving community health and wellbeing.
- (b) To protect and manage trees as important community assets.
- (c) Ensure removal or pruning of trees is only undertaken with a permit or development consent.
- (d) Ensure the retention, protection and maintenance of healthy trees which contribute to the quality and amenity of their surroundings.

Provisions

(1) A permit or development consent is required to prune, remove, ringbark, cut down, top, lop, prune, injure, damage, kill, poison, uproot or destroy a tree that:

- (a) has a height of 5 metres or more;
- (b) has a canopy spread of over 5 metres;
- (c) has a trunk diameter of more than 300 millimetres, measured at ground level;
- (d) is listed in the Register of Significant Trees; or
- (e) has been planted under a development consent or permit and is yet to reach the above dimensions outlined in (a) and (b).

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(2) A permit is required to prune, remove, ringbark, cut down, top, lop, injure, damage, kill, poison, uproot or destroy any branch, including roots greater than 30 millimetres in diameter, from a tree prescribed by provision (1).

(3) Development consent is required to remove a tree, in accordance with Clause 5.10 of the Sydney LEP that is located on a site containing a heritage item or within a heritage conservation area. An exemption to this requirement may be provided where:

- (a) the work relates to a tree to which provision (1) does not apply;
- (b) Council provides written confirmation that the works are of minor nature or is for the maintenance of a heritage item or property within a heritage conservation area; or
- (c) the tree is not listed on the City of Sydney Heritage Tree List at trees.cityofsydney.nsw.gov.au.

(4) Provision (1) does not apply to the removal or pruning of any tree located on Council owned or managed land, provided the works are undertaken by Council or Council authorised agents.

(5) Provision (1) does not apply to the removal or pruning of a tree located on land vested in the Royal Botanic Gardens and Domain Trust or the Centennial Park and Moore Park Trust.

(6) Development consent is required to remove a tree located on Council owned or managed land where it is in association with a development application or consent.

(7) A permit or development consent is not required to remove any tree species listed in Tables 3 and 4, provided that before works commence Council is provided with written confirmation:

- (a) the tree is located within private land;
- (b) the applicant demonstrates that:
 - (i) an appropriate replacement tree will be planted following the completion of the tree removal works, or
 - (ii) there is insufficient space or adequate canopy cover existing within the site.
- (c) the tree is not listed on the City of Sydney Heritage tree List; and
- (d) the tree is not listed on the Register of Significant Trees.

Table 3. Tree Species List – any of the following trees

1	Ailanthus altissima (Tree of Heaven)
2	Bamboo spp (all species and cultivars)
3	Citrus spp. (all varieties)
4	Gleditsia triacanthos – not cultivars (Wild Honey Locust)
5	Ligustrum spp (Privet)
6	Morus species (Mulberry)
7	Musa species (Banana)
8	Olea europaea var. Africana (African Olive)
9	Robinia pseudoacacia –not cultivars (False Acacia)
10	Salix babylonica (Willow)

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11	Schefflera actinophylla (Umbrella Tree)
12	Syagrus romanzoffianum (Cocos Palm)

Table 4. Tree Species List – trees less than 10m in height

1	Cinnamomum camphora (Camphor Laurel)
2	Celtis sinensis (Chinese Hackberry)
3	Celtis occidentalis (American Nettle Tree)
4	Erythrina x sykesii (Coral Tree)
5	<u>Ficus elastica (Rubber tree)</u>
6	<u>Lagunaria patersonia (Norfolk Island Hibiscus)</u>

(8) A permit or development consent to prune a tree prescribed in provision (1) that is located on private land is not required provided the pruning:

- (a) is for the removal of deadwood;
- (b) provides clearances that do not exceed the heights and branch and root sizes listed in Table 5 Guideline for tree pruning;
- (c) does not remove more than 5 per cent of a tree's canopy or root system within a one year time frame from each pruning event;
- (d) does not damage or affect the health or structural stability of the tree; and
- (e) is undertaken in accordance with Australian Standard AS 4373-2007 Pruning of amenity trees, by a qualified Arborist (minimum Australian Qualification Framework (AQF) Level 3 Arboriculture).

Table 5. Guideline for tree pruning

Location	Height to which pruning is permitted	Maximum diameter of branch or root which may be pruned (millimetres)
Classified roads	4.5 metres above the kerb	100
Local roads	2.5 metres over a parking lane and 4.5 metres above the kerb	100
Council pedestrian paths	2.5 metres above the footpath	100
Buildings	1 metre above any approved building, measured from the surface of the structural	50

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component, such as a wall or
roof on the building's edge

Domestic power or Telecommunication lines	Must be 0.5 metres minimum and 1 metre maximum clearance from the service line	50
<u>Roots outside of the Structural Root Zone</u>	<u>n/a</u>	<u>30</u>

Note: Branch size is measured from the point of attachment to another branch or the trunk.

(9) Provisions (1) and (2) do not apply where:

~~Council has confirmed in writing that the tree is dead, dying or a risk to human life or habitable property. To seek confirmation the applicant is to:~~

(a) ~~the applicant has~~ provided photographic and written evidence to Council ~~at least seven days before the tree is pruned or removed~~ that demonstrates the tree is dead or dying to an extent that is beyond recovery, ~~and Council has confirmed so in writing~~; or

(b) ~~the applicant has~~ provided photographic and written evidence to Council that demonstrates the tree is an imminently dangerous risk to human life or habitable property, and that the works undertaken will be or were the minimum necessary to manage the risk, by submitting either;

(i) a report from a qualified Arborist (minimum AQF Level 5 in Arboriculture) demonstrating the imminently dangerous risk at least 48 hours prior to the tree being pruned or removed;
or

(ii) a statement including photographic evidence from a qualified Arborist (minimum AQF level 3 in Arboriculture) within 48 hours following the trees pruning or removal, which demonstrates the tree had already failed.

b. Insert *Biodiversity map* tiles 001 – 024 as shown in “Urban Ecology” in the DCP Map Book.

Parking

Amendment 4 – Parking

- a. **Edit the preamble to Section 3.11 ‘Transport and Parking’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

3.11 Transport and Parking

This section contains provisions for managing the transport and parking needs of the city so that the environmental and economic impacts of private car use can be managed. The provisions also encourage walking, cycling, public transport and car sharing.

~~Schedule 7 Transport, parking and access of this DCP is to be read with this section. It contains information on how to prepare reports required by this section including Transport Impact Studies, Parking and Access Reports, Green Travel Plans and Transport Access Guides.~~

~~This section is to be read in conjunction with the parking Clauses under Sydney LEP 2012 (refer to Part 7 Local Provisions – General, Division 1 Car parking ancillary to other development of the LEP).~~

This section should be read in conjunction with Part 7, Division 1 of Sydney LEP ‘Parking ancillary to other development’ and Schedule 7 of this DCP.

Objectives

- ~~(a) Ensure that the demand for transport generated by development is managed in a sustainable manner.~~
- ~~(b) Ensure that bike parking is considered in all development and provided in appropriately scaled developments with facilities such as change rooms, showers and secure areas for bike parking.~~
- ~~(c) Establish requirements for car share schemes for the benefit of people living and or working within a development.~~
- ~~(d) Design vehicle access and basement layouts and levels to maximise pedestrian safety and create high quality ground level relationships between the building and the public domain.~~
- ~~(e) Provide accessible car parking.~~

Provisions

- b. **Edit the text in Section 3.11.1 ‘Managing transport demand’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

3.11.1 Managing transport demand

~~‘Managing transport demand’ refers to the measures taken which minimise the need to travel and the length of trips, particularly by car, and encourages travel by the most sustainable mode of transport.~~

~~Applications are to refer to Sydney LEP 2012 for maximum on-site car parking rates and for the associated *Land Use and Transport Integration (LUTI)* and *Public Transport Accessibility Level (PTAL)* maps.~~

This section details in what cases development is required to provide supporting transport studies and sustainable travel guides, in order to understand and minimise transport and traffic demand.

Objectives

(a) Transport demand generated by development is managed in a sustainable manner.

Provisions

(1) A Transport Impact Study is required to address the potential impact of the development on surrounding movement systems where the proposed development contains:

- (a) non-residential floor space equal to or greater than 1,000sqm GFA;
- (b) more than 200 car parking spaces;
- (c) for 25 or more dwellings; or
- (d) in the opinion of the consent authority, likely to generate significant traffic impacts.

Note: The requirements for a Transport Impact Study are detailed in schedule 7.4.

~~(2) The following developments are to include initiatives to promote walking, cycling and the use of public transport through the submission of a Green Travel Plan where the estimated peak trip generation is greater than or equal to:~~

- ~~a. 100 vehicles per hour for non-residential development; or~~
- ~~b. 50 vehicles per hour for residential development within Green Square and shown as Category A on the *Land Use and Transport Integration Map*; or~~
- ~~c. 60 vehicles per hour for residential development within Green Square and shown as Category B or C on the *Land Use and Transport Integration Map*; or~~
- ~~d. is likely to generation significant traffic impacts according to Council.~~

(2) A Parking and Access Report is required to accompany a development application where:

- (a) the schedules or tables in either the LEP or the DCP give no specific occupant or visitor car parking rates for a proposed development;
- (b) a development includes a mechanical parking installation; and/or
- (c) a development will generate trips by bus or coach.

(3) For land uses that may require bus parking, such as hotels and certain retail premises, the Parking and Access Report should include assessment of bus set-down and parking areas.

Note: The requirements for a Transport Access Guide are detailed in schedule 7.5.

(4) A Transport Access Guide and a strategy for the future availability of the Guide to residents, employees and visitors of a development is to be prepared for all developments except the following, and provided to the City for review prior to issue of Occupation Certificate:

- ~~(a) individual dwelling houses and dual occupancies;~~
- ~~(b) residential flat buildings of less than 25 units;~~
- (a) residential development involving less than 25 dwellings, and
- ~~(b) individual businesses and services in existing shopping strips and retail centres;~~
- (c) developments or premises within existing developments having with a floor area of less than 1,000sqm GFA; and
- ~~(d) businesses employing less than 10 staff.~~

Note: The requirements for a Transport Access Guide are detailed in schedule 7.7.

c. Edit the text in Section 3.11.2 ‘Car share scheme parking spaces’ as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.2 Car share scheme parking spaces

These provisions apply to development that provides parking spaces for exclusive use by an organised car share scheme ~~(car share parking spaces).~~

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~~Land Use and Transport Integration (LUTI) Map means the Sydney LEP 2012 Land Use and Transport Integration Map.~~

~~Public Transport Accessibility Level (PTAL) Map means the Sydney LEP 2012 Public Accessibility Level Map.~~

~~Land in accessibility category A, B or C is shown on the LUTI Map and land in accessibility category D, E or F is shown on the PTAL Map.~~

Definitions

Land Use and Transport Integration (LUTI) Map, Public Transport Accessibility Level (PTAL) Map and the associated categories mean the same as in Sydney LEP.

~~Car share scheme means car share scheme as defined in Sydney Local Environmental Plan 2012 LEP.~~

Objectives

(a) Provide car sharing for the benefit of people living and or working within a development.

(b) Reduce reliance on private car ownership.

(c) Car share spaces are located in new developments so they are suitable for operation by the car share scheme and accessible to all members of the car share scheme.

Provisions

(1) Car share parking spaces are to be provided in addition to the maximum number of car parking spaces permitted in the development.

(2) The minimum number of on-site parking spaces to be made available for car share scheme vehicles is to be provided according to the following rates:

(a) residential development, other than dwelling houses and dual occupancies, on land shown on the Land Use and Transport Integration (LUTI) Map in the Sydney LEP 2012 as:

- (i) Category A - 1 per 50 car spaces provided;
- (ii) Category B - 1 per 60 car spaces provided; or
- (iii) Category C - 1 per 90 car spaces provided.

(b) office premises, business premises or retail premises on land shown on the PTAL Map in the Sydney LEP 2012 as:

- (i) Category D - 1 per 30 car spaces provided;
- (ii) Category E - 1 per 40 car spaces provided; or
- (iii) Category F - 1 per 50 car spaces provided.

(3) Clearly marked plans identifying the location of all car share parking spaces including the pedestrian access route must be submitted with the development application.

(4) All car share parking spaces are to be:

- (a) publicly accessible 24 hours a day seven days a week;
- (b) located together;
- (c) located near and with access from a public road and integrated with the streetscape through appropriate landscaping where the space is external; and
- (d) clearly designated by signs as being for car share scheme use.

(5) Car share parking spaces located on private land are to be retained as common property by the Owners Corporation of the site and not to be sold or leased to an individual owner or occupier at any time.

(6) Evidence that the car share parking spaces, and associated infrastructure including pedestrian access route and communications access, are suitable to accommodate a car share scheme operator.

d. Remove Section 3.11.3 ‘Bike parking and associated facilities’ and replace with the following text:

3.11.3 Bike parking and associated facilities

Objectives

- (a) Support active transport as a sustainable and efficient transport mode.
- (b) Ensure development provides cycling access arrangements, bike parking facilities and amenities that are of sufficient quantity to meet demand, are convenient and meet the needs of all users.

Provisions

- (1) All bike parking facilities are to be designed in accordance with Austroads Research Report AP-R527-16 ‘Bike Parking Facilities: Guidelines for Design and Installation’ and Australian Standard [AS2800.3:2015 AS2890.3:2015](#) ‘Part 3: Bicycle parking’. Where there is an inconsistency between the two documents, the Austroads Research Report prevails.
- (2) New development must provide bike parking in accordance with the minimum rates by land use and bike parking type in Table 6.
- (3) Bike parking for residents or staff is to be provided in bicycle parking facilities designed according to Level B parking in Austroads and Class B in the Australian Standard. Class B bicycle parking facilities are to include power supply for charging electric bicycles.
- (4) Bike parking for short term visitors is to be provided as bicycle racks outside cages, designed according to Level C parking in Austroads and Class C in the Australian Standard. Class C bicycle racks are to be provided in an accessible on-grade location near the primary pedestrian entrance to the building.
- (5) For mixed use development, Class B bicycle parking facilities for residential dwellings and non-residential uses are to be provided separately. Facilities for multiple different non-residential uses may be combined if appropriate.
- (6) Class B bicycle parking facilities are to be provided in an area that provides easy access to the street, primary lifts or stairs to residences or workplaces, and to any cycling-related facilities such as lockers and showers.
- (7) Cycling access to Class B bicycle parking facilities is to be provided by a well signposted, minimum 1.8m wide path with no steps, sharp corners or other obstructions.
- (8) Where a proposed use is not listed, the amount of bike parking provided for staff and visitors must be capable of supporting mode share targets for trips by bicycle in the latest City of Sydney cycling strategy, with reference to anticipated staff and visitor numbers of the land use.
- (9) Where the number calculated in accordance with Table 6 is not a whole number, the number is to be rounded to the nearest whole number.

Table 6. Minimum bike parking requirements by land use

Land use	Residents or staff (Class B bike parking)	Short term visitors (Class C bike parking)
Residential accommodation or serviced apartments	1 per dwelling	1 per 10 dwellings

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Land use	Residents or staff (Class B bike parking)	Short term visitors (Class C bike parking)
(including co-living and boarding houses)		
Tourist and visitor accommodation (excluding serviced apartments)	1 per 1,000 sqm GFA	1 per 20 rooms or 1 per 10 beds, whichever is greater
Office premises or business premises	1 per 150 sqm GFA	1 per 400 sqm GFA
Specialised retail premises	1 per 600 sqm GFA	1 per 1,000 sqm GFA
Retail premises (excluding food and drink premises)	1 per 500 sqm GFA	Lot area 650 sqm or more: 1 per 90 sqm GFA Lot area under 650 sqm: No requirement
Food and drink premises or artisan food and drink industry	1 per 250 sqm GFA	
Entertainment facility or place of public worship	1 per 1,000 sqm GFA	1 per 40 sqm GFA
Industry or warehouse or distribution centre (excluding artisan food and drink industry)	1 per 1,000 sqm GFA	No requirement
Child care centre	1 per 400 sqm GFA	1 per 100 sqm GFA
Health services facility	1 per 400 sqm GFA	1 per 200 sqm GFA
Information and education facility	1 per 1,000 sqm GFA	
Recreation facility (indoor)	1 per 400 sqm GFA	
Outdoor swimming pool	1 per 1,000 sqm GFA	1 per 10 sqm of pool area
Supported and short-term emergency housing	On merit	No requirement

Note: For serviced apartments, “dwelling” may refer to a serviced apartment and “resident” may refer to guests of the serviced apartments.

(10) For non-residential uses, lockers and facilities are to be provided at the following rates of staff bike parking provision, as a minimum:

- (a) 1.25 personal lockers for each staff bike parking space
- (b) 1 shower and change cubicle per 10 staff bike parking spaces

(11) In existing developments car parking spaces may be converted to up to three bicycle parking spaces by following B6 ‘Car park space conversion’ in AS 2890.3-2015.

Note: Installation of a bicycle parking device (a bike rack, rail or locker) is exempt development under schedule 2 of the LEP.

(12) Short term visitor parking for child care centres is to be designed to accommodate larger bikes and side access, allowing at least 2 metres between adjacent bike racks and spaces at least 2.75 metres long.

e. Edit the content in Section 3.11.4 'Vehicle parking' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.4 Vehicle parking

Objectives

(a) Ensure that the traffic generation impacts of development is commensurate with the approved use over the life of the development.

(b) Reduce on-street parking impacts of new development by providing well located and accessible on-site visitor parking spaces.

(c) Prioritise the good design and functionality of a building's public domain interface over basement car parking provision.

Provisions

~~(1) Where the development comprises a land use not specified in the Sydney LEP 2012, the proposed rate of car parking provision is to be justified via a Parking and Access Report.~~

(1) All car parking spaces and car parking areas are to be designed in accordance with the Australian Standards 2890 set. ~~The minimum dimensions for the layout of angle parking spaces as set out in Figure 2.2 of AS2890.1:2004 are permissible.~~

~~(2) For strata subdivided residential buildings, car parking spaces are to be allocated to dwelling units in accordance with parking rates in the Sydney LEP 2012 and are to be a part lot to a dwelling unit in a strata plan so that they remain connected to the dwelling.~~

~~(3) All visitor spaces are to be grouped together in the most convenient locations relative to car parking area entrances, pedestrian lifts and access points and are to be separately marked and clearly sign-posted.~~

~~(4) Development applications are to indicate how visitor parking is to be accessed, including arrangements for access into a secure area if proposed.~~

~~(4) New developments are to achieve high quality ground level relationships between the buildings and all public domain interfaces even where this will result in inefficient basement car parking layouts including: spilt basement levels or additional excavation.~~

~~(6) Where a residential development proposes less than the maximum number of car parking spaces permissible under Sydney Local Environmental Plan 2012, the reduction in the number of spaces should be shared proportionally between resident parking spaces and visitor parking spaces.~~

~~(7) Development proposing less than the maximum number of parking spaces permissible under Sydney Local Environmental Plan 2012 must adjust the number of visitor parking spaces in accordance with the reduction of total car parking spaces.~~

(5) In Central Sydney, basement parking areas and structures must not protrude above the level of the adjacent street or public domain.

(6) Vehicle ramps must not be visible from the public domain and are to be located inside the building.

(7) Parking spaces for buses identified through a parking and access report are to be provided in addition to other parking.

f. Edit the content in Section 3.11.5 'Car parks under the public domain' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.5 Car parks under the public domain

Objectives

(a) Ensure that land ownership is clearly designated between public domain areas and private sites.

Provisions

(1) Privately owned underground car parks parking lots are not permitted under the public domain or areas required for dedication that are to be dedicated to Council, except for tunnels that connect two or more car park areas as this reduces which reduce the number of vehicular entry and exits crossings at the street level.

(2) If site constraints result in a car park being located under a public street or lane, the following criteria will apply:

(a) only common areas such as circulation space or unallocated visitor parking spaces are to be located below the street or lane; and

(b) ownership of the street or lane by the City shall be in stratum above the water-proofing membrane, and to a minimum depth of 1m for clearance for services as measured from the road levels approved by Council.

g. Edit the content in Section 3.11.6 'Service vehicle parking' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.6 Service vehicle parking

Objectives

(a) Ensure new development can accommodate a wide range of delivery vehicles and trades on-premises, without reliance on public space and loading zones.

(b) Reduce the impact of deliveries and service vehicles on adjoining development and public spaces.

Provisions

(1) Separate parking spaces for service vehicles are to be provided in accordance with 'Schedule 7 Transport, parking and access' 'Schedule 7.8.1 'Service vehicles'. ~~and are not to be shared with parking provided for another other purpose.~~

(2) Service vehicle parking spaces and the driving route from the loading dock to the parking space are to be designed to accommodate the dimensions and specifications of the relevant vehicle in Schedule 7.8.1 'Service vehicles'

(3) Service vehicle parking spaces, including spaces for bike couriers, are to be:

(a) located near vehicle entry points ~~and near lifts~~

(b) located near dedicated service lifts

(c) clearly designated and signposted for service vehicles only

(d) screened from ~~the street where possible~~ public view

(e) located completely within the boundary of the site, clear of other parked vehicles

(f) clear of through traffic.

(4) Parking spaces for service vehicles are not to be used for other purposes, such as access to bike parking, pedestrian access, and storage of goods and equipment.

(5) Service vehicle parking spaces are to be designed in accordance with the respective vehicle class in Australian Standard 'AS 2890.2:2018: Section 4.2 Dimensions of service bays'.

(6) Service vehicle parking and loading areas are to be provided as a priority over private parking spaces.

h. Edit the content in Section 3.11.7 'Motorbike parking as follows, with strikethrough representing deletion and underline representing additions or edits:

Objectives

(a) Ensure parking for motorbikes is provided in new development.

(b) Ensure the provision of motorbike parking does not increase the overall traffic generation of a development.

Provisions

(1) Parking spaces for motorbikes are to be included in the maximum allocation of car parking set out in Sydney LEP. ~~and provided according to parking rates in Schedule 7 Transport, parking and access.~~

(2) Parking spaces for motorbikes are to be provided according to parking rates in Schedule 7.

i. Remove Section 3.11.8 'Bus parking' and renumber the following sections accordingly.

j. Edit the content in Section 3.11.9 'Accessible parking' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.9 Accessible parking

Objectives

(a) Improve access for people with disability who require use of a private car.

Provisions

(1) Accessible car parking spaces for people with disability ~~a mobility impairment~~ are to be included in the allocation of car parking for a development and provided in accordance with the rates specified in Schedule 7 ~~Transport, parking and access~~ 7.8.5 'Accessible car parking spaces'.

(2) Accessible parking is not required in car parking areas where a parking service is provided and direct access to any of the car parking spaces is not available to the general public or occupants.

(3) For residential flat development, accessible car parking spaces are to be allocated to adaptable ~~Livable Housing Standard Platinum~~ units, or as visitor parking. Accessible car parking spaces allocated to adaptable dwelling units are to form part of the lot of the associated adaptable unit in the strata plan.

k. Edit the text in Section 3.11.11 'Vehicle access and footpaths' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.11 Vehicle access and footpaths

Objectives

(a) Reduce impacts of driveways on the amenity, accessibility and safety of pedestrians and cyclists.

Provisions

(1) Vehicle access points are restricted in places of high pedestrian activity identified on the *Pedestrian priority map*.

~~(2) Where a driveway is proposed across a major pedestrian thoroughfare or footpath, additional safety measures may be required including a parking attendant or signals to manage access. The driveway is to cross the footpath at footpath level.~~

(2) Where a driveway crosses a footpath or cycleway, the driveway must be perpendicular to the footpath or cycleway. The width of the driveway at its crossing is to be minimised to reduce the distance of the crossing for pedestrians and cyclists.

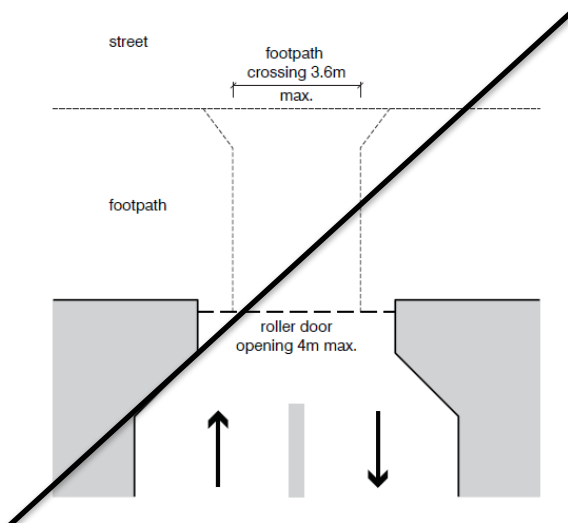
(3) Car parks are to be designed so that vehicles do not queue or reverse across pedestrian crossings, or footpaths or cycleways.

(4) Parking and driveway crossovers are to be designed to minimise impact on existing street trees and to maximise opportunities for new street tree plantings.

(5) Walking routes through car parks with more than 150 car spaces are to be clearly delineated with appropriate markings, pedestrian crossings and signposting.

(6) Vehicular access is to be designed to give priority to pedestrians and cyclists by continuing the type of footpath material and grade.

~~(7) Wherever practicable, vehicle access and egress is to be a single crossing with a maximum width of 3.6m over the footpath, and perpendicular to the kerb alignment as shown in Figure 3.21 Vehicle crossing layout.~~



(7) Subject to urban design, heritage and streetscape considerations, access is to be designed to avoid reversing movements into or out of a public street for all developments other than dwelling houses. If necessary, a mechanical turntable may need to be installed to achieve this requirement.

~~(9) On-site parking may be refused where the required access arrangements would have an adverse impact on on-street parking.~~

(8) Where possible adjoining developments are to share or amalgamate vehicle entry and exit points. Internal on-site signal equipment is to be used to allow shared access.

~~(11) Direct access to a designated arterial or sub-arterial road is not permitted wherever an alternate access can be provided.~~

~~(12) Where rear lane access is achievable, car parking is to be designed to be accessed from the rear lane only.~~

~~(13) Where vehicular access to parking is not accessed from the laneway it is to be located on a secondary street.~~

(9) Vehicle access is to be provided from a rear laneway. Where a development has no rear laneway access, vehicle access is to be provided from a secondary street. Vehicle access to arterial or sub-arterial roads is not permissible unless laneway or secondary street access is not available.

~~(14) Where there is no parking on an original lot and off-street parking is not characteristic, vehicle access from the street is not allowed.~~

(10) Service vehicle access is to be combined with parking access and provided in accordance with other controls for vehicular access in this DCP.

I. Edit the text in Section 3.11.12 ‘Tandem, stacked and mechanical parking areas’ as follows, with strikethrough representing deletion and underline representing additions or edits:

3.11.12 Tandem, stacked and mechanical parking areas

Definitions

Mechanical parking installations means mechanical car stackers, car lifts and turntables.

Stacked parking means sharing a parking space vertically through use of a mechanical car stacker.

Tandem parking means two or more vehicles sharing a parking space at the same level configured nose to tail.

Objectives

(a) Ensure on-site parking does not rely on public streets for queuing.

(b) Minimise the use of tandem, stacked and mechanical parking installations.

(c) Minimise conflicts and operational issues associated with tandem, stacked and mechanical parking installations.

(d) Ensure tandem, stacked and mechanical parking installations do not result in additional traffic generation or local traffic management issues.

Provisions

~~(1) Where development includes a mechanical parking installation, such as car stackers, turntables, car lifts or another automated parking system, the development application is to include a Parking and Access Report.~~

~~(2) Access to mechanical parking installations is to be in accordance with the relevant Australian Standards.~~

~~(3) Tandem or stacked parking will only be permitted where:~~

~~(a) each tandem or stacked parking arrangement is limited to a maximum of two spaces;~~

~~(b) the maximum parking limit for spaces is not exceeded;~~

~~(c) they are not used for service vehicle parking;~~

~~(d) the spaces are attached to the same strata title in residential buildings and small commercial or retail developments;~~

~~(e) in residential buildings and serviced apartments, they are used for tenant parking only;~~

~~(f) in commercial or retail development, they are used for staff parking only; and~~

~~(g) the manoeuvring of stacked vehicles is able to occur wholly within the premises.~~

~~(4) Mechanical parking installations will be considered for developments involving adaptive re-use of existing buildings where site or building constraints prevent standard parking arrangements and no inconvenience arises from their use.~~

(1) Each tandem or stacked parking space is to provide parking for two vehicles.

(2) Each tandem or stacked parking space is to be attached to a singular strata title of a residential dwelling or non-residential occupancy.

(3) For the purposes of calculating the number of permissible parking spaces each tandem or stacked parking space counts for two.

(5) Mechanical parking installations, tandem ~~or~~ and stacked parking ~~are~~ is not to be used for shared parking uses including visitor parking, service vehicle parking and ~~or~~ parking for car share schemes.

(6) The minimum length of a tandem space is to be 10.8m.

(7) Vehicle waiting bays required to manage queuing related to a mechanical parking installation must be provided entirely within the site boundaries and designed to accommodate the top 2 per cent (98th percentile) forecast queuing event, using Austroads Guide to Traffic Management Part 2: Traffic Theory (AGTM02-15) or similar methodology. Vehicle waiting bays must be designed in accordance with AS 2890.1:2004.

~~m. Remove Section 3.11.13 ‘Design and location of waste collection points and loading areas’ and replace with the following text:~~

~~3.11.13 Design and location of loading docks and waste collection points~~

~~Objectives~~

~~(a) Ensure new development can service loading, deliveries and waste collection on-premises, without reliance on public space and loading zones.~~

~~(b) Ensure residential development can be serviced by standard Council waste collection without bespoke arrangements.~~

~~(c) Reduce the impact of building servicing, delivery and waste collection on neighbouring properties and the public realm.~~

~~(d) Ensure vehicle access and basement layouts maximise pedestrian safety.~~

~~(e) Ensure high quality ground level relationships between buildings and the public domain.~~

~~Provisions~~

~~(1) Waste collection points are to be designed in accordance with the general requirements for waste collection points outlined in the City of Sydney Guidelines for Waste Management in New Developments.~~

~~(2) Waste collection is to be accommodated within the built form, on a level surface and with sufficient clearances to allow for automatic bin lifters. Where a basement is being provided, waste collection should be located within the basement.~~

~~(3) Locations of ducting, piping, services and pylons are to be shown in plans to demonstrate compliance with minimum clearances.~~

~~(4) Loading docks are to be well signposted to enable navigation from all directions approaching the building, including details of minimum clearances and service bays available.~~

~~(5) Vehicle access for loading docks and waste collection points must provide for:~~

~~(a) when serving residential uses, both the dimensions of a Medium Rigid Vehicle in accordance with Australian Standard ‘AS 2890.2:2018’, and the requirements of a 10.6m Council waste collection vehicle as described in the City of Sydney Guidelines for Waste Management in New Developments;~~

~~(b) when serving only non-residential uses, a Medium Rigid Vehicle in accordance with Australian Standard ‘AS 2890.2:2018’, or a larger design vehicle as required including for waste collection;~~

~~(c) 2 metres unobstructed space at the rear of the waste collection point to manoeuvre bins between storage and the vehicle;~~

~~(d) entry and egress from the loading dock in a forward direction;~~

~~(e) a capacity of 30 tonne vehicles for any turntables;~~

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~~(f) maximum grades and rate of change on ramps in compliance with AS 2890.2:2018 for a Medium Rigid Vehicle;~~

~~(g) two-way vehicle movement on driveways using a single lane. On sites zoned E4, and sites identified as 'Enterprise Zone' in Sydney LEP, a dual lane driveway may be used;~~

~~(h) a minimum driveway width of 3.5 metres per lane; and~~

~~(i) footpath and cycleway crossings that respect the priority of pedestrians and cyclists and do not employ sirens or flashing lights in the public domain.~~

~~(6) Notwithstanding (5) (a) and the provisions of AS 2890.2:2018, the required height clearance of entry points to loading docks and waste collection points that exclusively serve residential uses is 4 metres.~~

~~(7) Proposed developments which cannot provide the above provisions due to operational requirements, heritage status, site size or other site-specific constraints, must provide a Delivery Service Plan as described in Schedule 7.8.X. This Plan will enable Council to assess impacts of the proposed development on local traffic and demand for on-street loading zones.~~

n. Delete Section 3.11.14 'Parking area design' and renumber the following sections accordingly.

o. Edit the text in Section 3.11.15 'Public car parking in Central Sydney' as follows, with strikethrough representing deletion and underline representing additions or edits:

Objectives

(a) Discourage commuter car parking to Central Sydney during peak hour times

(b) Support the efficient use of car parking spaces in Central Sydney for retail, entertainment, recreational, religious and cultural activities.

Provisions

~~To discourage commuter car parking and provide short stay car parking in Central Sydney, a fee structure and restriction on hours of use is to apply to public car parking. Both the restricted hours of use and the fee structure support the efficient use of spaces for people within Central Sydney for retail, recreation and cultural~~

~~activities and discourage commuter parking. The implementation of the fee structure alone is not acceptable.~~

(1) Approval for the operation of a public car park ~~will include~~ is subject to the following conditions:

(a) the car park is not to be accessible to vehicles between 5.30am and 9.30 am Monday to Friday, other than on public holidays, ~~unless access during this period is, in the opinion of the consent authority, warranted in the circumstances of the case;~~ and

(b) between 9.30am and 6.00pm Monday to Friday, other than on public holidays, the car park is to have in place ~~at least~~ the following fee structure to discourage long stay parking:

1st to 4th hours of parking: n* per hour

5th hour of parking and each hour

thereafter: Greater than or equal to 1.5n per hour

* where n equals the hourly rate determined by the public car park operator. The value of n may increase for each subsequent hour but it may not decrease.

p. Insert a new section after Section 3.11.15 with the following text:

3.11.16 Electric vehicle charging

3.11.16.1 Electric vehicle charging in development

Note: Section J9D4 'Facilities for electric vehicle charging equipment' in NCC 2022 Volume One – Building Code of Australia contains details for provision and design of distribution boards to support electric vehicle charging in car parks.

Objectives

- (a) Ensure development provides for the current and future electric vehicle charging needs of residents, occupants and visitors.
- (b) Encourage electrification of vehicles.
- (c) Ensure shared electric vehicle charging facilities are held in common property ownership, are capable of recouping operational costs for the property owner and are powered by renewable energy.
- (d) Ensure electric vehicle charging facilities provided for public use do not impose additional traffic impacts on Central Sydney.

Provisions

- (1) Parking spaces are to be equipped with electric vehicle charging infrastructure in accordance with Table 7.
- (2) All parking spaces must be serviced by a cable tray:
 - (a) located within 10 metres, as measured from the ceiling at any edge of the parking space
 - (b) sized to accommodate the same number of cables as parking spaces the cable tray serves
 - (c) that terminates at the closest electric vehicle distribution board
 - (d) that enables installation of charging stations in individual bays without works that require the consent of the building owner.
- (3) An alternative to a cable tray may be provided if it demonstrates the same or better than the requirements of provision (2) above.
- (4) All parking spaces designated for vehicles belonging to a car share scheme are to be fitted with a Level 2 or higher charger, which is to remain in common property ownership.
- (5) Parking spaces required to provide a standard charging station in accordance with Table 7 are to be fitted with a Level 2 charger or better.
- (6) Visitor parking spaces that are required to provide a fast charging station in accordance with Table 7 are to be fitted with a three phase Level 2 charger or better, which is to remain in common property ownership. If the development does not have a three phase power supply a single phase charger may be fitted.

Table 7. Required electric vehicle charging infrastructure

Land use/parking space	Requirement	Minimum proportion of total spaces
Car share bays – all land uses	Standard charging station (common property)	100%
Visitor – residential multi-unit dwelling	Standard charging station (common property)	25% (minimum 2)
Occupant - serviced apartments, boarding houses	Standard charging station	25% (minimum 2)

and co-living over 12 dwellings

Visitor - Serviced apartments, boarding houses and co-living over 12 dwellings	Fast charging station (common property)	10%
Occupant – all non-residential	Standard charging station	10% (minimum 1)
Visitor – office premises and industrial uses	Fast charging station (common property)	10% (minimum 1)
Visitor – all other non-residential	Fast charging station (common property)	25% (minimum 2)
Service vehicle parking – all land uses	Fast charging station (common property)	50%

(7) Community electric vehicle charging parking spaces must:

- (a) be fitted with a Level 3 50kW DC or higher charger
- (b) have at least one charger using the Combined Charging System (CCS) standard, with an adjoining space preferably using a different standard
- (c) be freely and publicly accessible 24 hours a day
- (d) not contain third party advertising signage

(8) Community electric vehicle charging parking spaces may be provided in addition to the number of car parking spaces permitted in the development, up to:

- (a) for residential development – 1 per 30 car spaces eligible under Sydney LEP (whether or not they are provided)
- (b) for non-residential development – 1 per 10 car spaces eligible under Sydney LEP (whether or not they are provided)
- (c) for mixed use development, the relevant proportion of the above by floor space.

(9) All common property electric vehicle chargers are to be individually metered and equipped with an Open Charge Point Protocol compatible payment system.

(10) All common property electric vehicle chargers must achieve net zero emissions from energy used on-site, including by using renewable energy generated on-site and off-site.

Note: Off-site renewable energy supply may be demonstrated by GreenPower certified power plans, power purchase agreements with renewable energy generators or retiring large scale generation certificates.

3.11.16.2 On-street electric vehicle charging

Note: State Environmental Planning Policy (Transport and Infrastructure) 2021 may contain provisions for installing electric vehicle charging units on public land. This section applies for installations that are development permitted with consent under the Transport and Infrastructure SEPP.

Nothing in this section entails that on-street electric vehicle charging units are permissible in the absence of relevant provisions in the Transport and Infrastructure SEPP.

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Development consent does not grant consent for use of public land. For recessed chargers installed within a public footpath, or standalone electric vehicle chargers installed on public land, authorisation for use of public land is also required.

Any works or development on public land requires separate approval for works on public land.

Objectives

- (a) Support urban greening, tree planting and landscaping in the public domain
- (b) Prevent obstructions on footpaths to ensure free pedestrian movement, including by people with disability
- (c) Ensure safe and dignified access on public footpaths
- (d) Ensure any potential safety risks and obstructions on public footpaths are minimised
- (e) Ensure electric vehicle charging does not contribute to greenhouse gas emissions from electricity use

Provisions

- (1) On-street electric vehicle charging units are only permissible in strict compliance with the relevant provisions in State Environmental Planning Policy (Transport and Infrastructure) 2021 (or equivalent environmental planning instrument).
- (2) Installation of an electric vehicle charging unit must not involve removal of a tree or landscaping above 1 metre in height.
- (3) Installation of a charging unit within a public footpath must maintain a clear path of travel of at least:
 - (a) 2 metres for streets
 - (b) 1.2 metres for laneways in Central Sydney
 - (c) 4 metres in shared zones used by vehicles
- (4) For public footpaths where the existing clear path of travel is less than in (3), charging units are not permissible.
- (5) Installation of a charging unit within a public footpath must maintain the following clearances to the following objects:
 - (a) 1 metre to a public transport stop, public transport access point, both ends of a bus zone or tax stand
 - (b) 1 metre to any service object including fire hydrant, utility pit, grate, vent, drain, public seat, bike rack or ring, pay phone, parking meter, rubbish bin or other street furniture
 - (c) 0.8 metres from any street tree pit or grate, measured from the outside of the pit or grate
 - (d) 2 metres from the corner alignment of the building at street intersections
 - (e) 0.5 metres from any tactile ground surface indicators
- (6) Charging units must have both a colour and luminance contrast of at least 30% to the surrounding surface. High reflectivity features are encouraged.
- (7) All electric vehicle charging units are to be exclusively supplied by renewable energy.

Note: Renewable energy supply may be demonstrated by GreenPower certified power plans, power purchase agreements with renewable energy generators or retiring large scale generation certificates.

q. Edit the text in Schedule 2 'Information required in a development application' as follows, with strikethrough representing deletion and underline representing additions or edits:

Schedule 2 Information required in a development application

The SEE Statement of Environmental Effects is to include an analysis of the development context and, where relevant, is to include detailed reports for the following;

1. Existing situation;
2. Proposed development;
3. Response to urban context;
5. Heritage implications;
6. Transport impact (Schedule 7);
7. Parking and access (Schedule 7);
- ~~8. Green travel plan (Schedule 7);~~
8. Transport access guide (Schedule 7);
9. Delivery Service Plan (Schedule 7)
10. Tree management;
11. Reflectivity;
12. Privacy impact;
13. Floor space area and floor space ratio calculations;
14. Wind effects;
15. Shadow assessment;
16. Noise effects;
17. Waste management;
18. Stormwater management;
19. Energy efficiency;
20. Construction effects;
21. Daylight to residential units;
22. Public art provision;
23. Response to Section ~~79C~~ 4.15 of the Environmental Planning and Assessment Act 1979; and
24. Copy of the land title highlighting encumbrances.

r. Delete Schedule 7.2 ‘Managing transport demand’ and renumber the following schedules accordingly.

s. Delete Schedule 7.3 ‘Transport report requirements’ and renumber the following schedules accordingly.

t. Edit the text in Schedule 7.4 ‘Transport Impact Study requirements’ as follows, with strikethrough representing deletion and underline representing additions or edits:

A Transport Impact Study (TIS) is a technical investigation into the transport and safety issues that might arise from a development. The TIS includes the transport impacts on the surrounding transport network generated by a development and how those impacts are to be managed. In the past such studies have generally focused on traffic impacts however a TIS recognises the role of traffic within a broader transport system that includes public transport, walking and cycling.

A Transport Impact Study (TIS) is to address:

- (a) The accessibility of the site by a range of transport modes including car, public transport, walking and cycling;
- (b) The ability of the public transport network to service the site in the peak and off peak and weekend periods;
- (c) Mode share targets;
- (d) Means of minimising travel demand by private car and maximising the share of travel by other modes including public transport, cycling, walking or car share;
- (e) Compliance with the requirements of the LEP and DCP;
- (f) A justification of car parking provision and site servicing arrangements in accordance with the objectives and provisions of the LEP and DCP;
- (g) The proposed allocation of parking to apartment types in residential developments;

- (h) Access for the mobility impaired;
- (i) Estimates of trip generation by the development and the impacts of trips generated by the development on the road network and other movement systems;
- (j) Means of accommodating and integrating trips generated by the development including necessary improvements to public transport services, pedestrian systems, bicycle routes, and the road network;
- (k) Means of mitigating adverse impacts of the development on movement systems;
- (l) Means of improving access to the site having regard to vehicular, pedestrian, cycle and public transport access;
- (m) Impacts on and means of improving pedestrian accessibility to public transport, shops, schools, open spaces, community centres and the like. Means of improving access to public transport include the provision of subsidised public transport, improving the quality and safety of pedestrian access to public transport, improving bus shelters and the like;
- (n) Impacts on and means of improving pedestrian safety;
- (o) Availability of on street parking and potential on street parking controls to discourage commuting and all day residential parking demand generated by the development.
- (p) Establishing a baseline based on 6 months of travel and mode split information on the existing use of a site. For change of use without construction activity, the baseline can be based on 1 month.

Vehicle trip generation

In relation to vehicle trip generation, reference should be made to the 'RTA Guide to Traffic Generating Developments' which provides a summary of basic vehicular trip generating rates for both daily and peak hour vehicle trips. Surveys of existing developments similar to the proposal, can also be done and comparisons drawn.

Two periods of traffic generation need to be considered:

- (a) the peak activity time of the development itself
- (b) the peak activity time on the adjacent road network.

The peak activity time of the development is used as a basis for reviewing access to the site and driveway and access design requirements. The peak activity time of the adjacent road, pedestrian and public transport networks are used to assess the effect of the development on the road and other movement systems. Such an assessment should identify whether any on road improvements, traffic management or pedestrian measures are required to accommodate the increased movement on the system.

The Transport Impact Study is to include a comparison between the vehicle trip generation rates provide in the 'RTA Guide to Traffic Generating Developments' and an assessment that considers person trips by time period adjusted on availability of parking, access to public transport and access to neighbourhood shopping centre, community facilities and open spaces where relevant.

Adjustment factors for each land use may include:

- (a) mode split by time period;
- (b) persons per vehicle;
- (c) trip purpose; and
- (d) availability of on-site parking.

A number of traffic facilities can be incorporated to ameliorate the impact of traffic and parking generated by the development including traffic signals, signs, pedestrian crossings, channelisation, roundabouts, angled parking, traffic calming devices, storage bays and median islands.

Vehicle access

~~The Transport Impact Study is to include a description of the proposed vehicle access arrangements, and demonstrate that access driveways are not located in undesirable locations.~~

Bicycles

~~End-of-trip facilities such as storage, parking spaces, lockers and showers need to be provided in developments in accordance with the rates specified in this DCP.~~

~~Reference should also be made to the City of Sydney Cycle Strategy 2007-2017 and Planning NSW, 'Planning Guidelines for Walking and Cycling' (December 2004) and the NSW Bike Plan (May 2010).~~

Pedestrians

In relation to the pedestrian network, a Transport Impact Study is to include:

- (a) identification of major pedestrian routes and existing pedestrian desire lines;
- (b) pedestrian flows and potential conflicts with vehicles, particularly where such conflicts cause capacity constraint on either vehicular or pedestrian movement; and
- (c) pedestrian infrastructure.

The assessment of the pedestrian network should extend beyond the site to include areas within at least 25m of the subject site boundary, and incorporate both sides of roads within this zone.

A number of treatments for pedestrians are available to ameliorate the impact of developments by controlling pedestrian/vehicle interaction. These include time separated facilities, physical pedestrian aids, physically separated facilities and integrated facilities as defined within 'Austroads Guide to Traffic Management series and the Austroads Guide to Road Safety series.

u. Edit the text in Schedule 7.5 'The requirements for a Parking and Access Report' as follows, with strikethrough representing deletion and underline representing additions or edits:

7.5 The requirements for a Parking and Access Report requirements

A Parking and Access Report assists an applicant and Council in determining the appropriate provision of car parking spaces in a development. ~~A parking and access report is required to accompany a development application where:~~

- ~~(a) the schedules or tables in either the LEP or the DCP give no specific occupant or visitor car parking rates for a proposed development;~~
- ~~(b) a development includes a mechanical parking installation; and/or~~
- ~~(c) a development will generate trips by bus or coach.~~

v. Edit the text in Schedule 7.5.1 'Assessment of the appropriate provision of on-site car parking' as follows, with strikethrough representing deletion and underline representing additions or edits:

7.5.1 Assessment of the appropriate provision of on-site car parking

Where a Parking and Access Report is required in order to assess the appropriate provision of on-site car parking, for a use that is not addressed in the LEP or DCP, it is required to address:

- (a) The appropriateness of the proposed location of the development having regard to the principles and location guidelines contained in the publication Integrating Land Use and Transport – Improving Transport Choice – Guidelines for Planning and Development published by the Department of Urban Affairs and Planning 2001; or

- (b) The site related requirements for location and access to facilities, in accordance with the requirements of State Environmental Planning Policy (~~Seniors Living~~) 2004 (Housing) 2021 where development is for seniors housing.
- (c) The accessibility of the site by a range of transport modes including walking, cycling, public transport and car.
- (d) Ways of minimising travel demand especially by car and maximising the share of travel by other modes. The specific nature of the development and method of operation including:
 - (i) maximum number of employees on the site at any one point and time, taking into account the number per shift and shift times;
 - (ii) estimates of the number of visitors to the site;
 - (iii) hours of operation; and
 - (iv) the number of occasions during the year when the facility is fully used.
- (e) Parking requirements based on an analysis of the operational characteristics of the development and surveys of other similar development.
- (f) The anticipated demand for service and delivery vehicles.
- (g) The anticipated demand for bus coach and taxi set down and parking.
- (h) The availability and affordability of public parking.
- (i) The availability of additional parking areas to cover peak demands.
- (j) The assignment of traffic generated by the development to the road network and the prediction of operating conditions with and without the development.

w. Edit the text in Schedule 7.5.3 'Assessment of the appropriate provision for mechanical parking installations' as follows, with strikethrough representing deletion and underline representing additions or edits:

7.5.3 Assessment of the appropriate provision for mechanical parking installations

An application that proposes a mechanical parking installation is to include a Parking and Access Report that demonstrates:

- (a) the overall parking provision will comply with relevant Australian Standards for off street car parking;
- (b) noise and vibration levels will be acceptable and in accordance with relevant standards;
- (c) that waiting bays for vehicle queues associated with a mechanical parking installation are of adequate size to accommodate the 98th percentile of queue lengths, using Austroads Guide to Traffic Management Part 2: Traffic Theory (AGTM02-15) or similar methodology; and
- (d) there is safe pedestrian access at all times; and there is a management plan for its operation that is:
 - (i) consistent with the manufacturer specifications;
 - (ii) implemented by trained personnel only; and
 - (iii) includes a system failure response.

x. Delete Schedule 7.6 'Green Travel Plan requirements' and renumber the following schedules accordingly.

y. Edit the text in Schedule 7.7 'Transport Access Guide requirements' as follows, with strikethrough representing deletion and underline representing additions or edits:

7.7 Transport Access Guide requirements

~~The Roads and Traffic Authority (RTA) and the Sustainable Energy Development Authority (now the NSW Department of Environment, Climate Change and Water) developed Transport Access Guides so that organisations can contribute to a reduction in both green house gas emissions and traffic congestion by encouraging the use of more sustainable energy smart modes of transport.~~

The aim of a Transport Access Guide is to make sure people know how to get to the subject development by walking, cycling or public transport (as well as by car).

A Transport Access Guide can take many forms such as a map printed on the back of business cards or invitations to more comprehensive information provided to new staff as part of their induction kit. Guides may be incorporated into stationery, brochures and sales literature and provided electronically on the web site and in e-mails. An electronic version can be kept on a computer and produced as needed. Reception and enquiry staff should be familiar with the content so they can advise callers about easy transport alternatives to car travel.

Transport and Access Guides should be provided to the City for review prior to the issuing of an Occupation Certificate, ~~included in Green Travel Plans and should comply with RTA guidelines.~~

z. Remove Schedule 7.8.1 'Service Vehicles' and replace with the following text:

7.8.1 Service vehicles

- a. The following requirements set out the minimum number of service vehicle parking bays, by gross floor area (GFA) of each land use, that must be delivered within new developments.
- b. Development proposing land uses with GFA exceeding the highest amount in the respective table must only provide the number and type of service bays of the highest size category in each table, and provide a Delivery Service Plan (DSP) in accordance with Schedule 7.X. A greater number of service bays may be provided in line with a DSP, but not fewer.
- c. For mixed use developments the requirements for each land use are to be added together. If the requirements for land uses are compatible, details of how they will be shared should be outlined in a Delivery Service Plan lodged with a development application.
- d. The first service vehicle parking bay may be used as the waste collection point required in Section 3.11.13, and additional service vehicle parking bays are to have the dimensions described in 'AS 2890.2 2018: Section 4.2 Dimensions of service bays' for the relevant vehicle type.
- e. Land uses with minimal GFA may not require service vehicle parking in accordance with this schedule if assessed and agreed by the consent authority.
- f. Development proposing servicing arrangements that differ from the minimum requirements set out in this schedule, land uses which are not included in this schedule, or amounts greater than the maximum GFA of any land use included in this schedule, is to prepare a Delivery Service Plan in accordance with Schedule 7.X.
- g. Office premises or business premises:
1 bay for every 5,000 sqm GFA

Figure 1. Service bays required for office premises and business premises

Gross Floor Area (sqm)	Service bays required		
	MRV	SRV	Van
0 – 4,999	1	-	-
5,000 – 9,999	1	-	1
10,000 – 14,999	1	-	2
15,000 – 19,999	1	-	3
20,000 – 24,999	1	1	3
25,000 – 29,999	1	1	4
30,000 – 34,999	1	1	5

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Gross Floor Area (sqm)	Service bays required		
	MRV	SRV	Van
35,000 – 39,999	1	1	6
40,000 – 44,999	1	2	6
45,000 – 49,999	1	2	7
50,000 or more	1	2	7
	Plus any additional service bays as recommended by a Delivery Service Plan		

Note: Unless otherwise assessed and agreed by the Council for land uses with minimal GFA.

h. Retail premises

1 bay for every 600 sqm GFA

Figure 2. Service bays required for retail premises

Gross Floor Area (sqm)	Service bays required		
	MRV	SRV	Van
0 – 599	1	-	-
600 – 1,999	1	-	1
1,200 – 1,799	1	-	2
1,800 – 2,399	1	-	3
2,400 – 2,999	1	1	3
3,000 – 3,599	1	1	4
3,600 – 3,999	1	1	5
4,000 or more	1	1	5
	Plus any additional service bays as recommended by a Delivery Service Plan		

Note: Unless otherwise assessed and agreed by the Council for land uses with minimal GFA.

i. Residential flat buildings and serviced apartments

1 bay for every 7,500 sqm GFA

Figure 3. Service bays required for residential flat buildings and serviced apartments

Gross Floor Area (sqm)	Service bays required		
	MRV	SRV	Van
0 – 7,499	1	-	-
7,500 – 14,999	1	-	1
15,000 – 22,499	1	-	2

Gross Floor Area (sqm)	Service bays required		
	MRV	SRV	Van
22,500 – 29,999	1	-	3
30,000 – 37,499	1	1	3
37,500 or more	1	1	3
	Plus any additional service bays as recommended by a Delivery Service Plan		

Note: Unless otherwise assessed and agreed by the Council for land uses with minimal GFA.

- j. Hotel or motel accommodation
1 bay for every 6,750 sqm GFA

Figure 4. Service bays required for hotel or motel accommodation

Gross Floor Area (sqm)	Service bays required		
	MRV	SRV	Van
0 – 6,749	1	-	-
6,750 – 13,499	1	-	1
13,500 – 20,249	1	-	2
20,250 – 26,999	1	-	3
27,000 or more	1	-	3
	Plus any additional service bays as recommended by a Delivery Service Plan		

Note: Hotels with significant floor space for commercial, retail or food and drink premises are to provide service bays for those land uses in accordance with sections (1) and (2) above.

Note: Unless otherwise assessed and agreed by the Council for land uses with minimal GFA.

aa. Edit the text in Schedule 7.8.3 ‘Passenger pick up and set down areas’ as follows, with strikethrough representing deletion and underline representing additions or edits.

These amendments have been removed.

bb. Edit the text in Schedule 7.8.5 ‘Accessible car parking spaces’ as follows, with strikethrough representing deletion and underline representing additions or edits.

7.8.5 Accessible car parking spaces

(1) One accessible car parking space is to be provided for every adaptable residential unit. For residential flat development, accessible car parking spaces are to be provided at the same number of adaptable dwellings required under section 4.2.3.12 ‘Flexible housing and dwelling mix’ Dwelling mix and accessibility.

(1) Where residential development provides less than the maximum parking permissible under Division 1 ‘Car parking ancillary to other development’ in Sydney LEP 2012, the following formula applies:

$$N = A \times \frac{T}{M}$$

where:

N is the number of accessible parking spaces required

A is the number of adaptable dwellings required under section 4.2.3.12

'Flexible housing and dwelling mix'

T is the total number of parking spaces being provided

M is the maximum number of parking spaces permissible under Sydney LEP 2012

(2) One space for every 20 car parking spaces or part thereof is to be allocated as accessible visitor parking.

(3) Accessible parking is not required in a car parking areas where a parking service is provided and direct access to any of the car parking spaces is not available to the general public or occupants.

(4) For residential development, accessible car parking spaces are to be allocated to adaptable units, or as visitor parking. Accessible car parking spaces allocated to adaptable dwelling units are to be part lot to an adaptable unit in the strata plan.

(5) Accessible parking is to be designed in accordance with the requirements of relevant Australian Standards.

cc. Insert the following text at the end of Schedule 7.8:

7.9 Delivery Service Plan requirements

A Delivery Service Plan (DSP) may be required in accordance with section 3.11.13. The reasons for a DSP being required include:

1. development proposing floor space in excess of the maximum for the respective land use in schedule 7.8.1;
2. development proposing floor space for a land use not included in schedule 7.8.1;
3. development proposing to provide fewer than or a different type to those required by schedule 7.8.1;
4. development proposing variations to the design standards for loading docks in section 3.11.13; or
5. development proposing to include significantly more than required in schedule 7.8.1.

A DSP is not required for all development applications. A proponent may choose to include a DSP to support a development application even if it is not required under section 3.11.13. A DSP is a separate document to a Transport Impact Study.

A DSP assists Council in assessing the freight-related traffic and parking impacts associated with a new development. The role of a DSP is to demonstrate that a proposed development can accommodate its loading and servicing needs on-site as much as possible, and is not reliant on on-street loading and the use of on-street parking bays and loading zones.

~~A requirement to prepare a Loading Dock Management Plan (LDMP) may form part of the conditions of consent for an approved development. The details of a DSP may form part of a future LDMP.~~

A DSP should be prepared with reference to the Loading and Servicing Last Mile Freight Toolkit published by Transport for NSW. A DSP should also reference the rates and types of service bays required under schedule 7.8.1 in determining appropriate provision of service bays.

A DSP is required to include the following:

- (a) The requirements of section 3.11.6, 3.11.13 and schedule 7.8.1 as they apply to the proposed development
- (b) Why the DSP is being prepared
- (c) The capacity of nearby on-street parking and loading zones

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- (d) Anticipated generation of waste, freight, delivery and servicing trips caused by the proposed development, with reference to the proposed uses and quantum of gross floor area
- (e) The expected timing of service and freight vehicle movements through the day and the week, and anticipated time slots per vehicle type
- (f) Anticipated peak and priority time slots by land use, business or activity, and any proposed exclusive operational windows
- (g) Design details for the proposed loading and servicing facilities, including number of service bays, clearance heights, grades and turning widths
- (h) Description of the minimum required features and capacities of a booking system to adequately manage the proposed loading dock
- (i) Details of how oversized and incompatible vehicles will be prevented from attending the site, with reference to proposed clearance heights and service bay sizes
- (j) Details of consolidation strategies that will be employed to reduce vehicle movements, including off-site delivery consolidation, waste contract consolidation and procurement-led consolidation.

Protecting amenity

Amendment 5 – Locality Statements

a. Remove Section 2 ‘Locality Statements’ and replace with the following text:

2 Locality Statements

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2.2.6 Bridge Street/Macquarie Place/Bulletin Place Special Character Area

2.2.7 Macquarie Street Special Character Area

2.2.8 Martin Place Special Character Area

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2.2.11 Sydney Square/Town Hall and St Andrews Special Character Area

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2.10.8 Waterloo Estate (South)

2.1 Introduction

All development within the City of Sydney is required to be consistent with the locality statements for Central Sydney and its eight surrounding villages, in addition to the requirements within other sections of this Development Control Plan (DCP). Central Sydney and the villages each have multiple areas or neighbourhoods. Locality statements include an overarching statement and principles for the place, supported by more detailed locality statements and principles for the areas or neighbourhoods within them.

The City's locality statements are place-specific and draw on the unique attributes of each area, including topography, landscape, street and park layout, setting, public buildings, heritage, streetscape, land uses and buildings. They are informed by the City's Local Strategic Planning Statement, various infrastructure plans, community consultation, urban design studies and various studies and datasets that tell us about the cultural, social and economic context of an area.

Localities are derived from the City's Local Strategic Planning Statement and include:

- Central Sydney and its Special Character Areas and Heritage Conservation Areas
- Crown and Baptist Street Village and its neighbourhoods
- Harris Street Village and its neighbourhoods
- Macleay Street and Woolloomooloo Village and its neighbourhoods
- Oxford Street Village and its neighbourhoods
- Glebe Point Road Village and its neighbourhoods
- King Street Village and its neighbourhoods
- Green Square and City South Village and its Special Character Area and neighbourhoods
- Redfern Street Village and its neighbourhoods.

Central Sydney and the villages are shown at Figure 2.1. They broadly match the geographies by which major datasets are periodically collected and reported by the City to inform future planning. These include information such as population forecasts, floorspace employment surveys, community wellbeing indicators and capacity studies.

Within Central Sydney and each village there are related but different areas or neighbourhoods which have a distinct character that is recognised and strongly valued by its local communities.

The locality statements aim to ensure good design outcomes which protect local character and community aspirations. For Central Sydney and each village, the locality statements comprise:

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- An overarching statement outlining the desired future character to 2036 with supporting principles for a liveable, productive and sustainable place.
- A statement and supporting principles for each area or neighbourhood within them focused on achieving good urban form, built form and public domain outcomes.

For each neighbourhood, a high-level direction indicates how they will change over time:

- **Change** means the look and feel of the existing neighbourhood will transform into something different to achieve the future character.
- **Enhance** means the look and feel of the existing neighbourhood will improve and may evolve, reflecting key land uses and predominant built form and scale, to augment the quality and experience of an area and achieve the future character.
- **Maintain** means the look and feel of the existing neighbourhood will be retained and strengthened as this forms the basis of the future character.

Development must achieve and satisfy the outcomes expressed in the relevant statements and principles.

Figure 2.1: City of Sydney localities comprising Central Sydney and its eight surrounding villages



2.2 Central Sydney Locality Statements

Central Sydney is located on the traditional lands of the Gadigal of the Eora nation. It is a highly significant place for both Aboriginal and non-Aboriginal communities. Warrane (the Aboriginal name for what is now Circular Quay), is the site of first contact between the Eora and Europeans. Warrane and Sydney Harbour were integral to the everyday lives of the Eora.

Central Sydney is on a peninsula with a variety of inlets along its extensive shoreline. Long and narrow, it is oriented northwards towards the harbour and views of the water. Its streets generally run north-south and east-west. Its foreshore has been heavily modified by past maritime trade and shipping including through reclamation and large finger wharves.

Central Sydney has many layers of history and culture. Buildings from different eras reveal a diversity of styles and themes that express differing functional, architectural and symbolic roles. The predominant sandstone masonry facades express a tactile character that captures the daylight and projects a warm look and feel. The height of buildings is capped by aerospace operational requirements and solar access protections.

The area is surrounded by green spaces and parks including Hyde Park, Barangaroo Reserve, the Royal Botanic Gardens and the Domain. Its foreshore attracts both locals and visitors with signature views and vistas including to the Sydney Opera House and the Sydney Harbour Bridge.

The NSW Government has responsibility for significant parts of Central Sydney including major foreshores precincts and for the provision of major transport infrastructure. The CBD and South East Light Rail, the proposed Sydney Metro and the upgrade of the Circular Quay Wharves will change how people travel to and move around the city.

Central Sydney has a large and highly productive workforce and a young and multicultural resident population. It is the leading destination for tourists and the gateway to NSW. A high proportion of visitors are from overseas, travelling for business or day students.

Central Sydney has grown to be Australia's number one business district, largest retail centre and top visitor destination. It maintains a strong global business, talent and investment reach with the highest concentration of top-500 companies and mainstream artistic and cultural institutions in Australia. It has a thriving night-time economy and is host to national celebrations. With 92 per cent of trips in the area by foot, people's experience of the city is influenced by the built environment at street level and how it impacts on their comfort, interest and activity.

Central Sydney is subject to ongoing growth pressure as the City's population grows and visitor numbers increase. Competition for limited land and space is a challenge and there is a need to balance residential land uses with employment generating uses that renew and attract people and investment to the city.

Central Sydney has a stunningly beautiful physical setting and a warm climate, encouraging an outdoor lifestyle. Its unique shape and urban form have implications for how people move around the space and enjoy public spaces and views. Its orientation, topography and buildings can create both sunny streets and parks, as well as uncomfortable conditions caused by too much wind and overshadowing.

Central Sydney future character

Central Sydney is the most economically productive and internationally competitive area in Greater Sydney. It is the main commercial centre of Australia and the nation's largest retail centre. It supports a strong and growing economy, a sustainable environment and diverse communities.

It is home to a mix of regionally and globally focused industry sectors and businesses, finance, government, retail, tourism and entertainment uses. It embodies design excellence, celebrates heritage and has buildings and spaces of high amenity and sustainability performance to attract people to work, visit and play.

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Central Sydney will continue to grow with more employment space and jobs in tall towers in select areas, which respond to their setting and enhance pedestrian amenity. Greater density and building height will be focused in areas less constrained by sun access planes.

Buildings contribute to the host of amenities that attract people to the city with active and inviting ground floor uses. Architecture contributes to public space and, through design skill, protects and contributes to a comfortable, pleasant, delightful and safe public domain. Signature views from public places and sunny spaces for people to gather are protected and enhanced.

New development will unlock opportunities for the delivery of cultural, social and essential infrastructure and improved public spaces commensurate with growth through an appropriate development contributions regime.

Central Sydney is a hub for tourism, business visitors, students and faculty that are attracted to its world-class educational institutions, iconic landmarks, heritage buildings, civic and cultural places, and nightlife. The experience of visitors is improved through a continuous Harbour Walk that is wide enough to support a range of recreational activities. Streets are healthier, quieter, cleaner and greener with increased footpath capacity.

The area is a destination for night-time activity, events, cultural activities and performances. The later opening of shops, cafes, medical facilities, libraries and theatres complements both the day and night economy.

Diversity is a strong element of the area's image where new buildings contrast with old; architectural styles vary from Victorian to postmodern; parapet heights step up and down; towers project irregularly into the sky; and arcades and lanes offer different passageways than major streets.

George Street, the main pedestrian and light rail spine of Central Sydney, is the area's tree lined boulevard and destination to meet, socialise, dine outside and shop. It will be integrated with improved major public squares at Circular Quay, Town Hall and Central Station.

Ultimately, Central Sydney is a place for people - its tens of thousands of residents, its hundreds of thousands of workers and its millions of visitors. Design and development put people first to create a high-quality public domain that is walkable, safe, comfortable and attractive. Special Character Areas, those significant heritage clusters, civic squares and parks, are respected and enhanced as signature places and cultural spaces for gathering and celebration. A continuous Harbour Walk, sunny lunchtime spaces, distinctive heritage buildings and delightful views and vistas enhance the experience of Central Sydney.

The City of Sydney aims to facilitate the projected growth in Central Sydney to 2036 and beyond with 10 key moves.

1. Prioritise employment growth and increase capacity.
2. Ensure development responds to context.
3. Consolidate and simplify planning controls.
4. Provide for employment growth in new tower clusters.
5. Ensure infrastructure keeps pace with growth.
6. Move towards a more sustainable Central Sydney.
7. Protect, enhance and expand Central Sydney's heritage, public places and spaces.
8. Move people more easily.
9. Promote design excellence.
10. Monitor outcomes and respond.

Central Sydney principles

Development within Central Sydney is to:

- (a) Conserve and enhance heritage items and protect their curtilage to enable a visual appreciation of buildings in their setting.
- (b) Respect and enhance the heritage significance and uniqueness of special character areas and the Millers Point Heritage Conservation Area.

- (c) Prioritise and increase floor space for employment and economic growth demand.
- (d) Deliver diverse spaces to support the range of nationally important industries and sectors including financial and professional services, creative industries, information and communications technology and other knowledge-based industries and clusters.
- (e) Promote a more balanced, inviting and safe night-time economy and encourage late trading of a range of cultural, entertainment, arts and leisure activities.
- (f) Design buildings to enhance the amenity of building occupants and people in the public domain (outlook, daylight and wind) through street frontage heights, setbacks and interface treatment.
- (g) Ensure building scale and height transitions reinforce existing built form character and protects heritage items.
- (h) Deliver tall towers which demonstrate design excellence with particular attention to the principles of ecologically sustainable development, environmental impacts, high quality public domain and city skyline.
- (i) Improve connectivity and the amenity of pedestrian and open space network, including laneways.
- (j) Minimise parking and driveway crossings to promote active transport, increase pedestrian safety, improve public transport efficiency and free-up space for other purposes.
- (k) Enable convenient servicing and delivery while limiting impacts on other users and the amenity of streets including by adopting last mile parcel delivery, fewer deliveries and off-peak delivery.
- (l) Protect and extend sunlight to important public spaces and parks throughout the year and during the day when they are most used.
- (m) Protect the amenity of lanes which traverse, or have the potential to traverse, whole street blocks, connecting public spaces and streets and acting as informal public spaces.
- (n) Implement best practice energy and water standards that contribute to net-zero energy outcomes.
- (o) Manage and respond to existing entertainment noise conditions.
- (p) Preserve and enhance significant view corridors to landmark buildings and the harbour through appropriate framing and by controlling encroachment into views.

2.2.1 Special Character Areas and Heritage Conservation Areas

Central Sydney has a number of special character areas and one heritage conservation area, which contribute to the unique identity and quality of the City. These localities include places and spaces that have some or all of the following characteristics:

- A character unmatched elsewhere in Central Sydney
- A concentration of heritage items and streetscapes
- A highly distinctive element in the public domain
- A focus of public life with high cultural significance
- A widely acknowledged public identity.

In total there are 14 distinct localities within Central Sydney, which are shown on the map at Figure 2.2. Each special character area and heritage conservation area is also mapped in the Sydney Local Environmental Plan 2012.

Direction

These areas are significant to the cultural life and heritage of the City. Over time, their character will be maintained and strengthened with development that enhances their unique attributes and civic function.

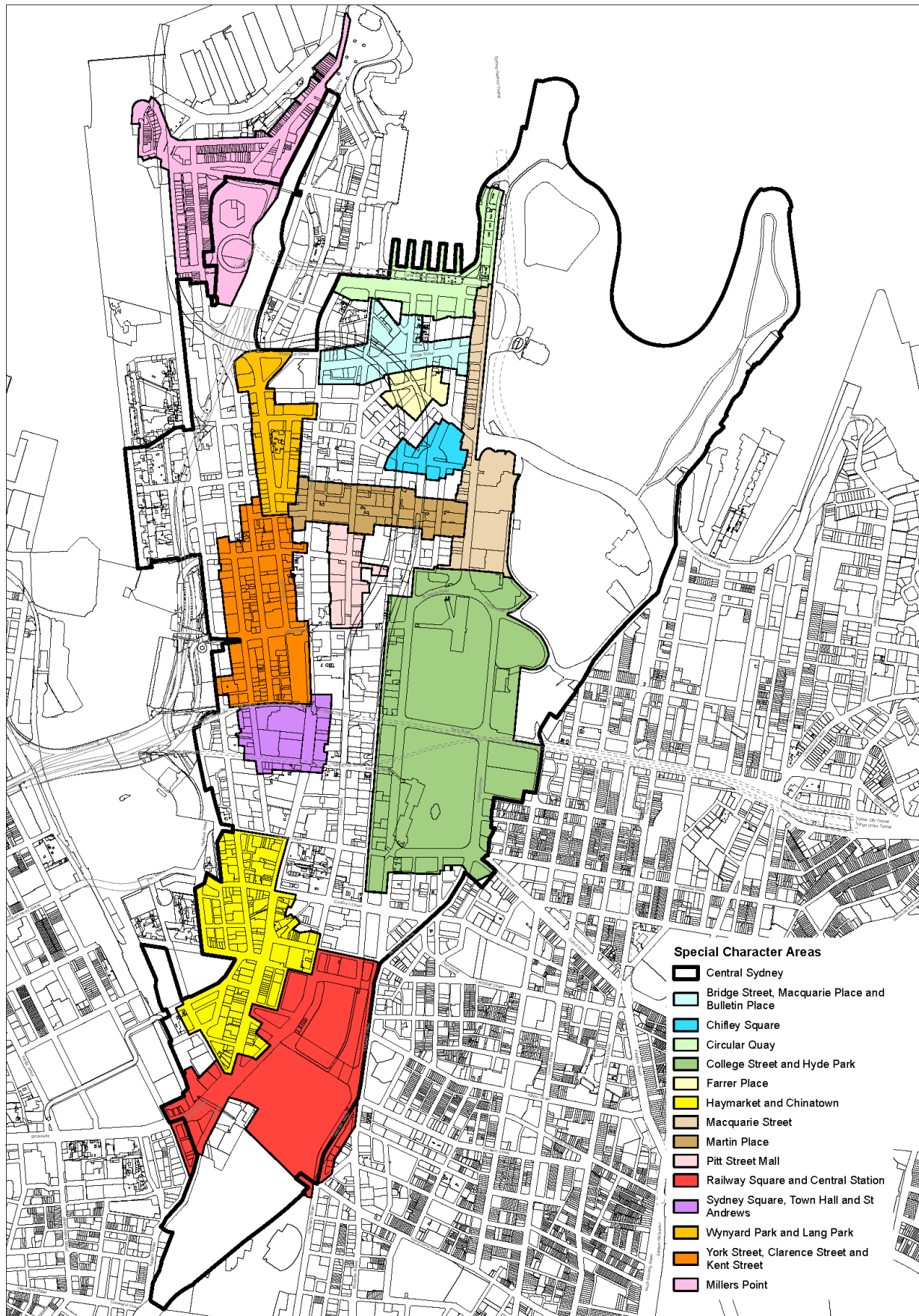
Development

Development in Central Sydney must achieve and satisfy the outcomes expressed in the locality statement for the relevant special character area or heritage conservation area and their

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supporting principles as well as the statement of future character for Central Sydney and its supporting principles.

Figure 2.2: Central Sydney, Special Character Areas and Heritage Conservation Area



2.2.2 York Street/Clarence Street/Kent Street Special Character Area

Locality statement

York Street, and its surrounding streets and lanes, contain evidence of one of the early warehousing areas in Sydney. It developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by 19th and early 20th Century warehouse development interspersed with hotels that flourished in association with the wharves as well as a number of banks. Warehouses are characterised by masonry construction, robust articulation and a height of between 3-8 stories. The architectural emphasis of the buildings located at street intersections are a distinctive characteristic of this area. The network of lanes, internal cartways and courtyards, uniform block pattern with narrow frontages, and east-west transport links, represent the progressive development of the area, and its past and present commercial and retail character.

Barrack Street, at the northern end of the area, is one of the finest urban places in Sydney being defined on all four sides, for the most part, by heritage items of exceptional quality.

With the completion of the Sydney Harbour Bridge in 1932, York Street became the main arterial road into the City Centre. Its character altered as higher scale development, incorporating retail and commercial office uses, was constructed on key street corners such as the Grace building, ACA House and Asbestos House. In the post WWII period, the value of the warehouse stock diminished as the shipping trade at Darling Harbour declined, while the land value and need for commercial office space increased. A considerable number of warehouses were either demolished or their facades retained as podiums to high-rise development, changing the skyline of the area. From the 1970s, the character of the area has continued to be altered through major elevated construction at its western edge, severing pedestrian and visual links with Darling Harbour.

The Queen Victoria Building is evidence of the early markets in the area, located on the site of the first markets established by Governor Macquarie. Its conversion to a retail arcade in the early 1980s was among the first large scale adaptive re-uses and conservation programmes in Australia, representing a shift in public sentiment. The building forms an important pedestrian link, both at ground level and underground. Its grand scale and rare composition of dominant domes define many views and terminate vistas within the area, such as from Mullins Street. Together with St Andrews Cathedral and Sydney Town Hall, it remains a major landmark in the City Centre despite surrounding high scale tower development. Bicentennial Plaza is an important urban space that complements its landmark surrounds and provides an expansion of vistas to these key buildings.

There are also important key east-west views through the area between the City, Darling Harbour and the Pyrmont ridge beyond, as well as many significant vistas such as southwards along York Street, which is terminated by the Town Hall, and eastwards along Barrack Street, which is terminated by the former General Post Office.

Principles

Development within the York Street/Clarence Street/Kent Street Special Character Area is to:

- (a) Conserve and enhance the historic pattern of streets and lanes and encourage fine grain pedestrian permeability through the longer street blocks. Conserve early sandstone and woodblock street pavements that are known to survive within the area beneath later pavements.
- (b) Conserve the existing cartways, laneways and courtyards and their heritage significance.
- (c) Maintain and reinforce the urban character and scale of the area by requiring development to:
 - i. have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale and form of heritage items
 - ii. respond to the historic warehouse and commercial typologies and materiality in the area, ensuring the façade composition, street frontage materials, finishes and colour of infill buildings are compatible with the masonry character of the existing warehouse buildings in the locality
 - iii. enhance the views to and settings of heritage items within the area

- iv. maintain and enhance the historic fine grain subdivision pattern
- v. in Barrack Street, match the prevailing height of buildings and enhance solar access to the public domain.
- (d) Conserve and enhance the heritage significance of warehouses and associated cartways and courtyards and solar access to courtyards.
- (e) The street frontage materials, finishes and colour of infill buildings are to be compatible with the masonry character of the existing warehouse buildings in the locality.
- (f) Enhance the character of the lanes by protecting solar access and encourage active uses, where compatible with the significance of aligning buildings. Ensure development provides appropriate street wall heights and high quality designed active frontages.
- (g) Conserve and enhance existing significant views between the area and Darling Harbour and Pyrmont, higher level views north to the Harbour Bridge and the significant vistas terminated by the QVB building, Sydney Town Hall and the General Post Office building beyond the area.
- (h) Maintain and enhance the visual relationship between Darling Harbour and heritage items historically associated with its maritime and trading functions.

2.2.3 College Street/Hyde Park Special Character Area

Locality statement

College Street and Hyde Park form a precinct that separates the City from the residential areas to the east. It forms part of the green eastern edge and frames an important gateway to the City.

Hyde Park has two distinct edges. The north and east, flanking College Street and St James Road, comprise important institutional free-standing sandstone buildings and significant public open spaces including Queen's Square, which is one of the earliest examples of formal urban design in Central Sydney. The west and south edges consist of commercial development of larger scale with strong street alignment, creating a greater sense of enclosure to Hyde Park.

The northern edge is aligned by Hyde Park Barracks, a place of world significance, St James Church and the Supreme Court complex. They represent the work of Australia's first government 'Civil Architect', Francis Greenway, with additions to the Court by subsequent colonial architects. To the East, the Registrar General's building, St Mary's Cathedral, the Australian Museum and Sydney Boys Grammar School form a fine collection of sandstone buildings set in grounds, creating a sense of openness and affording views to the Domain, Cook and Phillip Park, and beyond to Woolloomooloo and the Darlinghurst ridge.

Hyde Park is of national significance as the oldest public park in Sydney, being in continuous use since 1788, although not proclaimed for public recreation until 1810 by Governor Macquarie. Its current formal plan, dating from the 1920s, demonstrates the application of City Beautiful principles. The Park contains significant monuments, fountains and memorials including the ANZAC War Memorial, the Archibald Fountain and Sandringham Gardens. The monuments and sculptures in Hyde Park not only create a visually interesting outdoor gallery but bring with them important associations with artists and designers. The Park is a place of both quiet solitude and public recreation, the southern section of the Park acting as an outdoor room, and major events, parades and celebrations have been held in the Park since its inception.

The 2006 Hyde Park Plan of Management and Masterplan are the principle guiding documents for Hyde Park. The documents establish the range of acceptable uses, activities and management practices to reflect contemporary needs. The plan is supported by a range of other studies, policies, plans and strategies.

Significant archaeology is known to remain within the area.

Principles

Development within the College Street/Hyde Park Special Character Area is to:

- (a) Enhance and reinforce the precinct's role as a major gateway to the City from the east, particularly from William Street to Park Street, by ensuring that development does not adversely affect the views when approaching the City.
- (b) Recognise the institutional area east of College Street as one of Sydney's pre-eminent public areas characterised by a concentration of heritage items that house activities of state and national significance.
- (c) Reinforce the urban character and scale of College Street by requiring new buildings to be integrated with the form of existing buildings and generally limiting the height of new buildings to the prevailing height of existing buildings, and to maintain the sense of openness east of Hyde Park.
- (d) Maintain and strengthen the sense of enclosure provided by the buildings to the west and south of Hyde Park, by requiring new buildings to be built to the street alignment, to have street frontage heights consistent with the existing development and to have adequate setbacks above those street frontage heights.
- (e) Materials, finishes and colour of new development are to be natural and light coloured compatible with the existing material, finishes and colour in the locality.
- (f) The predominant masonry character of the streets frontage is to be maintained.
- (g) Maintain and enhance the role of the precinct as a major recreational open space for Sydney's workers and residents.
- (h) Protect and enhance solar access to Hyde Park, Cook and Phillip Park, Queen's Square and to the grounds of heritage listed buildings and other open spaces.
- (i) Maintain the visual relationship between Hyde Park Barracks and St James Church through Queen's Square.
- (j) Maintain and enhance views to and through the Park and along College Street to landmark buildings such as St Mary's Cathedral.
- (k) Maintain and enhance visual connectivity and pedestrian permeability from Hyde Park through to the Domain and Cook and Phillip Park.
- (l) Conserve significant tree plantings, grounds, walls, fences and significant archaeological resources.
- (m) Promote an understanding of the historic and symbolic value of the area through interpretation.

2.2.4 Haymarket/Chinatown Special Character Area

Locality statement

The remaining market buildings, stores, warehouses and service laneways in Haymarket, along with the name of the area itself, is evidence of its historic role and its proximity to the port of Darling Harbour. The area is of importance to the Chinese community, who began settling in Haymarket ~~the area~~ in the late 19th century, as Chinese market gardeners brought their produce to the markets. A cluster of Chinese businesses formed around the markets and social and cultural facilities sprung up to serve the growing Chinese population.

The area offers evidence of its development following the establishment of Central Station in 1906, part of a major period of transformation and growth. The precinct is centred around George Street, the main north-south spine between Circular Quay and Central Station.

Haymarket saw another period of transformation in the latter half of the 20th century with the relocation of the markets away from the city centre which led to and the subsequent decline and then resurgence of the area since the markets moved from the City Centre. In the late 20th century, the area came a large portion of the Haymarket area centred around Dixon Street came to be known as 'Chinatown', becoming a major tourist destination with a focus on entertainment, late night trading, and food. ~~and drink.~~

~~The area~~ Haymarket retains a "market" atmosphere, characterised by street level shops, a diversity of commercial, hotel/~~hostel~~ and specialised service uses and a vibrant street life with a diverse social and ethnic mix, in particular Asian populations. ~~As an area somewhat removed from~~ In

comparison to the City Centre, it retains fine grained subdivision patterns, narrow frontages, informal public spaces and generally low building heights. The consistent low street wall, and the absence of the tower form, creates a pleasant microclimate at street level, which is well sunlit and protected from winds.

Haymarket is a significant historic precinct, largely comprising late Victorian and Edwardian buildings of consistent character and scale. This is best exemplified by the heritage buildings, ~~in particular those~~ at the intersections of George, Hay and Sussex Streets, including the Haymarket Chambers, Capitol Theatre, Palace Hotel, the Corporation Building, Bank of China building, Westpac Bank Building and former Burlington Hotel building, ~~form a significant historic precinct of Victorian and Edwardian buildings of consistent character and scale.~~ They reflect the period's growth and prosperity in relation to the markets, the railway terminus and nearby large-scale department stores retail centres such as Anthony Hordern and Company. Modest in scale, homogenous in alignment and lovely in detailing, ~~these buildings~~ Haymarket's Victorian and Edwardian buildings make a precinct of considerable township quality.

Dating from the mid-19th century, Christ Church St Laurence pre-dates this development and is distinctive in the precinct.

While the buildings in Haymarket are the most part European in style, In Chinatown the architectural character of the area has been shaped by the Chinese and Asian communities through overlays (including signage, awnings and lighting) and landmarks (for example the Chinatown gates on Dixon Street and the Chinese Garden of Friendship) which differentiate its character from the rest of the city.

The surviving former market buildings or building facades ~~at the southern part west~~ of the area, including the Market City and UTS Business School at Quay St, which fall outside City of Sydney planning area, demonstrate the cluster of the later Municipal Markets built by the City. They were part of the city's economy and help define the market character of the local area.

Principles

Development in the Haymarket/Chinatown Special Character Area is to:

- (a) Retain and enhance the urban character and scale of the Haymarket/Chinatown Special Character Area by requiring new buildings to:
 - i. maintain a commercial use at lower levels on the street frontage;
 - ii. be built to the street alignment;
 - iii. reflect the fine grain pattern of the area and its subdivision pattern; and
 - iv. have building setbacks above street frontage heights.
- (b) Maintain and reinforce permeability within Haymarket/Chinatown Special Character Area and the intricacy of the urban fabric by retaining the existing significant lanes, original street pattern, special corner treatment, small allotments and narrow frontages, and encouraging through site links.
- (c) Facilitate the activation of Douglass Street and Douglass Lane, and Eagar Street and Eagar Lane, for increased public use.
- (d) Maintain a high level of daylight access to the street by restricting building height and bulk.
- (e) Reinforce the distinct topography of the area by maintaining the layering of development when viewed from Darling Harbour with the City's higher buildings in the background.
- (f) Conserve historically significant corner buildings and maintain low building heights and streetscape symmetry at street intersections.
- (g) Conserve and enhance the character of the area by encouraging the retention and reuse of existing 19th and early 20th Century commercial and warehouse buildings.
- (h) New buildings are to be compatible with the materials, finishes and colours of the 19th and early 20th Century commercial and warehouse buildings.
- (i) Maintain and enhance vistas:
 - i. within the area to Darling Harbour and former market buildings;
 - ii. along Valentine Street and George Street to Christ Church Saint ~~Lawrence~~ Laurence at 814A George Street; and

- iii. towards the clock tower of Central Station.
- (j) Conserve and improve existing significant public domain features, including sculptures.
- (k) Encourage Asian cultural expression in the public domain through the provision of lighting, signage and public artworks.
- (l) Support the vibrancy of the area through providing active ground floors and enabling events, street markets, and late-night trading.

2.2.5 Circular Quay Special Character Area

Locality statement

Circular Quay is characterised by significant public spaces facilitating unique views to the harbour and promontories, the Harbour Bridge and the Sydney Opera House, as well as glimpses to the east to the Macquarie Street ridge and the Domain, west to the Rocks, north to the northern harbour shore, and views from the water's edge southwards to the city centre. These public spaces, where views of the water and sky dominate, provide an important contrast with the dense urban environment to the south. Albert Street and Moore Stairs provide important pedestrian and visual links to the Domain, supported by a number of links through privately owned buildings.

Circular Quay is aligned by buildings of different architectural styles and periods, reflecting the history and development of the Quay after the retraction of the Governor's Domain from the foreshore. The semicircular form of the Quay, supported by its stone sea-wall and associated reclamation of the Tank Stream estuary, was completed by the late 1840s and the North-South streets of the city grid were extended to join the new Alfred Street. These initiatives facilitated the construction of commercial shipping wharfage and many new buildings, most of which were warehousing related to the new wharfage. The new Customs House was completed by 1845 followed by the Water Police precinct buildings, designed by consecutive colonial architects. These buildings, strategically located to maintain a visual and functional relationship with the Quay waterfront, provide evidence of the importance of the Quay in maritime activities in the 19th and early 20th Century.

Ferry commuter wharves along the Quay displaced shipping wharves from the 1890s onwards, and planning for a Circular Quay Railway Station commenced in 1909, although not completed until 1956. The completion of the Cahill Expressway in 1958 and the construction of "International style" office buildings, replacing the 19th Century warehouses around the Quay, signalled the new vision for a modern international city. However, of these post war era office buildings, only the AMP building remains.

Since the 1960s and 1970s, with the construction of the Overseas Passenger Terminal nearby and the Sydney Opera House, Circular Quay has evolved to be a major commuter transport interchange, a key tourist destination and a major celebratory public space.

The area retains significant 19th Century lanes, Reiby Place and Customs House Lane, as well as sandstone retaining walls, stairs and rock faces, built to negotiate the steep topography up to the Macquarie Street ridge. Reiby Place is a rare remnant from the first decade of the colony, marking the boundary of one of the earliest land grants to the emancipist trader, Mary Reiby.

Significant archaeology relating to natural geographical features, Aboriginal culture and early Colonial settlement is known to remain within the area. Public spaces including Herald Square, Jesse Street Gardens and Customs House Place have significant public art by renowned artists and memorials.

Principles

Development in the Circular Quay Special Character Area is to:

- (a) Recognise Circular Quay as an area of unique character where the harbour meets the city, with a series of significant public spaces facilitating a unique series of views.

- (b) Reinforce the area as a major focal point for public celebrations, and enhance public accessibility to the foreshore.
- (c) Encourage active frontages for all ground level facades facing public places.
- (d) Enhance the character of Circular Quay by encouraging day and night-time economies where compatible with transport interchange functions.
- (e) Reinforce the urban character and scale of Circular Quay by requiring new buildings to the south to be built to the street alignment.
- (f) Design and site new development to protect the significance of heritage items within the area, with special consideration given to the curtilage of heritage items, conserving their settings and views.
- (g) Deliver development associated with the important transport interchange that enhances the public domain of Circular Quay.
- (h) Enhance the character of Reiby Place and Customs House Lane by protecting solar access, and encourage active uses, where compatible with the significance of adjoining buildings. New development along these lanes should provide appropriate street wall heights and high quality designed active frontages.
- (i) Enhance views to the harbour and of the sky from all north-south streets by encouraging the opening of new views from the city to the harbour and foreshore.
- (j) Maintain and enhance the visual and physical connectivity between the area and the Sydney Opera House, the Sydney Harbour Bridge, the Rocks and the Domain.
- (k) Maintain and enhance the visual relationship between the harbour foreshore and heritage items historically associated with the maritime functions of the Quay.
- (l) Conserve 19th Century sandstone retaining walls, stairs and rock faces.
- (m) Promote an understanding of the value of the area of the historic and symbolic value of the Quay through interpretation.

2.2.6 Bridge Street/Macquarie Place/Bulletin Place Special Character Area

Locality statement

Macquarie Place and Bridge Street represent the early planning of the colony, where land east of the Tank Stream was set aside by Governor Phillip as the Government Domain.

The name Bridge Street signifies its construction as the earliest east-west link across the Tank Stream at the point where the creek widened to the estuary. Bridge Street is significant for its historic associations with First Government House, with early cultural exchange between colonists and Aboriginal nations, and with major colonial government building programmes that ensued after the relocation of the Governor's residence in 1845 and the subsequent extension of Bridge Street to meet Macquarie Street. Its eastern end is aligned by a cohesive group of highly significant sandstone buildings designed by colonial architects and offers an important vista to the Conservatorium of Music to the east, and views north to the water. Other views are distinguished by significant historic buildings, especially those with significant roof-scapes and features. The western end of Bridge Street is aligned by significant buildings designed by prominent architects of their period, demonstrating the economic importance of Bridge Street as a commercial and trading precinct.

Macquarie Place, originally adjacent to the foreshore of Sydney Cove, is one of the most historically significant urban spaces in Australia, being established by Governor Macquarie in 1810 as the main town square of Sydney. Despite being progressively diminished in size, Macquarie Place represents Macquarie's vision for a permanent planned settlement that provided the genesis of the transformation from penal colony to nation. The 1818 Obelisk, marks the centre of the 19th Century road network from which all distances in the colony were measured. The Place retains an important collection of significant historic structures, objects, memorials, monuments, remnant fencing and a small collection of notable trees, including two London plane trees that mark the beginning of the Remembrance Driveway.

Bulletin Place was named after Archibald's weekly publication, founded in 1880, and published from this lane for many years. The street is evidence of the first allotments in the area, marking the boundary of the grant to Andrew Thompson in 1810. Mary Reiby also owned property on Bulletin Place.

The intact system of supporting lanes, some incorporated within buildings, is rare in the City and improves pedestrian permeability. Archaeology of national significance relating to natural geography, Aboriginal culture and the earliest periods of European settlement is known to remain within the area.

Principles

Development within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area is to:

- (a) Enhance Macquarie Place as one of Sydney's pre-eminent urban spaces, and recognise the unique collective value of heritage items that align Bridge Street, many that are of state and national significance.
- (b) Conserve and enhance the heritage significance of the area including the 19th and 20th Century buildings and landscapes, and their settings.
- (c) Maintain and reinforce the cohesive and rare streetscape character of Bridge Street and Macquarie Place by requiring new buildings to be built to the street alignment, with building heights that reinforce the existing predominant street frontage height, and frontages incorporating Sydney sandstone.
- (d) Enhance the character of Reiby Place and Customs House Lane by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. New development along these lanes should provide appropriate street wall heights and high quality designed active frontages.
- (e) Enhance and complement the predominant masonry/sandstone character of the street through façade composition, materials, finish and colour of new development.
- (f) Protect and enhance solar access to Macquarie Place, Bridge Street and First Government House Place.
- (g) Conserve the significant lane network and protect and enhance solar access and encourage active uses, where compatible with their significance.
- (h) Maintain and enhance significant views along streets north to the water, views east along Bridge Street to the Conservatorium of Music and Domain, and vistas that terminate at significant heritage buildings.
- (i) Conserve significant tree plantings and archaeological resources.
- (j) Promote an understanding of the historic and symbolic value of the area through interpretation.
- (k) Development is to avoid signage clutter and excessive lighting and is to ensure the design of signage and lighting does not detract from the setting of heritage sites or the significance and established historic character of the locality.

2.2.7 Macquarie Street Special Character Area

Locality statement

Macquarie Street is a grand civic boulevard that forms the eastern built edge of the City Centre, terminated to the south by Hyde Park, and to the north by views to Bennelong Point and the Sydney Opera House. Its character is derived from its location on the ridge and associated views and vistas, the quality of its cultural landscape setting, and its collection of low and medium scale, high quality buildings dating from the early 19th to the late 20th Century, housing state legislative and cultural, banking, medical, legal and residential functions. Its character is enhanced by ample solar access and views of the sky, street tree plantings, high quality street pavements, and by the variety of historic walls and fences with glimpses through to garden plantings, courtyards and stone and gravel pathways that lead through to the Domain. Owing to its civic character and the location of the NSW Parliament, the street has developed as a place of both public ceremony and of public protest.

Macquarie Street is characterised by a number of distinct areas derived from its historic origins. Originally part of the government precinct set aside by Governor Phillip in 1788, Governor Macquarie created the street in 1810 to provide access to the new Hospital he established on the eastern edge of the Domain. The street terminated to the north at the Government Domain at Bent Street, and to the south at Hyde Park. Between 1810 and 1821, Macquarie created a legacy of public buildings of local, state, national and world heritage significance set against the broader cultural landscape of the Domain beyond. This eastern edge demonstrates early 19th Century principles of town planning, architecture and landscape design, and provides significant vistas that terminate the east-west streets of the City.

The western side of Macquarie Street is far more varied in scale and architectural styles and periods, reflecting the historical development of the street. The southern end developed as a legal and medical precinct from the time of Macquarie and comprises medium scale buildings providing a transition to the city high rise beyond, and creating a prominent city skyline when viewed from the Domain. After the retraction of the Government Domain in 1845, Macquarie Street was extended from Bent Street north to Bennelong Point to its current extent. Between Bent and Bridge Street, this extension was subdivided and developed as prestige terrace dwellings overlooking the Royal Botanic Gardens. Although only two terraces remain, the fine subdivision pattern is still evident despite 20th Century redevelopment. From Phillip Lane northwards, the western edge remained in government ownership and was progressively developed for government purposes to the design of various Colonial Architects. As a consequence, this section of Macquarie Street retains a distinctive character, aligned by a group of highly significant sandstone buildings, predominantly sandstone, forming a cohesive townscape group.

Archaeology of national significance is known to remain within the area. The area retains significant street tree plantings.

Principles

Development within the Macquarie Street Special Character Area is to:

- (a) Recognise Macquarie Street as one of Sydney's pre-eminent public spaces flanked by heritage items of local, state, national and world significance.
- (b) Maintain and reinforce the urban character and scale of Macquarie Street by requiring new development to:
 - i. have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale, form and character of heritage items in the area;
 - ii. incorporate a façade composition, materials, finishes and colour which enhances and complements the predominant masonry/sandstone character of the street;
 - iii. be designed and sited to conserve the views and settings of heritage items within the area, with special consideration given to heritage curtilage of heritage items
 - iv. maintain and enhance the historic fine grain subdivision pattern;
 - v. maintain the established low scale and reinforce the predominant sandstone character of the area North of Phillip Lane to conserve the cohesive townscape setting of heritage items; and
 - vi. be of a minor nature and subservient in scale to heritage items where development is on the eastern side of Macquarie Street to conserve the significance and landscape settings of heritage items.
- (c) Protect and enhance solar access to the eastern side of the street, including to the grounds of heritage listed public buildings, and beyond to the Royal Botanic Gardens, the Domain, Queen's Square, Hyde Park Barracks, St James Church, and Hyde Park.
- (d) Maintain and enhance visual connectivity and pedestrian permeability through to the Domain and Royal Botanical Gardens from Macquarie Street.
- (e) Maintain and enhance vistas to the harbour and Sydney Opera House to the north, and to Hyde Park to the south. Conserve significant vistas that terminate the east-west streets.

- (f) Conserve Phillip Lane and Domain Terrace, protect and enhance solar access, and encourage active uses, where compatible with the significance of aligning property. Enhance the interpretation of Domain Terrace through to the Domain.
- (g) Conserve significant tree plantings, gardens and grounds, walls, fences and significant archaeological resources.
- (h) Promote an understanding of the historic and symbolic value of the area through interpretation.
- (i) Development is to avoid signage clutter and excessive lighting and is to ensure the design of signage and lighting does not detract from the setting of heritage sites or the significance and established historic character of the locality.

2.2.8 Martin Place Special Character Area

Locality statement

Martin Place is of social, cultural and historic significance, being the site of various monuments, in particular the Cenotaph, as well as the site of many historical events, which reinforced its image as the civic and ceremonial heart of the City. Its initiation was after the siting of the GPO in 1863, as a small meeting place in the front of the post office. Its subsequent planned evolution and development illustrates the application of city planning principles of the 1880s to 1930s, which culminated in its complete pedestrianisation in 1970. It represents the financial heart of the City, containing significant public and financial buildings.

Martin Place consists of a cohesive group of buildings with a consistent street wall of up to 45m. These buildings have similar architectural features, characterised by the use of richly textured masonry facades, intricate architectural detailing, vertical emphasis and grand proportions at street level, representative of their function as housing various major public and business institutions. The built form encloses a significant linear public space, with strong vistas terminated to the east and west by significant buildings. The GPO clock tower is an important landmark visible from various points within Martin Place.

Martin Place is also significant for its supportive network of lanes, being rare examples of pedestrian thoroughfares reminiscent of Victorian Sydney laneways such as Angel Place and Ash Lane.

Principles

Development within the Martin Place Special Character Area is to:

- (a) Conserve and enhance the significance of Martin Place as one of Central Sydney's grand civic and ceremonial spaces, and as a valued business location.
- (b) Conserve and enhance the heritage significance of the 19th and 20th Century institutional and commercial buildings and their settings.
- (c) Retain and enhance the urban character, scale and strong linear enclosure of Martin Place by requiring new buildings to:
 - i. be built to the street alignment
 - ii. have street frontage heights consistent with the prevailing form of buildings in the area
 - iii. be setback above those street frontage heights
 - iv. complement the civic buildings and their predominant sandstone character in terms of façade composition, building materials, colours and texture
 - v. exhibit a rhythm and richness in articulation which reflects and enhances the established character.
- (b) Retain human scale at street level, while respecting and positively responding to the monumental nature of the place.
- (a) Protect and extend sun access and reflected sunlight to Martin Place during lunchtime hours from mid-April to the end of August.

- (b) Provide sun access to significant sandstone buildings in Martin Place to improve the ground level quality of the public space.
- (c) Protect existing significant vistas to the east and west and ensure new development will not detrimentally affect the silhouette of the GPO clock tower.
- (d) Conserve the significant lane network, activated with ground floor uses and public artwork, where compatible with each buildings' heritage significance.
- (e) Development is to avoid signage clutter and excessive lighting and is to ensure the design of signage and lighting does not detract from the setting of heritage sites or the significance and established historic character of the locality.

2.2.9 Pitt Street Mall Special Character Area

Locality statement

Pitt Street Mall is a major retail and pedestrian space in the city centre. The wide variety of shopping and leisure activities in the area attracts a wide range of users.

The intense network of through-site links connecting to Castlereagh and George Streets enhances permeability within the area. The concentration of small-scale (4 to 5 storeys) Victorian commercial buildings standing on either side of the Mall contributes to the character of the area.

The consistent low street wall allows sunlight access to the Mall, especially during lunchtime in winter, which along with its high accessibility makes it a popular meeting place.

Principles

Development within the Pitt Street Mall Special Character Area is to:

- (a) Recognise and enhance Pitt Street Mall as a key element of Central Sydney's retail core.
- (b) Retain and improve the urban character and scale of Pitt Street Mall and its sense of linear enclosure by requiring new development to:
 - i. be built to the street alignment;
 - ii. have street frontage heights consistent with the prevailing form of existing buildings in the area; and
 - iii. have building setbacks above those street frontage heights.
- (c) Enhance pedestrian permeability within the area by reinforcing and expanding the network of arcades and through-site links in this Special Character Area.
- (d) Ensure enhanced pedestrian amenity and weather protection through the provision of appropriately designed awnings.
- (e) Conserve and enhance the heritage significance of the area including the significance of the 19th and 20th Century commercial buildings and their settings.
- (f) Conserve 19th Century facades incorporated into contemporary development.
- (g) Protect and extend lunchtime and late morning sun access to the Pitt Street Mall from mid-April to the end of August
- (h) Enhance and encourage the use of the Mall as a major pedestrian space and an informal meeting place.
- (i) Protect and enhance the east west vistas along King Street.

2.2.10 Wynyard Park/Lang Park Special Character Area

Locality statement

Wynyard Park is an important space within the public domain and fabric of Central Sydney. The Park is of a Victorian layout and was used as a military parade ground from 1792 to 1848. It was known as Wynyard Square from 1848 to 1887 and was officially dedicated as a park and an open space for public recreation in 1887.

It is distinguished as a major public transport node. The street edges provide a strong sense of urban enclosure, created by the uniformity of the buildings lining the streets, resulting in the effect

of “an urban room”. The majority of these buildings are of a consistent height and street alignment and exhibit similar architectural themes.

Lang Park derives its significance from its dedication as one of the early urban parks in 1866 and its association with the earlier Scot’s Church. The park provides a visual relief in this highly developed area.

St Philip’s Church, located on York Street, is the oldest Anglican church parish in Australia. The first church on the site was constructed in June 1793 using convict labour, and the currently standing church was built in 1858. Lang Park and St Philip’s Church are considered as a northern gateway to Central Sydney.

Principles

Development within the Wynyard Park/Lang Park Special Character Area is to:

- (a) Recognise Wynyard Park and Lang Park as important elements of the public domain in the northern part of Central Sydney as well as the role of Lang Park and St Philip’s Church as a northern “gateway” to Central Sydney.
- (b) Retain the sense of urban enclosure provided to Wynyard Park by requiring new buildings to be built to the street alignment, and the street frontage heights and setbacks above them to be compatible with the prevailing form and scale of existing buildings surrounding Wynyard Park.
- (c) Reflect the common architectural themes and uniformity of many of the existing buildings in terms of facade composition, building materials, colours and textures.
- (d) Deliver development associated with the important public transport interchange that enhances the public domain of Wynyard Park.
- (e) Conserve and enhance the heritage significance of the area by respecting the significance of the 19th and 20th Century public, religious and commercial buildings and their settings.
- (f) Design new development lining the edges of Lang Park to provide an appropriate backdrop to the park in terms of scale and materials and to achieve greater compatibility with the Rocks area to the north and the St. Phillip’s Church precinct to the west.
- (g) Conserve and enhance the heritage significance of St Phillip’s Church and design and site new development to protect its heritage significance.
- (h) Protect and extend mid-winter lunchtime sun access to Wynyard Park and Lang Park.
- (i) Protect and enhance significant views and vistas including:
 - i. the terminating vistas along Carrington Street, and York Street to the south at its corner with Wynyard Street;
 - ii. east-west vistas along Regimental Square, Margaret Street and Erskine Street; and
 - iii. the visual prominence of St Philip’s Church along York Street and Clarence Street.

2.2.11 Sydney Square/Town Hall and St Andrews Special Character Area

Locality statement

Sydney Square is a major public open space framed by the Town Hall and St Andrews Cathedral.

The Town Hall is one of the State’s most important civic buildings. The Town Hall and its civic setting symbolise the long tradition of city government and has been involved in the development of Sydney City since the mid-19th Century. The building is one of the grandest, most elaborate and largely intact examples of 19th Century High Victorian style surviving in Australia. The Sydney Town Hall, together with St Andrews Cathedral and the Queen Victoria Building in the adjoining York Street/Clarence Street/Kent Street Special Character Area to the north, form a remarkably homogeneous group by virtue of their similarities in scale, texture and materials.

The precinct represents the symbolic and visual focus and centre of the city and serves as a landmark feature along George Street, due to its prominent location and association with major civic events. The clock tower of the Town Hall and spires of St Andrews Cathedral either appear in, or terminate many significant vistas, particularly those from Park, George, York and Bathurst Streets.

The area is one of the busiest parts of the city, in terms of both vehicular and pedestrian movement, and the underground Town Hall Station functions as a major transport node. The steps of the Town Hall attract many people and the Square acts as a major meeting and gathering place (formal and informal) with a wide variety of activity on various levels.

Though the buildings lining the edges of Sydney Square exhibit a diverse range of styles and scales, they provide a sense of enclosure to the Square.

Plans for a new square opposite the Town Hall between George and Pitt Streets, together with better pedestrian amenity on George Street, will provide further focus for the civic life of the city.

Principles

Development within the Sydney Square/Town Hall and St Andrews Special Character Area is to:

- (a) Recognise and enhance Sydney Square as the pre-eminent public space for civic events and as a community meeting place.
- (b) Reinforce the urban character, civic function and scale of Sydney Square by requiring surrounding buildings to:
 - i. be built to the street alignment;
 - ii. have street frontage heights and setbacks at higher levels consistent with the prevailing form of buildings in the area;
 - iii. positively contribute to defining the four edges of the space;
 - iv. not dominate civic buildings that give it a sense of civic significance;
 - v. be of a scale and character that complements the civic buildings, in terms of facade composition, building materials, colours and textures and exhibits a rhythm and richness in articulation; and
 - vi. provide an appropriate backdrop to the civic character of the area.
- (c) Deliver development associated with the important public transport interchange at Town Hall that enhances the public domain of Sydney Square.
- (d) Achieve a new civic square opposite Town Hall between George and Pitt Streets as an active civic outdoor focus for the city (including preservation of sun access to the future square) and to provide a complementary urban space in front of Town Hall with active uses at multiple levels along its southern edge.
- (e) Protect and extend morning sun access to the steps of the Town Hall and lunchtime sun access to Sydney Square and all sun access to the future Town Hall Square.
- (f) Maintain and enhance important existing views and vistas to:
 - i. the clock tower of the Town Hall from Park, George and York Streets; and
 - ii. the spires of the Cathedral from Bathurst and George Streets to allow the silhouette of the Cathedral and Town Hall to be viewed and read against the sky.
- (i) Include interpretation of the former lane and St Andrews Place through Sydney Square.
- (j) Encourage the reinterpretation of the former gardens in front of St Andrews Cathedral and Sydney Town Hall.
- (k) Discourage visual clutter, including non-essential car parking and temporary signage, within the George Street front setback to St Andrews Cathedral.

2.2.12 Railway Square/Central Station Special Character Area

Locality statement

This special character area covers the Central Railway Station and surrounding streets, street intersections, parks and open spaces. The Railway Square, formed by merging streets, is the significant part of the area. The special character area largely covers the land resumed by the State at the turn of the 20th Century for the construction of the Central Railway Station. Historically, it has an association with the first railway line and terminal that opened further south in 1855, and also has symbolic importance as the focus of a rail system, which has had a great influence on the development of NSW. While the Central Station complex is independent and separated from other

sites by open space and streets, together with buildings on the surrounding streets, it forms a visual enclosure for the area.

The Central Railway Station was opened in 1902, but was not in a complete form at that time. The station was fully completed in 1921 by the addition of the clock tower, which today acts as a landmark contributing strongly to the visual prominence of the Square. The civic heritage of the Central Railway precinct provides historic continuity and physical links to the precinct's past.

Railway Square is the major visual and functional gateway to the city from west and south. The intersection of George and Pitt Streets is one of Sydney's busiest and largest intersections, which has traditionally dispersed traffic and pedestrians into and out of the city. The Square has functioned for over 150 years, and still acts as a major transport interchange node, allowing change between buses, and heavy and light rail. Belmore Park at the north of Central Station is flanked by sandstone clad via-ducts and ramps on its east and west. It provides a vital parkland in front of the Central Station terminus building and has a strong visual relationship with the station building itself. The park was an important part of the planning of the Central Station.

The area is typified by a concentration of low to medium scale (3 to 7 storeys) heritage buildings and streetscapes, a series of varied interrelated open spaces and a rich mix of uses and activities, including commercial, industrial, institutional, residential and hotels. The predominant built form is the multi-storey warehouse typology, as opposed to the tower form, which prevails in the City centre to the north of the area.

Principles

Development within the Railway Square/Central Station Special Character Area is to:

- (a) Recognise the role of Central Railway Station as the hub of public transport in Sydney and Railway Square as the western and southern gateway to Central Sydney.
- (b) Conserve existing heritage buildings including their fabric and features. The heritage buildings represent the historic layers and substance of the local area and they are the character defining elements of the special character area. Developments on heritage sites or adjacent to heritage sites must complement heritage buildings with high quality contemporary building form and design.
- (c) Deliver development associated with the important public transport interchange at Railway Square that enhances the public domain of Railway Square.
- (d) Conserve and enhance the character of the area by encouraging the retention and reuse of existing 19th and early 20th Century commercial buildings.
- (e) Reinforce the urban character and scale of Railway Square by designing new buildings surrounding the Square to:
 - i. be built to the street alignment;
 - ii. have street frontage heights consistent with the prevailing form of buildings adjacent to the Special Character Area;
 - iii. have building setbacks above the street frontage heights; and
 - iv. adopt complimentary building form and solid high quality building materials.
- (f) Conserve existing parkland and open space.
- (g) Maintain a high level of daylight access to Railway Square, Belmore Park and other open spaces associated with Central Station.
- (h) Maintain and enhance the visual prominence and landmark significance of the clock tower and the terminus building of Central Railway Station in the views and vistas from surrounding streets, particularly along Broadway, George and Pitt Streets.
- (i) Maintain and enhance vistas to and from Central Railway Station, including those from its concourse.
- (j) Maintain the visual connections of Central Station complex with the surrounding heritage buildings and with Haymarket Special Character Area.
- (k) Enhance the pedestrian amenity of Central Railway Station, Railway Square and environs.

2.2.13 Chifley Square Special Character Area

Locality statement

The area is characterised by town squares, fine commercial architecture with a strong civic presence, and integrated public art, concentrated around irregular intersections of Hunter Street within Sydney's financial district. The precinct of buildings, artwork and squares predominantly date from the post-war period of the 1940s to 1960s, interspersed with some earlier and more contemporary buildings. The two town squares of Chifley Square and Richard Johnson Square demonstrate significant stages in the 20th Century planning of Sydney city.

The non-grid street pattern in this area survives from Sydney's early town plan when the streets reflected the original shoreline, north of Macquarie Place, before it was extended to form Circular Quay. Today's post-war buildings and squares in this location creatively respond to the irregular street junctions through curved and other distinctive building forms, integrated into the public domain.

The semi-circular form of Chifley Square was originally proposed in 1908 by John Sulman in response to the Royal Commission into the Improvement of Sydney. The concept resurfaced again in 1937 when proposed by City Engineer Garnsey to relieve traffic congestion, and was finally realised in 1947. The place was officially named Chifley Square in 1961 in honour of the late Hon J.B. Chifley, former Prime Minister of Australia. The following year, Elizabeth Street was extended to create a public square with a traffic island at its centre.

The curved form of buildings constructed to the new street alignments for Chifley Square, including Qantas House in 1957, Wentworth Hotel in 1966, then Chifley Tower in 1993, reinforce the amphitheatre effect of the space. Further works to the public domain were constructed in the 1990s to reclaim and improve the public plaza.

Principles

Development within the Chifley Square Special Character Area is to:

- (a) Recognise and enhance Chifley Square and Richard Johnson Square as two important public open spaces in the heart of the financial centre of the city.
- (b) Interpret the history of the place in the design of both the public and private domain.
- (c) Reinforce the urban character and distinct sense of place of Chifley Square and Richard Johnson Square by:
 - i. emphasising the semi-circular geometry of Chifley Square;
 - ii. maintaining and enhancing the quality of the street edge formed by buildings and their loggias, such as with public art;
 - iii. requiring new buildings to be integrated with the form of existing buildings; and
 - iv. limiting the height of new buildings.
- (d) Promote and encourage the use of the spaces as destinations and meeting places for people.
- (e) Retain views from public spaces through to Chifley Square and Richard Johnson Square.

2.2.14 Farrer Place Special Character Area

Locality statement

Historical evidence shows that Farrer Place dates back as early as 1865. Its original name was Fountain Street as known in 1871 and the name was changed in 1880 to Raphael Street, after the name of an alderman between the 1860s and 1870s.

In 1935, the Minister for Agriculture requested that Raphael Street and the triangular plantation space fronting the building housing the Department of Agriculture, which, at the time, occupied the southern wing of the Department of Education, be renamed as "Farrer Place". This was to commemorate William J. Farrer, a noted wheat breeder whose work had incalculable benefit to the wheat growing industry.

The closure of Young Street to traffic formalised the space and gave it the character of a plaza. The place was further enhanced by the development of Governor Macquarie Tower as a major public building, complementing the public and institutional character provided by the Departments of Lands and Education buildings to the west.

The area's location in the heart of the financial core of the city has resulted in large-scale high-rise towers, interspersed with lower scale development, mostly with high quality design and elegant rooftops contributing to the skyline of the city. The limited height of the heritage buildings to the north and west allows solar access and provides some visual relief in this highly built up area.

The orientation of the place to the north allows for views to the water and the Harbour Bridge, while the clock tower of the Lands Department building to the west enhances the views from the place and adjoining streets.

Principles

Development within the Farrer Place Special Character Area is to:

- (a) Interpret the history of the place and its evolution in the design of new buildings and elements within the public domain and give it its own sense of place.
- (b) Reinforce the urban character and sense of enclosure of Farrer Place by requiring new buildings to:
 - i. be built to the street alignment; and
 - ii. have adequate setbacks above the street alignment.
- (c) Restrain the building bulk and scale of new development, particularly to the east and south of the place.
- (d) Protect and extend winter sun access to the place, particularly during lunchtime.
- (e) Improve, enhance and activate the public domain within the place.
- (f) Maintain and enhance existing views to Sydney Harbour and the Harbour Bridge to the north and vistas to the tower of the Lands Department building to the west.

2.2.15 Millers Point Heritage Conservation Area

Locality statement

Millers Point Heritage Conservation Area is an intact residential and maritime precinct of outstanding state and national significance due to its unique characteristics, composition, architectural diversity and continuity of 19th and 20th Century residential and maritime elements. Its architecture is representative of each decade from the 1820s to the 1930s.

The most prominent feature of Millers Point is the consistent townscape and high degree of integrity of the whole area. Its unity and authenticity of fabric make it one of the rarest and most historic urban places in Australia.

The NSW Government and the Council have recognised the very high heritage significance of the Millers Point Heritage Conservation Area. The area is listed on the State Heritage Register and the Sydney LEP. Individual items are also listed on the State Heritage Register and Sydney LEP.

The area is characterised by a fine grain subdivision pattern, the use of sandstone and other traditional building materials, two to three storey residential terraces, and similar scaled commercial buildings (often pubs) defining the corners and pitched roofs. While there is a consistency of materials, scale and form, a diversity of architectural styles and street alignments are represented, with many of the terraces set back at street level.

The maintenance of original fabric in a highly intact state creates a degree of rarity and authenticity. The area's architectural elements are both intact and outstanding examples of their type. Many groups of buildings in Millers Point are unified by their history, construction and type. The area's steep, coastal topography and early development have generated its character and built form with evidence of quarrying, retaining walls, and a public domain which includes public staircases, laneways, pedestrian pathways, bridges and parks of a variety of scales.

The locality has a strong history as a residential community, with a unique and strong identity that evolved as a self-contained area with employment and community facilities.

The area affords significant views to and from the water and of the Harbour Bridge. A significant panorama of the Harbour and the City is gained from the Observatory Hill precinct, particularly Observatory Hill Park, which is of historical significance and a major component of the precinct.

The conservation of the Millers Point Heritage Conservation Area will be based on a respect for the existing building fabric, high degree of integrity, residential uses and historical association.

Principles

Development within the Miller Point Heritage Conservation Area is to:

- (a) Retain, conserve and reinforce the historic character and heritage significance of the Millers Point Heritage Conservation Area and individual items on the State Heritage Register.
- (b) Have regard to any endorsed Conservation Management Plan for a site, or any other conservation management plan prepared to the satisfaction of the consent authority, and be consistent with the Millers Point Conservation Management Guidelines 2007, and the principles of Burra Charter: The Australia ICOMOS Charter for places of Cultural Significance. This relates to all development including maintenance and repairs.
- (c) Conserve unifying building details and the paint scheme for groups of terraces and streetscapes.
- (d) Conserve and repair early and original building fabric.
- (e) Design new development to:
 - i. respect and maintain the existing heights and established character of the area;
 - ii. respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes; and
 - iii. respect the siting, scale, form, integrity, use of materials, character and significance of the area, heritage items and contributory buildings.
- (f) In the event of destruction of a building, replacement buildings must have a floor area that does not exceed that which it replaces and be sympathetic to the scale, setting and proportions of existing development, including adjacent heritage items, and use materials, finishes, textures and details appropriate to the building type and scale.
- (g) Retain and conserve cliff faces, retaining walls, stairs and early public domain elements.
- (h) Maintain existing views and vistas and from the precinct, the water, the Harbour Bridge, Central Sydney and Observatory Hill Park.

2.3 Crown and Baptist Streets Village Locality Statements

Crown and Baptist Streets Village is on Central Sydney's south-eastern fringe and is one of the most historic villages in Sydney, consisting predominantly of heritage conservation areas. It has a distinctive low-rise, high-density development pattern and supports a strong creative and business services sector.

The village is bound by city-serving arterial roads and regional parklands. Prince Alfred Park to the west and Moore Park to the east of the village are multi-purpose open spaces serving the village and beyond. It is adjacent to Central Railway Station and on the CBD and South East light rail line.

Cleveland Street, running east-west, is a major through road which divides the village into two halves, each with a distinct built form environment reflective of its historic development. The street is also the home of major institutions and shops serving the village.

Surry Hills to the north of Cleveland Street has an irregular street pattern, many narrow roads and a large number of small terraces from the late 19th Century. Layers of development and new uses have added to the mix and diversity of the suburb while retaining its intensely urban and fine-grain character. Still a predominantly residential area with a number of schools, it is also home to many small businesses, shops and cafes.

The southern part of the village is significant to first nation peoples as the birthplace of Aboriginal rights and is part of “Aboriginal Redfern”. It has a strong Victorian grid street pattern and many tree-lined streets. It is primarily a residential area of historic terraces with a scattering of light industrial and commercial development.

There are two large public housing estates in the village which are the result of land resumption and amalgamation in the middle of the 20th Century. They are characterised by tall apartment blocks which remain visually prominent in the landscape. The village is one of the most culturally diverse in the City with a significant Aboriginal and Torres Strait Islander population.

Future character

Crown and Baptist Streets Village is a place of diversity, creativity and opportunity which is cosmopolitan and fine-grain.

Over the 20 years from 2016 to 2036 the village will provide additional capacity for 3,100 jobs and 3,900 new homes leveraging its high accessibility, proximity to Central Sydney, food and drink clusters, intimate urban character and historic buildings.

It will become a thriving regionally significant creative and cultural precinct comprising a diversity of spaces for professional services, information media and creative industries. This will occur primarily through the imaginative and sympathetic adaptive reuse of historic buildings in mixed-use zones. Streetscape appeal will be strengthened by locating car parking to the rear and greening including more canopy trees where space permits.

The village will continue to offer a mix of dwelling types, tenures and sizes to support a diverse community where they will not compromise employment growth. Public housing stock will be subject to ongoing conservation and renewal to meet modern living standards and increase supply. The City will work with the NSW Government to ensure any changes respect the low scale and fine grain character of the village and facilitate improved amenity for existing and future residents.

Active streets, especially Crown Street and Cleveland Street, will be safe and inviting retail and dining centres, which are supplemented by the services that workers and residents need on a daily basis.

New development will complement and strengthen aspects of the village which are hallmarks of its special appeal – its historic charm, pedestrian friendly shopping streets, human scale, visual interest and green pockets. Modest narrow terrace houses and brick warehouses will be conserved and inspire complementary contemporary development of a like scale.

Strategic directions to 2036 include:

1. Respect and reinforce the historic character of the village and its cultural diversity.
2. Facilitate growth of a creative precinct by safeguarding and prioritising space for creative and cultural uses.
3. Collaborate to enable culturally appropriate affordable and social housing for Aboriginal and Torres Strait Islander peoples in Redfern to prevent their displacement from the area.
4. Collaborate with State Government to achieve better outcomes for social housing estates.
5. Reconfigure Moore Park Golf Course to create up to 20 hectares of new public parkland and more equitable access to this significant open space.

Crown and Baptist Streets Village principles

Development in Crown and Baptist Streets Village is to:

- (a) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within Heritage Conservation Areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Retain and adaptively reuse heritage items, historic warehouses and former corner shops and conserve contributory and neutral buildings in heritage conservation areas.
- (c) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of amenity for residents and great public places and spaces.

- (d) Deliver diverse, suitable and well-designed spaces and places to support creative and cultural business including start-ups.
- (e) Strengthen centres of activity including along Devonshire Street, Elizabeth Street, Crown Street and Cleveland Street as vibrant village hubs with a variety of small shops, services and businesses.
- (f) Enhance the main approach roads to Central Sydney including Cleveland Street and Elizabeth Street.
- (g) Aim for net-zero energy emission and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (h) Protect and increase urban tree canopy and vegetation across public and private land to unify and green streetscapes.

Development

Development in the Crown and Baptist Streets Village must achieve and satisfy the outcomes expressed in the village and neighbourhood statements and their supporting principles.

2.3.1 Crown and Baptist Streets neighbourhoods

Crown and Baptist Streets Village has six neighbourhoods, which are described in Table 2.1 below and shown on the village map at Figure 2.3. The direction provides a high-level indication of how the village will change over time.

Table 2.1: Direction for Crown and Baptist Streets neighbourhood

Crown and Baptist Streets Village neighbourhoods		
Neighbourhood	Description	Direction
City Edge	A mixed-use corridor and public transport thoroughfare adjacent to Central Station and Prince Alfred Park.	Maintain and strengthen as a thriving business area with active streets which enhance pedestrian amenity.
Surry Hills	A dense urban neighbourhood characterised by fine-grain historic streetscapes and a variety of small shops, homes and businesses.	Maintain and strengthen as a vibrant and diverse historic neighbourhood and place for small business.
Cleveland Street	A busy east-west traffic route and walkable shopping street with an attractive mix of buildings and green breaks.	Enhance as a pedestrian friendly street and character place for people to shop and dine.
Redfern East	A predominantly residential area featuring many small-lot terrace houses, tree lined streets and pocket parks, some as the result of road closures.	Maintain and strengthen historic tree-lined streets and enhance residential amenity.
Redfern Estate	A mid 20th Century public housing estate, which falls under state planning controls.	Enhance living conditions through redevelopment which better integrates with the village and offers improved resident amenity.
Moore Park West	Regional open space and secondary schools including sporting fields and a public golf course.	Enhance access to open space for a growing population by creating a new 20ha public park.

Direction	What it means
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Sydney Development Control Plan 2012 – Policy and housekeeping
– Amendments

Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.

Figure 2.3: Crown and Baptist Streets Village neighbourhoods

Sydney Development Control Plan 2012 – Policy and housekeeping – Amendments

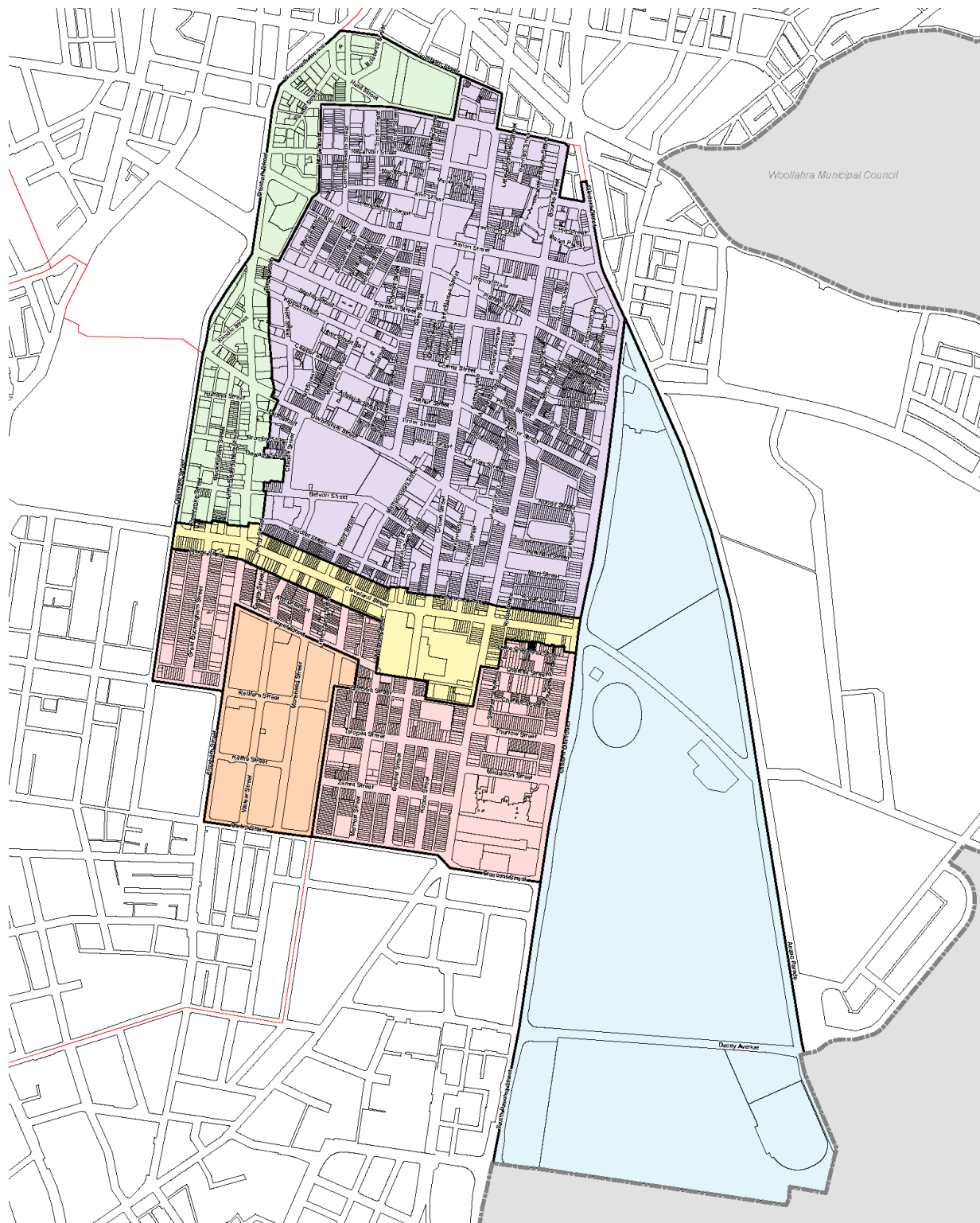


Figure 2.3

- | | | |
|------------------|-----------------|-------------------------|
| City Edge | Redfern East | Village Areas |
| Surry Hills | Redfern Estate | City of Sydney boundary |
| Cleveland Street | Moore Park West | |



Crown and Baptist Streets village neighbourhoods

2.3.2 City Edge neighbourhood

Neighbourhood statement

The City Edge neighbourhood is a mixed-use corridor and public transport thoroughfare adjacent to Central Station and Prince Alfred Park. It is the village's main interface with Central Sydney and supports high pedestrian volumes. It is diverse in character comprising historic warehouse buildings, mid-century high rise commercial development on large lots, traditional shopfronts and heritage terraces. The neighbourhood is to provide a transition between taller, large scale commercial buildings in Central Sydney and lower scale, finer grain mixed uses of Surry Hills.

The southern part of the neighbourhood is within the Cleveland Gardens Heritage Conservation Area (refer C62).

The neighbourhood is to continue to develop as a mixed-use neighbourhood. Employment and business uses are encouraged with a mix of retail and commercial uses consolidated along Elizabeth Street, Wentworth Avenue and around Harmony Park. Street level retail and commercial uses is to enhance pedestrian amenity and the role of Elizabeth Street as a busy commercial connector linking Cleveland Street and Central Station.

The diversity of the existing built form is to be maintained and complemented by future development. Pockets of historic buildings including warehouses and terrace rows are highly valued and should be enhanced through complementary development. Clusters of multi-storey face brickwork warehouse buildings built in the early 20th Century are visually distinctive and historically important. New development is to respond to the scale and proportion of heritage warehouses, utilising similar materials including brick and masonry. These are to remain consistent, contributing to the unique character of the neighbourhood while allowing and benefiting from change and redevelopment in the surrounding area.

Prince Alfred Park and the smaller Harmony Park are important green spaces for the highly urbanised neighbourhood which support the health and wellbeing of residents and workers. Surrounding development should enhance the experience of park users.

Neighbourhood principles

Development within the City Edge neighbourhood is to:

- (a) Conserve and enhance the network of existing laneways and the fine grain development pattern where it prevails.
- (b) Consolidate active retail uses along Devonshire Street and Elizabeth Street north.
- (c) Introduce secondary and supporting commercial uses throughout the neighbourhood.
- (d) Introduce active frontages to buildings fronting Elizabeth and Goulbourn Streets to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (e) Introduce active frontages to buildings opposite Prince Alfred Park and around Harmony Park including existing institutional buildings to contribute to the activity, safety, amenity and quality of the parks.
- (f) Provide upper-level mixed use (commercial and residential) overlooking public open space for passive surveillance.
- (g) Design new development to maintain established historic building setbacks and alignments and to respond to the scale consistent groups of terrace houses where they prevail to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (h) Design new development to respond to and reinforce the scale, bulk, height and materials, especially brick and masonry, of existing early 20th Century warehouses where they prevail to enhance the character and significance of heritage items and heritage conservation areas.
- (i) Retain and adaptively reuse heritage hotels and warehouses to facilitate their conservation and ongoing contribution to the character of the neighbourhood
- (j) Maintain Buckingham Street's asymmetry created by taller warehouse/infill buildings on the western side and predominantly low scale terraces on the eastern side

- (k) Maintain the visual relationship of Cleveland House to Prince Alfred Park and also from Cleveland House to surrounding open spaces and streets.
- (l) Maintain the prominence and visibility of gateway and landmark buildings including:
 - i. significant buildings at the intersection of Wentworth Avenue with Commonwealth and Goulbourn Streets; and
 - ii. the Dental Hospital.
- (m) Maximise amenity provided by the proximity to public open space and improve the interface between private and public domain.
- (n) Retain street corridor views through appropriate framing and by controlling encroachment into views:
 - i. along Elizabeth Street to Central Station;
 - ii. along Campbell and Hunt Streets to Haymarket; and
 - iii. along east-west streets to significant parkland and the mature trees of Prince Alfred Park.

2.3.3 Surry Hills neighbourhood

Neighbourhood statement

Surry Hills is a dense urban neighbourhood characterised by fine-grain historic streetscapes and a variety of small shops, homes and businesses. Within this diversity there are pockets of consistent low scale Victorian and early 20th Century terrace houses and heritage buildings which contribute to the character and quality of the neighbourhood. New infill is to respond to the existing character and scale of development. Development opportunities will be primarily located on larger lots and less consistent streets outside residential areas.

The neighbourhood is predominantly low-scale with building height increasing close to Oxford Street along north-south streets. Taller buildings which already exist along the north-south ridgeline are to be maintained as landmarks. These buildings are to remain distinct from the lower scale of their surrounding development.

A number of heritage conservation areas apply to different parts of the neighbourhood reflecting its historic development:

- Ryder Street (refer to C15)
- Albion Estate (refer to C58)
- Bourke Street North (refer to C59)
- Bourke Street South (refer to C60)
- Brumby Street (refer to C61)
- Cleveland Gardens (refer to C63)
- High Holborn Street (refer to C64)
- Little Riley Street (refer to C65)
- Reservoir Street and Forestville (refer to C66)

Northcott Estate on Devonshire Street is a large public housing estate dating from the 1960s with apartment buildings between 3 and 14 storeys. The towers at Northcott Estate will continue to stand out due to their size amongst the lower scale surroundings.

Crown Street and Bourke Street are the main active north-south streets. Bourke Street is to play a supporting role to the more active Crown Street. They are the basis of a retail and café precinct at their northern end. Here, the consistent awnings which characterise the streetscape are to be maintained to contribute to a high-quality pedestrian environment.

In the middle of the neighbourhood, Crown Street is the main street of the retail centre of Surry Hills with active frontages consolidated along Crown, Foveaux and Kippax Streets. The future built form character is to maintain the transition in scale and use, from large footprint warehouse buildings in the west to small lot retail, shop-top and terrace houses in the east. Crown Street's primary role is to be defined by consistent street level awnings and high quality public domain

treatment and active uses such as restaurants, cafes, and specialty retail shops, particularly to the north and opposite Shannon Reserve.

Along Bourke Street, the existing pattern of rows of late Victorian Terraces punctuated by corner shops and cafes is to be retained. Small scale retail uses are encouraged, especially to reinstate former corner shops.

In the south of Surry Hills, Ward Park is to be framed by development that provides safety and surveillance as well as contributing to its role as a popular public park. The diverse mix of uses which currently characterises the south is to continue, and the growth of complementary cultural and educational uses is encouraged. Future development is to retain the existing street edge scale of Crown Street with additional height set back from the street edge maintaining the street's pedestrian scale.

Neighbourhood principles

Development within the Surry Hills neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern.
- (b) Maintain the diversity of uses and encourage a mix of uses in larger scale developments outside residential areas.
- (c) Design development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings and align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (d) Replace, modify or screen detracting buildings and reveal original fabric and detail on historic buildings in heritage conservation areas.
- (e) In the north, consolidate active ground level uses such as retail shops, cafes and restaurants along Crown Street and Bourke Street north and locate supporting commercial and scattered retail uses at ground level in areas such as Flinders Street.
- (f) Strengthen the central neighbourhood centre along Crown Street:
 - i. retain the small lot pattern traditional retail strip of Crown Street; and
 - ii. retain and introduce active used dominated by restaurants, cafes and specialty shops.
- (g) Encourage active ground level uses along Foveaux and Albion Streets.
- (h) Provide a mix of commercial and residential uses above active ground floor uses to ensure 24-hour activity and surveillance of the street.
- (i) Maintain continuous awnings at the ground level throughout the retail strips, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.
- (j) Maintain and reinforce the commercial warehouse precinct along and between Foveaux and Kippax Street including Waterloo Street:
 - i. maintain warehouse style retail outlets and the “rag trade” tradition; and
 - ii. convert remnant warehouses for complementary purposes.
- (k) Consider adaptive re-use of terrace houses along Bourke Street, particularly corner sites south of Fitzroy Street.
- (l) Increase building heights on significant corner sites if the proposed bulk relates to and balances the other corners of the same intersection without dominating it.
- (m) Maintain the character of tall buildings located along the northern ridge such as the St Margaret's Hospital development. These tall buildings do not set a precedent for the scale of surrounding development.
- (n) Retain the low scale of terrace houses along Richards Avenue to minimise the impact on Shannon Reserve.
- (o) Provide a strong built edge to Ward Park with buildings that enable passive surveillance while responding to the height of existing buildings to the south and creating a gateway to Riley Street from the south.
- (p) Maintain the prominence and visibility of landmark buildings from the public domain including the steeple of the Chinese Presbyterian Church.

- (q) Retain street corridor views through appropriate framing and by controlling encroachment into views:
- i. to the north along the Crown and Bourke Street corridors, from the ridge;
 - ii. along Riley Street to Ward Park;
 - iii. along east-west streets to Bourke Street; and
 - iv. north-south along Bourke Street.
- (r) Maintain the landscaped setback at the Crown Street Primary School site, which creates a break in the street wall buildings and contributes to the character of Crown Street.

2.3.4 Cleveland Street neighbourhood

Neighbourhood statement

Cleveland Street is a busy east-west traffic route and walkable shopping street with an attractive mix of buildings and green breaks. Development will improve the pedestrian experience by contributing to a safe, pleasant and interesting street.

Positive aspects of the streetscape are to be retained and reinforced include existing corner commercial buildings, older warehouses and consistent terrace rows. Cleveland Street is within heritage conservation areas:

- Baptist Street (refer to C53)
- Chelsea and Thurlow Streets (refer to C54)
- Cooper Street (refer to C55)
- Redfern Estate (refer to C56)
- Bourke Street South (refer to C60)
- Cleveland Gardens (refer to C62)
- Goodlet Street (refer to C63)
- High Holborn Street (refer to C64)

The diversity of commercial and retail uses is to be increased to support a greater pedestrian focus, while retaining the residential component to sustain those uses. A series of identifiable nodes or activity clusters that straddle the street and visually break-down the traffic barrier are encouraged with the aim of linking Redfern to Surry Hills. The Bourke Street retail area offers opportunities to serve the local community and provide dining.

Limited opportunities to 'green' the street will be supplemented with street tree planting on side streets, where possible, to enable Cleveland Street to 'borrow' the landscape.

Neighbourhood principles

Development within the Cleveland Street neighbourhood is to:

- (a) Retain and introduce active uses on the ground floor of buildings fronting Cleveland Street including commercial, retail, professional services, café and dining to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (b) Provide uses above ground floor active uses, such as boutique accommodation, commercial, leisure and residential to extend activity and surveillance of the street.
- (c) Provide outdoor dining associated with restaurants and cafes along Cleveland Street where the footpath width permits to activate and enliven the street.
- (d) Align buildings with the street to strengthen the east-west street vista and address the street at ground level.
- (e) Provide active frontages to existing 'big box' buildings (e.g. shopping centres) to engage with the street rather than turn away from the street.
- (f) Retain and restore older corner buildings to facilitate their conservation and enliven the streetscape.
- (g) Provide a mix of building types to reflect the existing diversity of form and massing.
- (h) Integrate building heights and provide lower heights adjacent to low scale residential neighbourhoods and buildings along Cleveland and Crown Street.

- (i) Maintain the visual prominence of landmark warehouse buildings between Great Buckingham and Elizabeth Streets.
- (j) Protect the curtilage of special building types along Cleveland Street, notably church buildings, to enable visual appreciation of the buildings in their setting.

2.3.5 Redfern East neighbourhood

Neighbourhood statement

Redfern East is a predominantly residential area featuring many small-lot terrace houses, tree lined streets and pocket parks, some as the result of road closures. Supplementary uses that contribute to the vibrancy and vitality of the neighbourhood, including local retail, café/dining and community uses are important to pedestrian scale and an intimate character and are to be retained and reinforced.

Streets with consistent low scale residential development and intact terrace rows are to be retained. The scale and proportions, roof design and materials of terrace houses are to be retained. High quality alterations and additions should retain the rear yard character and residential amenity.

Street trees and landscaped front setbacks contribute to a sense of green streets with canopy trees which top buildings. The neighbourhood is highly walkable and residents are close to activity nodes which provide their daily shopping needs.

A scattering of contemporary townhouses and walk-up flats complement historic streetscapes and the scale of development including through consistent setbacks and stepping of buildings with the topography.

A number of heritage conservation areas apply to different parts of the neighbourhood reflecting its historic development:

- Baptist Street (refer to C53)
- Chelsea and Thurlow Streets (refer to C54)
- Cooper Street (refer to C55)
- Redfern Estate (refer to C56).

The contemporary redevelopment of the large former Resches Brewery site for low-rise and high-rise apartments within a community setting, Moore Park Gardens, provides an open space connector from Bourke Street to South Dowling Street and Moore Park. It is to be enhanced to encourage greater access to and use of the internal park. Small retail and services are encouraged to serve the local neighbourhood.

Neighbourhood principles

Development within the Redfern East neighbourhood is to:

- (a) Retain the predominant low-scale residential character and built form of the neighbourhood including narrow frontages and original roof forms.
- (b) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings and align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (c) Confine additions and alterations to the rear of dwellings to protect the character of historic streetscapes and the scale and massing of front elevations.
- (d) Retain and introduce ground floor uses on Bourke Street between Cleveland and Chelsea Streets to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (e) Introduce commercial uses in small traditional corner shops to facilitate their conservation and to enliven the streetscape.
- (f) Locate community uses adjacent to the neighbourhood centre to expand services within an easy walk of residents.

- (g) Permit only single storey additions to the rear of buildings in Rennie and Mount Streets.
- (h) Adopt simple pitched roof forms where they are the dominant feature of existing streetscapes.
- (i) North of Cooper Street, step buildings with the topography to minimise view loss, overlooking and overshadowing impacts.
- (j) Provide vehicle access only from rear lanes to retain their functionality, reduce on-street parking and increase opportunities to green streets.
- (k) Provide awnings to the commercial/retail area on Bourke Street, where appropriate and sympathetic to the building, to increase pedestrian amenity and unify the streetscape.
- (l) Retain and enhance the visual and physical connection through Moore Park Gardens to Moore Park with planting and directional signage.
- (m) Provide large trees along Morehead Street along the north-south ridge to enhance the appreciation of the sloping topography.
- (n) Landscape front gardens of dwellings and supplement street tree plantings to green streets, increase urban vegetation and improve pedestrian amenity.

2.3.6 Redfern Estate

Neighbourhood statement

Redfern Estate is a mid-20th Century public housing estate with a mix of 2 and 3 storey walk-ups, nine storey and 17 storey residential blocks in a landscape setting, which falls under state planning controls.

A comprehensive redevelopment by Housing NSW is encouraged to achieve a precinct which integrates with surrounding areas, is safe and secure, and creates high amenity for pedestrians and residents. Well-designed new buildings of high quality are to overlook and address the street and provide useable communal open spaces with clearly defined public and private domain and attractive streetscapes.

Neighbourhood principles

Development within the Redfern Estate is to:

- (a) Retain the neighbourhood as predominantly residential supported by community uses and leisure facilities with local retail, corner store or small café uses.
- (b) Locate active uses including community uses on corners and fronting public spaces to contribute to the activity, safety, amenity and quality of the parks.
- (c) Align new development with the footpath, with slender buildings, adequate separation between buildings and generous landscaped setbacks.
- (d) Design new development of the block bounded by Redfern Street, Young Street, Phillip Street and Morehead Street to:
 - i. include building around the perimeter with heights ranging from three to six storeys and minimum street setbacks of 4m;
 - ii. allow for visual and physical east-west connections by breaking building mass mid-block;
 - iii. provide public open space in the form of pocket parks; and
 - iv. feature generous setbacks and planting of mature trees with canopies.
- (e) Limit the height of development in the remainder of the neighbourhood to three to four storeys with reduced heights where a transition is required to the existing lower scale residential neighbourhoods.
- (f) Enhance visual and physical connections between the community use on Phillip Street, Elizabeth Street and Redfern Oval.
- (g) Provide a pocket park in the redevelopment of the corner of Young and Redfern Street.
- (h) Introduce traffic calming measures and maintain and extend street tree planting to enhance pedestrian amenity and safety.

2.4 Harris Street Village Locality Statements

Harris Street Village is located on a harbour peninsula on the western edge of Central Sydney. Known as Pirrama by the traditional landowners, the Gadigal of the Eora Nation, its landform has been reshaped through excavation and reclamation. Large finger wharves and pockets of large brick and masonry warehouses are a legacy of past maritime trade. Major urban renewal at the end of the last century changed the skyline of the village and elevated its visibility from many parts of the city. During this time, tall residential towers were built on the point and old finger wharves were converted including for affordable rental housing. The former power station site was redeveloped as an entertainment complex and casino and new foreshore parks were created.

The village is located between Darling Harbour to the east, a pedestrianised recreation and event precinct, and Wentworth Park to the west, a regional open space and greyhound racing track.

Today, it is Australia's most densely populated suburb and one of the largest and fastest growing concentrations of information media jobs. It is home to the regional headquarters of the broadcasting, publishing, media and technology sectors, as well as major educational institutions and tourism attractions.

Future growth will be driven by a rail station at Pyrmont on the Sydney Metro West line between Sydney CBD and Parramatta. Relocation of the former Fish Market to the head of Blackwattle Bay in the adjoining Glebe Point Road Village will free up state-owned foreshore land for redevelopment.

Between 2020 and 2022, the NSW Government finalised a 20-year vision and place-based framework to guide appropriate economic and employment growth in the village while remaining sensitive to Pyrmont's existing dense urban community and heritage qualities. It plans for 23,000 additional jobs and new homes for 8,000 people over the next 20 years.

Future character

Harris Street Village is an innovative, creative and cultural precinct that complements Central Sydney with high accessibility and within walking distance of the city. It will continue its tradition of being a place where people live close to their work.

New jobs in media and advertising technology businesses, professional and knowledge services, creative and cultural industries and a visitor economy will ensure its future relevance and adaptability.

The village will be green and connected. It will work to be a net-zero precinct and a sustainable place of choice for people to live, work and play. Social and other infrastructure, particularly publicly accessible open spaces with a broader tree canopy will make the Harris Street village a leader in social and environmental sustainability.

The character and charm of Harris Street and Union Square and other tree-lined streets, the much-loved green and open spaces along the waterfront, and the network of smaller parks, pockets and views along the ridge line will be protected and enhanced. At its heart will be an expanded harbourside promenade connected to innovative and inviting public spaces, waterfront vistas, wharves and cycleways, and a sustainable, living environment of urban canopy and welcoming green spaces.

A sensible approach to growth will deliver a variety of building typologies of high-quality design, from a range of taller buildings complementing the character and heritage of the area to smaller-scale urban warehouses and innovatively reused heritage buildings. Taller buildings will be located in Blackwattle Bay, Ultimo and Darling Island, where opportunities exist to harness new investment connecting to public benefits such as foreshore walks, new publicly accessible open space, precinct wide sustainability initiatives and more inclusive, diverse and innovative economic and employment opportunities.

New housing delivers a diversity of types and tenures to suit different households while meeting increasing sustainability objectives and performance targets. Social and affordable housing remains an important part of the social fabric of the local community and will continue to

complement new development in the village, including through the affordable housing contribution framework.

A new Sydney Metro station will bring greater connectivity, an expanded labour pool and the impetus for strong economic activity. Better active transport connections, with more cycleways and improved ferry and bus services, will also enhance the village and its sustainability.

Key strategic directions to 2036 include:

1. Achieve a critical mass of commercial office floor space in close proximity to the Pyrmont Metro Station.
2. Ensure larger developments contribute additional areas of publicly accessible open space, with greater tree canopy
3. Extend the City of Sydney's Eora Journey Harbour Walk project to include the Pyrmont foreshore.
4. Increase opportunities for social interaction and recreational, and improve walking and cycling connections.
5. Facilitate well designed, sustainable new homes including social housing without compromising commercial development or enterprise uses.
6. Foster a diverse and inviting night time economy in appropriate locations.

Harris Street Village principles

Development in the Harris Street Village is to:

- (a) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within Heritage Conservations Areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Celebrate working harbour heritage and history including through adaptive reuse of heritage buildings, historic warehouses and public domain interpretation.
- (c) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of pedestrian amenity and great public places and spaces.
- (d) Help deliver more high quality social and affordable housing through the City of Sydney Affordable Housing Program.
- (e) Protect residential amenity by addressing potential impacts of 24-hour economy activities including noise, safety, traffic and transport, amongst others.
- (f) Maintain a human scale at street level and transition building heights from higher areas to the waterfront to respect privacy, heritage and public space.
- (g) Protect the role and urban character of Union Square and the length of Harris Street as the focus of village life.
- (h) Prioritise and safeguard space for specialised and knowledge-based clusters and businesses, including health, education, creative industries, professional services and information media.
- (i) Deliver new major floor space capacity on larger sites within Blackwattle Bay and Darling Island through a range of building typologies including those that support small and medium size businesses.
- (j) Deliver new public spaces and increase tree cover on major renewal sites within Blackwattle Bay and Darling Island.
- (k) Protect and increase canopy tree cover and vegetation across public and private land to cool and green the urban environment.

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- (l) Protect sunlight to existing and future open space including Union Square, Wentworth Park, Tumbalong Park and foreshores public spaces.
- (m) Contribute to a world-class sustainable performance for the entire village by:
 - i. delivering village solutions to energy, water, waste and transport;
 - ii. reducing urban heat island effects through increased greening of active streets and spaces;
 - iii. ensuring new building meet high performance targets; and
 - iv. delivering a net zero emissions outcome for the village.

Development

Development in the Harris Street Village must achieve and satisfy the outcomes expressed in the village and neighbourhood locality statements and supporting principles.

2.4.1 Harris Street Village neighbourhoods

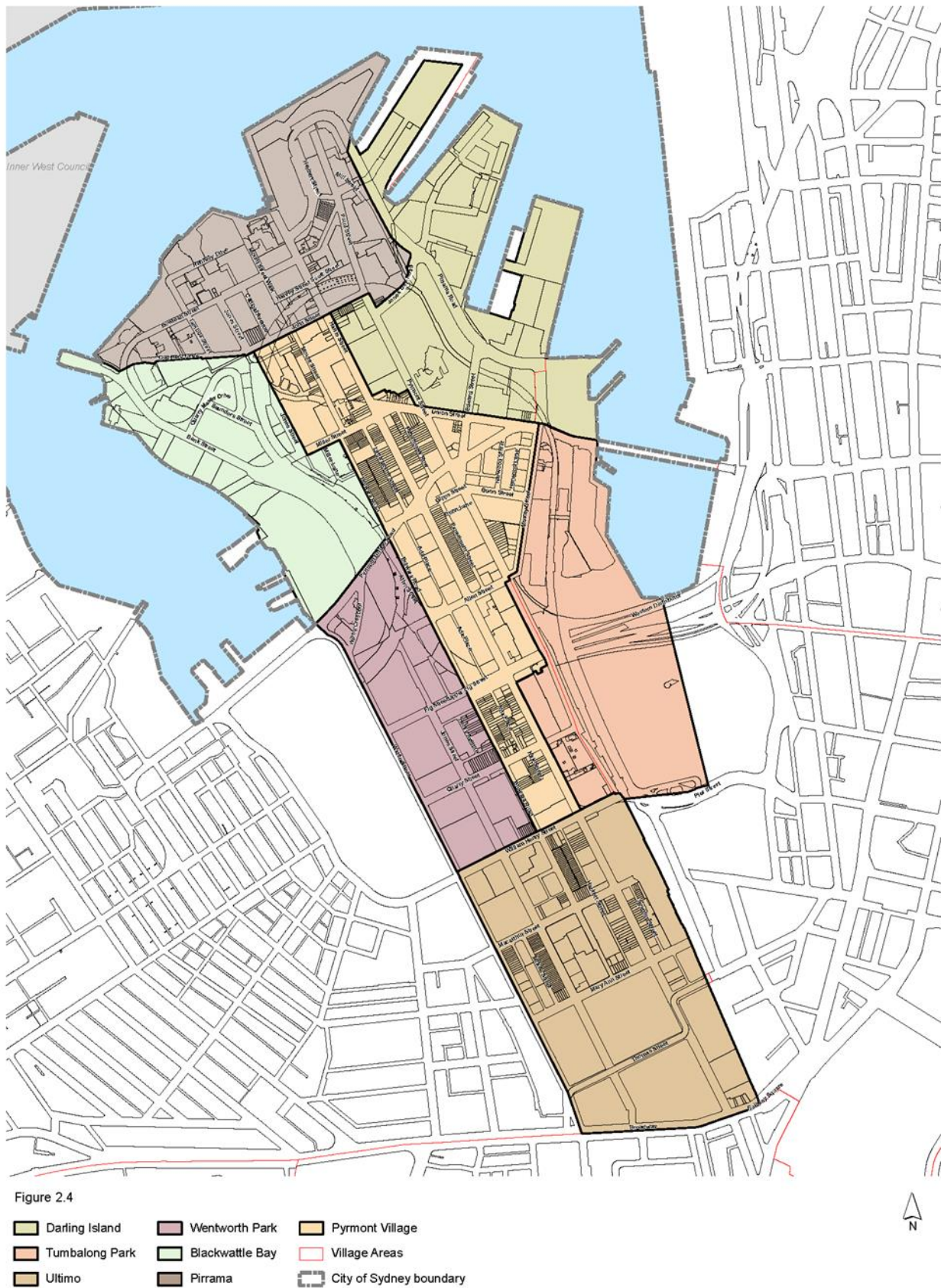
Harris Street Village has seven neighbourhoods, which are described below in Table 2.2 and shown on the village map at Figure 2.4. The direction provides a high-level indication of how the Village will change over time.

Table 2.2: Directions for Harris Street Village neighbourhoods

Harris Street Village neighbourhoods		
Neighbourhood	Description	Direction
Darling Island	A harbour home of large commercial, cultural and leisure destinations.	Enhance as a commercial office hub and as a place of entertainment, tourism and innovation.
Tumbalong Park	The city-facing side of Pyrmont and home to world-class tourism and visitor attractions (subject to state planning controls).	Enhance as a place of attraction and interaction.
Ultimo	A centre for creativity and learning at the edge of Central Station.	Enhance as a place of integration, education, creativity and culture.
Wentworth Park	A steep park-side community of historic warehouses and terrace houses.	Maintain and enhance as a place of home, work and recreation.
Blackwattle Bay	A state-owned foreshore edged by arterial roads and mixed-use development, subject to state planning controls.	Change to a new urban quarter and tourism destination.
Pirrama	A high-density mixed residential neighbourhood on the point of Pyrmont.	Maintain as a place of waterfront living and working harbour heritage.
Pyrmont Village	A centre of village life along the historic ridgeline with fine grain shopfronts and terrace houses.	Maintain and enhance as a place of history, innovation and culture.
Direction	What it means	

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Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.



Harris Street village neighbourhoods

Figure 2.4: Harris Street Village neighbourhoods

2.4.2 Darling Island neighbourhood

Neighbourhood statement

Darling Island is a harbour home of large commercial, cultural and leisure destinations. Darling Island caters to jobs in the entertainment, tourism and innovation industries. It attracts international businesses and tourists with an active waterfront and views to the Harbour Bridge. It offers easy pedestrian and bike access to the CBD over Pyrmont Bridge, both light rail and ferry connections, and good access for private cars and freight trips.

Low and medium-rise buildings nestle into the area's sloping topography from Harris Street to the waterfront, where finger wharfs have been transformed into offices, restaurants, homes, many of which face onto Metcalfe, Ballarat and Pyrmont Bay parks.

Darling Island hosts a mix of nationally significant innovation, creativity, ad-tech and media businesses, including Google, The Star, Lyric Theatre and Australian National Maritime Museum, in addition to shops, cafes, bars and restaurants which attract visitors and tourists during day and night.

Links to its history as a working waterfront and can be found in the finger wharfs and along the waterfront where remnants of this heritage are preserved as public art.

Darling Island is set to evolve over the next 20 years. Tourism, visitor and innovation businesses will attract, invest and reinvent their offerings within a globally-focused entertainment destination.

The next 20 years will see more tourism and visitor attractions, creating new jobs and investment, including a thriving night-time economy. New businesses will be drawn to anchor organisations like Google and will be attracted to Darling Island's waterfront location and character.

While most change is expected in places like The Star, as new development, revitalisation or expansion occurs, Darling Island's character and attributes will be enhanced.

New buildings will be located, designed and integrated with the surrounding area – contributing to local character while also bringing broader benefits, such as new public places, landscapes or connections. Building heights will create a smooth transition with existing development and step down to the foreshore.

A continuous and generous harbour foreshore walk, including the section around Jones Bay Wharf, will be created and foreshore parks will be upgraded. The neighbourhood's heritage and history of industry and enterprise will be celebrated in the design of public and private spaces. Views of Central Sydney from the public domain will be maintained.

Neighbourhood principles

Development within the Darling Island neighbourhood is to:

- (a) Deliver additional floorspace for new jobs in tourism, entertainment, culture, creativity and innovation within walking distance of the Pyrmont Metro station.
- (b) Create new or adapt space in older buildings for new workplaces to diversify tourism and visitor offerings.
- (c) Transition building heights from Union Street (and higher land around Harris Street) to the harbour so taller buildings are located to respect privacy, open space such as Union Square, views to and from the northern end of the Peninsula from the harbour, heritage items and existing buildings.
- (d) On renewal sites, achieve design excellence, through-site links, better walking and cycling connections, reinstated harbour views, protected heritage items, green space and precinct-wide infrastructure.
- (e) Promote activities under the 24 Hour Economy Strategy in a way that recognises and addresses potential impacts to residential amenity, including noise, safety, traffic and transport in planning and other regulatory processes.

- (f) Provide residential development, including affordable housing, without compromising the attractiveness of Darling Island for tourism, visitor and 24-hour economy uses, cultural, creative, entertainment and commercial uses.
- (g) Provide active ground floor uses in appropriate locations and maintain the high quality and amenity of the public domain.
- (h) Provide outdoor dining associated with restaurants and cafes where the footpath width permits to activate and enliven the street.
- (i) Create space for public indoor sports and recreation on rooftops or in space within podiums as sites are redeveloped.
- (j) Provide communal rooms for residents for activities such as music practice and indoor fitness, as well as creative and cultural spaces for participation, production and exhibition.
- (k) Protect long distance and panoramic views to and from the harbour and from elevated public areas such as Harris Street and Distillery Hill.
- (l) Create attractive, safe and connected streets for walking and cycling, particularly in back-of-house areas, with activity spurred on by shops, cafes, outdoor dining, public art, and community spaces.
- (m) Provide outdoor dining associated with restaurants and cafes where footpath width permits to activate and enliven the street.

2.4.3 Tumbalong Park neighbourhood

Neighbourhood statement

Tumbalong Park is the city-facing side of Pyrmont and home to world-class tourism and visitor attractions. It includes the western rim of Darling Harbour, a pedestrian precinct gifted to the people as part of the 1988 Bicentennial celebrations. The neighbourhood includes a cluster of hotels, the Harbourside Shopping Centre, the ICC, Exhibition Centre and Powerhouse Museum.

Tumbalong Park features a large-scale built form and spaces that attracts and accommodates large gatherings of people for conferences, exhibitions, events and activities as well as shops, restaurants, cafes and bars.

Much of the neighbourhood is designed with a focus on pedestrians. However, it is not easy to connect to Tumbalong Park from other parts of Pyrmont, due to light rail infrastructure, back-of-house functions on Darling Drive and the steep topography up to the ridgeline of Harris Street.

During the next 20 years, Tumbalong Park will be an integral part of the globally recognised tourism and visitor destination, Darling Harbour, and a meeting place for innovators, entrepreneurs and businesses.

Tumbalong Park will complement and support a productive village, with visitor attractions and areas for large events, gatherings and conferences, creating jobs in tourism and supporting the night-time economy. Tumbalong Park and Darling Harbour more broadly are at the end of a wave of major investment that revitalised the ICC and Exhibition Centre and included, or will include: The Ribbon; Sofitel Hotel; Darling Square and Quarter; the redevelopment of Cockle Bay and the proposed redevelopment of Harbourside Shopping Centre.

Businesses and asset owners will continue to invest in new and upgraded tourism, visitor and business offerings to attract the global tourism and visitor markets and respond to changing market preferences. New development will deliver improved public domain outcomes and a range of public benefits while maximising sunlight access to celebration spaces including Tumbalong Park and Cockle Bay.

The pedestrian and cycling connection to the Sydney CBD around the foreshore from Darling Harbour across Pyrmont Bridge will continue to connect people and businesses.

As a place for business people to interact and share new knowledge, ideas and processes, the Tumbalong Park neighbourhood will showcase work in creative industries, start-ups and research. Better physical and cultural links to the authentic character of the village will enhance these connections, together with excellent public spaces and public art installations showcasing Sydney's creative talent.

Investment in larger sites can be expected to flow on to smaller sites, particularly around the eastern side of the neighbourhood along Darling Street.

Neighbourhood principles

Development in the Tumbalong Park neighbourhood is to:

- (a) Create new space for jobs in tourism and entertainment and supporting services, such as shops, restaurants, cafes and bars and transport, to create smaller activity areas.
- (b) Provide new commercial space to cater for jobs and industries of the future including in media, entertainment, creative, educational and start-ups.
- (c) Prioritise delivery of employment, entertainment and tourism floorspace at Harbourside Shopping Centre.
- (d) Use space to foster and encourage collaboration between companies, start-ups, researchers, creative and knowledge workers.
- (e) Provide residential development, including affordable housing, without compromising the attractiveness of Tumbalong Park for tourism, visitor and 24-hour economy uses, cultural, creative, entertainment and some commercial uses.
- (f) Transition building heights from higher areas to the waterfront and open space so taller buildings are located to respect privacy, public space, such as the waterfront promenade, Pyrmont Bridge and Tumbalong Park, views, heritage items and existing buildings.
- (g) Deliver a safe, activated and inviting streetscape interface on all boundaries including Darling Drive.
- (h) Showcase the history and heritage of Darling Harbour and foreshore, including Aboriginal, and working and maritime history, in any new development.
- (i) Encourage green building facades and rooftop gardens in new development.
- (j) Improve east–west active connections from Tumbalong Park into Pyrmont and up to Harris Street by addressing the barriers of light rail and back-of-house areas on Darling Drive.
- (k) Protect solar access to the harbour foreshore public domain including Cockle Bay and Tumbalong Park.
- (l) Create publicly accessible, privately-owned space, such as multi-purpose courts on rooftops or in podiums or viewing platforms that showcase Sydney Harbour.
- (m) Improve and enhance the events and gathering capacity of the public domain as a global tourism destination.
- (n) Create informal outdoor recreational facilities for young people, students, workers and culturally diverse residents, such as skate friendly public domain treatments and seating and tables with access to power and Wi-Fi for study.

2.4.4 Ultimo neighbourhood

Neighbourhood statement

Ultimo is an established student precinct and jobs hub which is highly accessible from all parts of the city due to its proximity to Central Station. It is characterised by a strong grid street pattern and diverse building stock, from monolithic brick wool stores to Victorian terrace houses, low to mid-rise

apartments and large-format education and office workplaces. It has many heritage items and includes the Harris Street Heritage Conservation Area (refer to C67).

It is an area renowned for the dramatic contemporary architecture associated with the UTS, which is the primary tertiary institute in the neighbourhood. Other anchor institutions include TAFE NSW Ultimo Campus, Screen Australia, and the Australian Broadcasting Corporation (ABC), as well as the adjoining Powerhouse Museum. A number of private educational colleges leverage being close to these institutions.

Ultimo will evolve into a bustling place of learning and creativity at the edge of Central Station, a prosperous creative jobs hub. Ultimo will blend education, cultural, tourism, transport and employment hubs, the ingredients of an Innovation District. Innovation and entrepreneurship will be taught, tested and applied.

Anchor institutions support the growth of a vibrant 24-hour neighbourhood that integrates cultural, creative and commercial uses. It will be a place that provides rich cultural experiences, facilitates collaboration and partnership with industry and supports Sydney's diverse creative industries community.

It is a place of significant change leveraging its location advantages and growth of educational establishments. Development and renewal will capitalise on committed public and private investment in nearby areas, such as Tech Central.

The Central Sydney Planning Strategy envisages taller buildings in Haymarket and there is an opportunity to expand this approach into Ultimo to create more employment space.

As educational institutions expand their facilities and services and look outwards to the community, redevelopment will blend learning, culture and enterprise within buildings and across sites. New student housing will be built for the area's many domestic and international students.

The diverse historic building stock is to be protected and adaptively reused. New development is to respect these buildings without mimicry to create buildings of outstanding architectural merit. New development is to maintain street legibility and provide usable pedestrian and bike links through and within the neighbourhood. Driveways are to be minimised and located so as not to conflict with pedestrians.

Harris Street, through its centre, will be rejuvenated through a range of public and private actions including heritage building enhancement, streetscape improvements and possible public transport changes. The Goods Line on its eastern boundary is both a green space for people to spend time and a connector. It will be extended north into Pyrmont and south to Tech Central and beyond to better connect Ultimo with the other centres of employment. A mix of retail, cultural and commercial uses will serve the student and working population and create a lively and active interface with the street and the Goods Line.

Small, intimate and valued existing green spaces will be connected as sites are redeveloped and will resolve the ambiguity of semi-public spaces.

Neighbourhood principles

Development within the Ultimo neighbourhood is to:

- (a) Deliver knowledge-based jobs growth in Ultimo anchored by the UTS, TAFE NSW Ultimo Campus, Powerhouse Museum and ABC:
 - i. grow and diversify spaces to be used for research and innovation;
 - ii. provide affordable workspaces for creative industries;
 - iii. reuse heritage buildings for creative, cultural and community uses;
 - iv. create theatre, performance, production, rehearsal and exhibition spaces;
 - v. enhance open spaces, for example, through public art, and public access to these spaces;

- vi. encourage the provision of work-based childcare; and
 - vii. build better pedestrian connections, particularly to and from the Goods Line and Darling Harbour.
- (b) Retain a mix of affordable, flexible and collaborative workplace to support clusters of enterprise and innovation, such as along Wattle and Harris streets.
 - (c) Locate taller buildings so they respect privacy, public open space, views, heritage items and existing buildings.
 - (d) Celebrate Ultimo's heritage, particularly within or adjacent to heritage items and the Harris Street Heritage Conservation Area, and as heritage buildings are adapted for new uses.
 - (e) Create new centres of activity as major sites are developed, with new connections and open spaces and busy street frontages to transform Harris Street into a pleasant pedestrian environment.
 - (f) Design buildings to align with and address the street at ground level with easily identifiable building entries to improve the appearance and walkability of streets.
 - (g) Provide outdoor dining associated with restaurants and cafes where the footpath width permits to activate and enliven the street.
 - (h) Provide footpath awnings to active frontages, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.
 - (i) Provide at least four public outdoor courts to support students and young people living in Ultimo in new development.
 - (j) Increase green space and tree canopy cover and encourage façade greening on Jones and Harris Streets.
 - (k) Improve east-west pedestrian and bike connections through sites between Harris Street and Darling Harbour, the proposed extension of the Ultimo Pedestrian Network and Central Sydney.

2.4.5 Wentworth Park neighbourhood

Neighbourhood statement

Wentworth Park neighbourhood is a steep, park-side community of historic warehouse and terraces houses. It is mainly a residential area, with restaurants, cafes, retail and commercial businesses on ground floors, in podiums, and in corner buildings. Wattle Street is characterised by the robust and bold masonry construction of the wool store buildings that speak of the industrial past, and today accommodate a mix of commercial, creative and other professional and knowledge services.

The neighbourhood has many heritage items and includes the Ultimo Heritage Conservation Area (refer to C69).

Wentworth Park in neighbouring Glebe Point Road Village, and smaller open spaces including Fig Lane Park and Quarry Green, frame the built-up areas. East of Jones Street, low to medium rise terraces and apartment buildings interact with street trees, creating a green inner-city urban character.

The regular street pattern makes it easy for people to walk around, despite the topography, and it is well serviced by public transport.

In the future, Wentworth Park's terraces and low to medium rise apartments will sit comfortably alongside creative employment spaces in historic urban warehouses, where workers and residents enjoy an easy walk to an enhanced Wentworth Park.

Wentworth Park itself will be a vital green space as the neighbourhood changes in the long term. The lease at Wentworth Park for greyhound racing expires in 2027. This provides an opportunity to return it to its original design intent as a contiguous green public open space.

Change will be focused along the Wattle-Jones Street corridor where old wool stores will become interesting spaces for creative industries, galleries and events. These urban warehouses will be places for the making, creating and production of new ideas, products or processes. Workers will need well-insulated buildings and businesses will need access to the regional and district road network for freight and logistics functions.

Building design will take advantage of the sloping land between Jones and Wattle streets and will not overshadow or detract from the amenity of Wentworth Park itself.

The new Ultimo Public School will bring activity to the neighbourhood and support small-scale services and amenities along Jones Street.

Better east-west and north-south walking and cycling paths will be located for people to connect to and between Wentworth Park, the new Sydney Fish Market, UTS, the Powerhouse Museum, The Goods Line and light rail.

Within the Ultimo Heritage Conservation Area, terrace buildings will continue to be used for housing, cafes and small creative enterprises. New commercial space will be opened through clever architectural design.

Neighbourhood principles

Development within the Wentworth Park neighbourhood is to:

- (a) Ensure a genuine mix of business and residential uses to enhance the character, liveability and productivity of the neighbourhood.
- (b) Adaptively re-use Old Wool Stores along Wattle and Jones Streets as urban warehouses for commercial and creative industries.
- (c) New development, including adaptive re-use and extension to heritage buildings, respects the transition of height down from Jones Street to Wattle Street and protects sunlight to Wentworth Park.
- (d) Provide cultural production and rehearsal space as sites are developed, including soundproof music rooms, communal meeting spaces and ground-level exhibition space.
- (e) Celebrate the neighbourhood's heritage, particularly within or adjacent to heritage items and Ultimo Heritage Conservation Area and as heritage buildings are adapted for new uses.
- (f) The height of buildings respects and complements existing buildings in terms of scale, elevation detail and proportions and materials.
- (g) Use compatible materials including sandstone (where sustainable) and face brick.
- (h) Improve east-west pedestrian and bike connections through sites between Harris Street and Wentworth Park.
- (i) Deliver green streets by planning for green space, tree canopy cover and façade greening on Jones Street, Bulwara Road and Quarry Street.

2.4.6 Blackwattle Bay neighbourhood

Neighbourhood statement

Blackwattle Bay comprises working waterfront land edged by major arterial roads with a cluster of media organisations and medium density housing beyond. Anchor tenants include the Sydney Fish Market, Network Ten and NOVA Entertainment. It is adjacent to the site of the relocated Sydney Fish Market at the head of Blackwattle Bay which is within the Glebe Point Road Village.

The steep change in topography from Harris Street and Union Square to the waterfront, the areas under the Western Distributor and the supports for Anzac Bridge, as well as road and light rail infrastructure create barriers within the sub-precinct.

Blackwattle Bay will significantly transform to become a new urban quarter and tourism destination through the redevelopment of public and private foreshore land. It will attract businesses and employees, visitors and tourists along the connected waterfront linking Sydney Fish Market east to the Western Harbour, Walsh Bay and beyond. Country will be reflected in well-designed public space areas connecting community and history around a new contemporary character. The Pyrmont Metro station will provide enhanced access to this new urban quarter and entertainment precinct.

It is an outstanding opportunity to achieve a mixed-use precinct that is world class in design and sustainable performance. New buildings will be designed to avoid exposure to noise and air pollution and to reduce wind tunnel effects.

Future links to the Pyrmont Metro Station would set the scene for this part of the Peninsula to transform into a new urban quarter based around a mixed-use precinct that supports the cultural and entertainment offerings of the waterfront through a public promenade and event and function uses.

Blackwattle Bay's transformation will focus on public domain and open space improvements, better connections and the right mix of spaces for businesses and customers on the doorstep to a world-class tourist attraction, the Sydney Fish Market.

Neighbourhood principles

Development within the Blackwattle Bay neighbourhood is to:

- (a) Redevelop Blackwattle Bay into a new mixed-use urban quarter focused on cultural and entertainment, visitor and tourism, retail and residential uses, connected to public transport, including the Pyrmont Metro station and anchored by the new Sydney Fish Market.
- (b) Investigate the establishment of new entertainment, events and cultural space in the redevelopment of Blackwattle Bay to support a vibrant 24-hour entertainment and cultural precinct.
- (c) Provide residential development including affordable housing without compromising commercial development and the attractiveness of Blackwattle Bay for a range of cultural, entertainment, arts and leisure activities supporting a diverse and vibrant 24-hour economy.
- (d) Reprioritise street and traffic flows to promote pedestrian, cycling and public transport and provide improved active transport connections from Blackwattle Bay to other parts of the Peninsula.
- (e) Establish controls to ensure development protects sunlight to existing and future open space including the harbour foreshore area consistent with the amenity constrained height strategy to be refined in subsequent sub-precinct master planning.
- (f) Create a continuous harbourside foreshore promenade connecting to Darling Harbour, Barangaroo and Walsh Bay arts and cultural precinct in the east and the new Sydney Fish Market and Glebe to the west, and beyond.
- (g) Create a new district park near Bank Street of approximately one hectare.
- (h) Showcase the area's Aboriginal and working harbour heritage in new public domain and upgrades.
- (i) Encourage green building facades and rooftop gardens in new development.
- (j) Provide publicly-accessible, privately-owned space, such as multi-purpose courts on rooftops or in podiums, or viewing platforms that showcase Sydney Harbour.
- (k) Provide outdoor dining associated with restaurants and cafes where the footpath width permits and which will not compromise the Harbour Walk.

2.4.7 Pirrama neighbourhood

Neighbourhood statement

Pirrama is a waterfront neighbourhood with a sloping topography at the point of Pyrmont. Its landscape has been transformed as the result of past industrial activity. At the end of the last century, it underwent a comprehensive urban renewal. It is now a predominantly residential area, with high-rise apartment buildings and terrace housing adjacent to foreshore parks. It has the highest residential densities in the village, spread across private, social and affordable rental housing.

It features public and private open spaces and some retail and commercial activities near Harris Street. The John Street Square Light Rail stop provides public transport access to Central Station, Glebe and the Inner West. The topography is interrupted by the old quarry face and light rail cutting.

Harris Street terminates at Pirrama Park and the waterfront and connects Broadway through to the edge of the harbour. Visual and physical connections to the harbour and beyond from roads including Harris Street should be protected. The striking cliff faces are important to remain as exposed landmarks visible from within the neighbourhood and from the harbour.

Pirrama will be a place with fantastic harbour views, foreshore recreational spaces, a mix of housing types, tenures and price points, new commercial and retail development, prioritised walking and cycling and easier east–west connections.

There is some redevelopment potential in older buildings and sites. This could open the potential for other opportunities, such as walking access to the Pyrmont Metro station, a walking and cycling connection to Bays West via a new link in the vicinity of Glebe Island Bridge, large foreshore public parks and better access to smaller public parks.

Given the scale of existing development, significant renewal is not anticipated, though some older buildings may experience redevelopment. A continued mix of housing, office and retail floorspace is expected with active ground floor uses such as shops and cafes and restaurants.

Opportunities to improve east–west connections could include removing barriers to pedestrians along Bowman Street and John Street.

Neighbourhood principles

Development within the Pirrama neighbourhood is to:

- (a) Maintain the distinctive character created by the built form on the central ridge and the water front edges.
- (b) Retain the visibility of the dramatic topography created by excavated sandstone cliffs from the public domain.
- (c) Retain and introduce active uses on the ground floor of buildings fronting Harris Street to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (d) Provide outdoor dining associated with restaurants and cafes where the footpath width permits to activate and enliven the street.
- (e) Include green rooftop gardens in new development.
- (f) Improve and enhance east–west connections to Blackwattle Bay and Darling Island and access to the foreshore.
- (g) Protect long distance and panoramic views from the public domain to the city and waterfront.

2.4.8 Pyrmont Village neighbourhood

Neighbourhood statement

Pyrmont Village is a historic ridgeline neighbourhood of fine grain shopfronts and terrace houses around Harris Street and the centre of village life. It is a diverse, attractive and interesting place to be. It boasts restaurants, cafes, bars and pubs near where people live and work. Street trees make it a pleasant and attractive environment for pedestrians, residents, tourists, visitors and workers.

It is a place of local culture and connection. Union Square is the heart of the village serving multiple functions: a destination; a gateway to the east and west of Pyrmont; a meeting place; and a point of orientation across a landscape that can be difficult to navigate as a pedestrian. Harris Street is the historic urban spine of the entire village and will be rejuvenated through a range of public and private actions including heritage building enhancement, streetscape improvements and possible public transport changes.

The village has numerous heritage items and a couple of heritage conservation areas (Pyrmont C52 and Ultimo C69). It is characterised by historic low scale housing including terraces and large footprint medium rise historical and industrial buildings built to the edge of the street and laid out in a strong grid pattern. More recent development has included townhouses, medium rise apartments and commercial buildings between Pyrmont Bridge Road and the Western Distributor. The layering of different buildings, styles and typologies contribute to the unique built heritage of the area.

Significant change is not anticipated in Pyrmont Village outside new space for jobs and some residential growth.

New space for employment respects the low- to medium-rise building heights of existing development and the layering of heritage and new contemporary buildings that sit comfortably with each other. New development improves the amenity and legibility of streets for pedestrians by aligning buildings with the street and having awnings where sympathetic to the building. Building entrances are to be easily identifiable and visible from the street. Driveways are to be minimised and located so they do not conflict with pedestrians. New residential growth is expected to be limited to a few sites with identified capacity.

The Pyrmont Metro station will bring improvements and enhancements in connectivity and wayfinding, particularly in how pedestrians, cyclists and drivers move around, in connections to other parts of Pyrmont and to public spaces and economic connections could be built with the other centres of employment.

Neighbourhood principles

Development within the Pyrmont village is to:

- (a) Support the mix of employment, homes, social infrastructure, entertainment and shops along Harris Street.
- (b) Provide new creative and cultural spaces as part of new development, such as a local community gallery or cultural production hub, as well as creative live/work spaces.
- (c) Preserve the heritage character and forms of the area and sensitively adapt heritage buildings to create affordable, flexible and collaborative space for local enterprise and innovation.
- (d) Design new development to respect and complement the low- to medium-rise built form, heritage items and conservation areas, and the special qualities of Harris Street in terms of scale, elevation detail and proportions.
- (e) Use compatible materials including sandstone (where sustainable) and face brick.
- (f) Design buildings to align with and address the street at ground level with easily identifiable building entries to improve the appearance and walkability of streets.
- (g) Retain and introduce active uses on the ground floor of buildings fronting Harris Street to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.

- (h) Provide outdoor dining associated with restaurants and cafes where the footpath width permits to activate and enliven the street.
- (i) Provide footpath awnings to active frontages, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.
- (j) Protect Union Square as an important public space, including solar access and the sense of openness from views to the sky.
- (k) Maintain views and vistas from the public domain including streets to the harbour, Central Sydney and surrounding areas to improve street legibility and orientation.
- (l) Increase the number of canopy trees particularly in public areas and larger privately-owned properties at ground level, or on podiums and rooftops.

2.5 Macleay Street and Woolloomooloo Village Locality Statements

Macleay Street and Woolloomooloo Village is a harbourfront village located on the eastern edge of Central Sydney with a landform that rises to a peninsula ridge in the east overlooking the city. On traditional lands of the Gadigal of the Eora nation, it was a place of ceremony, hunting and fishing and early interaction between Aboriginal people and colonial settlers.

It is home to many important heritage buildings and conservation areas, with historic high-density, low-rise terraces in the west and high-rise apartment buildings in the east. The diverse built form is the result of cycles of development through the decades reflecting its historic evolution. Rare grand Victorian terraces and interwar apartment buildings are a treasured legacy from the past. As a result of community opposition to plans for high-rise development in the mid-20th Century, large parts of Woolloomooloo were resumed for low- to medium-rise public housing, and terraces along Victoria Road were saved.

The top of the village, Kings Cross, is on the Eastern Suburbs Railway line and is an established residential area and centre including popular bars, eateries and entertainment venues. It has a colourful history as a popular late-night district which has moderated since the introduction of lock-out laws in 2014.

Along its foreshore, a large heritage finger wharf has been converted to a hotel, restaurants and apartments with generous public decks. The village also includes Garden Island, which has been a base for naval defence of Australia for over 200 years.

Future character

Macleay Street and Woolloomooloo Village is diverse and inclusive urban neighbourhood with a distinctly eclectic architecture and cosmopolitan culture. It is a place which provides housing for all people and a destination for locals and visitors to experience a great night out at the theatre, club, pub or foreshore restaurant. In close proximity to the Central Sydney, it has a thriving small business sector, emerging arts scene, and great foreshore walkways connecting it to the Royal Botanic Gardens and Art Gallery of NSW.

Significant change is not anticipated over the next 20 years with the village providing additional capacity for 600 jobs and 1,000 new homes from 2016 to 2036.

Darlinghurst Road/Macleay Street will consolidate its role as the village's cosmopolitan high street and local centre providing for the daily needs of residents and workers as well a variety of shops, eateries and venues which operate into the night.

The night time offering at Kings Cross and the surrounding area will be focused on performing arts, building upon existing theatres, such as the Griffin and Hayes companies, and other venues and the area's unique history of performance, the arts and nightlife.

Development will contribute to the village's unique collection and mix of architectural styles which is a signature of the built form character. Diverse building styles will add interest and contrast to enhance the overall visual appeal and vitality of the village. Its inter-war apartments, large Victorian

terraces, rare colonial mansions and best examples of postwar apartments will be retained. The village will continue to be visually prominent from afar, from the City and the harbour, presenting a striking urban silhouette.

The village will continue to offer a mix of dwelling types, tenures and sizes to support a diverse community. Public housing stock will be subject to ongoing conservation and renewal to meet modern living standards and increase supply. The City will work with the NSW Government to ensure any changes respect the low scale and terrace character of Woolloomooloo and facilitate improved amenity for existing and future residents.

Strategic directions to 2036 include:

- Maintain and reinforce the cosmopolitan and eclectic character of the village.
- Support an emerging performing arts precinct at Kings Cross to revitalise its night time economy.
- Maintain and enhance the amenity of Darlinghurst Road and Macleay Street as safe and walkable high streets including at night time.
- Collaborate with State Government to achieve better outcomes for social housing precincts.
- Recognise and celebrate the living cultures and heritage of Aboriginal and Torres Strait Island communities through the Eora Journey in the public domain at Woolloomooloo.

Macleay Street and Woolloomooloo Village principles

Development in Macleay Street and Woolloomooloo Village is to:

- (a) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within Heritage Conservations Areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Retain and adaptively reuse heritage items and conserve inter-war apartment buildings, terrace housing and grand Victorian villas in heritage conservation area.
- (c) Maintain and reinforce the architectural mix of building styles which reflect the layering of history and development and create a unique urban environment.
- (d) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of pedestrian amenity and great public places and spaces.
- (e) Strengthen the Village's cultural life and diverse and safe night time activity in and around Kings Cross.
- (f) Maintain district views from the CBD and William Street to the Potts Point/Kings Cross skyline with its crown of high-rise and significant signage.
- (g) Manage and respond to existing noise conditions from entertainment venue.
- (h) Aim for net-zero energy emissions and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (i) Protect and increase canopy tree cover and vegetation across public and private land to cool and green the urban environment.

Development

Development in the Macleay Street and Woolloomooloo Village must achieve and satisfy the outcomes expressed in the Village and neighbourhood statements and supporting principles.

2.5.1 Macleay Street and Woolloomooloo Village neighbourhoods

Macleay Street and Woolloomooloo Village has six neighbourhoods, which are described in Table 2.5 below and shown on the village map at Figure 2.3. The direction provides a high-level indication of how the village will change over time.

Macleay and Woolloomooloo village neighbourhoods

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Neighbourhood	Description	Direction
Woolloomooloo	A dense urban valley between the CBD and Potts Point/Kings Cross with a low scale core and reflecting many layers of historic development.	Maintain as a walkable low scale and leafy residential area buffered from major roads by mixed-used development.
Potts Point	A headland neighbourhood with a dense urban character with medium to high rise buildings from different eras.	Maintain architectural diversity, tree-lined streets and a main street of boutique retail and dining.
Kings Cross	A centre of village life and high street around the Kings Cross railway station with shops, eateries and entertainment venues.	Enhance as a destination for performing arts that is safe and welcoming for all people, both day and night.
Elizabeth Bay and Potts Point Foreshore	A steep and undulating residential foreshore with medium and high-rise buildings, a landmark historic house and large foreshore park.	Maintain architectural diversity, water glimpses from the public domain and a mix of dwelling sizes and types.
Cowper Wharf	A tourism and dining destination in a converted former finger wharf and foreshore apartments, which falls under state planning control.	Maintain and enhance foreshore public access and high quality visitor facilities and services.
Garden Island	The naval defence base for the east coast of Australia, which is subject to Commonwealth Government laws.	Maintain operational efficiency of critical defence capability for Australia.

Direction	What it means
Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.

Table 2.3: Directions for Macleay and Woolloomooloo village neighbourhoods

 Woolloomooloo
  Elizabeth Bay and Potts Point Foreshore
  Village Areas

 Potts Point
  Cowper Wharf
  City of Sydney boundary

 Kings Cross
  Garden Island



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2.5.2 Woolloomooloo neighbourhood

Neighbourhood statement

The Woolloomooloo neighbourhood is a dense urban valley between the CBD and Potts Point/Kings Cross ridge with a low scale core and reflecting many layers of historic development. The neighbourhood is within the Woolloomooloo Heritage Conservation Area (refer to C71).

The original Victorian grid street pattern has been modified by public housing redevelopment and major transport infrastructure. Pockets of Victorian terraces with rear lanes remain alongside similar scale mid-century townhouses. Multi-story medium density housing along the Victoria Street escarpment creates a transition to Potts Point and Kings Cross. This is a highly walkable and inclusive neighbourhood where residents in public and private housing enjoy a short walk to the waterfront, high quality eateries, parklands and the CBD.

The area is to maintain its low scale residential centre anchored by schools below the tree canopy with more diverse uses south of Cathedral Street and taller buildings along Palmer Street and William Street. New development is to respond to the topography and maintain long distance panoramic views between the Domain and Kings Cross over the tree tops.

Plunkett Street Public School and Sydney Distance Education High School provide landscaped areas that contribute to the vegetation and semi-publicly accessible open space in a densely built area and should be maintained.

Bourke Street will become a mixed-use corridor with street activity. Heritage buildings and contributory buildings within heritage conservation areas are to be respected by maintaining the predominant street wall height along Bourke Street. The mix of building types and heights in the area south of Cathedral Street acknowledge the mix of small and large lots, protect the built heritage and form a transition to the commercial spine on William Street.

An arts precinct is encouraged to grow around the western end of Cathedral leveraging the area's heritage items, corner pubs and galleries. Crown Street is to provide an axis of active street frontages to reinforce the Cathedral Street centre.

High quality building design on the western corner of Riley and Cathedral Streets will improve entry to the parklands. A strong multi-storey edge is encouraged along the Palmer Street edge in response to the Eastern Distributor tunnel to buffer areas behind. The area transitions in building height from low to medium scale along Riley Street to taller development along William Street.

As William Street continues to evolve, its amenity and commercial viability will improve. It is to be a pedestrian orientated boulevard linking Central Sydney to Kings Cross with a high-quality commercial spine, supported with active uses at ground level. The existing built form asymmetry of William Street is to be maintained. The north side is to continue to develop with taller buildings to the west and lower buildings to the east where the topography rises to the Kings Cross ridge, maintaining the view corridor to the Coca Cola sign.

The Cowper Wharf Road centre is to evolve as a tourism, entertainment and dining district. The car park at the intersection of Cathedral and Bourke Streets provides an opportunity for high quality development and uses including local shops. Integration of the rail viaduct lands in this location is encouraged.

Neighbourhood principles

Development within the Woolloomooloo neighbourhood is to:

- (a) Maintain the low scale residential uses and school in the centre of Woolloomooloo.
- (b) Maintain taller buildings along the ridges and the lower-scale built form in the centre of the neighbourhood to encourage built form that relates to the topography.
- (c) Enhance growth of an arts precinct in the Cathedral Street triangle (between the Cook and Phillip Park and Eastern Distributor):
 - i. deliver diverse, suitable and well-designed spaces and places to support small business, galleries and cafes;

- ii. introduce residential development above commercial uses to provide night time activity and a broad market for neighbourhood shops;
 - iii. design buildings on the western corner of Riley and Cathedral Streets to address the pocket plaza and respect the scale and articulation of buildings on the corner of Cathedral Street; and
 - iv. maintain the small lot subdivision and built form along Cathedral Street and the north-east side of Crown Street.
- (d) Strengthen Bourke Street (between Cathedral and Cowper Wharf Road) as an attractive and active street:
- i. introduce active uses on the ground floor of buildings which generate street activity and improvements along the rail viaduct;
 - ii. deliver a mix of uses on the western side of Bourke Street; and
 - iii. adopt street wall heights consistent with existing heritage and contributory buildings.
- (e) Improve the interface with the Eastern Distributor to shape this as an important vehicular entry into eastern Sydney:
- i. deliver articulated and interesting street walls of consistent height along Palmer Street; and
 - ii. deliver high quality redevelopment of vacant lands along Palmer Street.
- (f) Establish William Street as a high-quality commercial spine and pedestrian boulevard with appropriate uses and active frontage to the ground floor.
- (g) South of Cathedral Street, create a transition to the commercial spine of William Street:
- i. deliver a mix of uses with active uses along Bourke and Forbes Street to improve pedestrian amenity;
 - ii. continue the mix of building types and heights to reflect the mix of small and large lots; and
 - iii. encourage a 3 storey street wall along Riley Street to define the streetscape and provide a transition to taller development along William Street.
- (h) Encourage redevelopment of vacant sites along William Street, Cathedral Street and the north-east side of Crown Street to shape these streets as important gateway streets.
- (i) Maintain and enhance existing long distance and panoramic views and vistas including but not limited to:
- i. over Woolloomooloo from high ground of the Domain and Art Gallery to Kings Cross;
 - ii. to St Mary's Cathedral along Cathedral Street; and
 - iii. sky views over treetops from Cook and Philip Park.

2.5.3 Potts Point neighbourhood

Neighbourhood statement

Potts Point is a headland neighbourhood with a dense urban character with medium to high rise buildings from different eras. It has its own architectural uniqueness derived from its mix of building styles of compatible scale. It is notable for its collection of Art Deco apartment buildings, rare grand Victorian mansions, and postwar apartment buildings.

The Potts Point skyline is easily identifiable from many parts of Central Sydney by an irregular stepped silhouette of taller buildings along the ridge.

Macleay Street is the focus of a primary retail spine and Challis Avenue will be strengthened as a destination for unique café and dining opportunities. The surrounding streets are quiet, tree-lined residential areas.

Potts Point is to maintain its varied and fine grain street pattern including rear lanes. Its grand terraces and significant street tree planting and small front gardens along Challis Avenue and Victoria Street are to be maintained. The northern residential pocket created by predominantly interwar apartment buildings should be maintained. Buildings in Wylde Street are to maintain the

streetscape quality created by side setbacks and the landscaped setting. Heritage buildings to the west of Macleay Street are to be maintained and respected.

New development is to protect and maintain the established landscape quality of streetscapes including significant planting along Macleay and Victoria Streets, median planting and small front gardens of several east-west running streets.

Neighbourhood principles

Development within the Potts Point neighbourhood is to:

- (a) Maintain and enhance the dynamic mix of uses.
- (b) Retain existing buildings in their landscape setting.
- (c) Maintain and reinforce the asymmetry of Macleay Street's built form with predominantly higher built form on the eastern side and lower built form on the western side.
- (d) Retain existing tall buildings along the western side, for example 'Byron Hall' as skyline elements within the lower street frontage heights.
- (e) Encourage buildings with narrow frontages and party-wall or small building separations along street fronts including Macleay Street and from Challis Avenue to the north where residential apartments are common.
- (f) Maintain the predominant side, front and street setback and alignment in Wylde Street.
- (g) Maintain the small lot subdivision and predominant terrace building type along Victoria Street.
- (h) Protect views to the City skyline from Challis Avenue and Victoria Street.
- (i) Maintain significant planting along Macleay and Victoria Streets, and median planting and small front gardens along the east-west streets.

2.5.4 Kings Cross neighbourhood

Neighbourhood statement

Kings Cross's early, dense, urban and metropolitan character attracted a large and diverse community, becoming Sydney's bohemian heartland from the early decades of the 20th century. It has a complex and varied blend of uses and is home to one of the densest residential populations in Australia.

Darlinghurst Road forms the neighbourhood's lively, bohemian main street. The unique character of Darlinghurst Road is typified by its rich history and heritage, eclectic mix of buildings from different periods, architectural character and diversity, an inclusive community and a wide variety of businesses. With a mixture of shops, bars, restaurants, accommodation and services for local needs, Darlinghurst Road is vital to the large local community, as well as serving visitors from Sydney and further afield.

Kings Cross will be revitalised as a destination for tourism and entertainment with a balanced night-time economy and a safe pedestrian environment.

The Kings Cross neighbourhood is within the following heritage conservation areas:

- Elizabeth and Rushcutters Bay (refer to C20)
- Potts Point (refer to C51)

Development along Darlinghurst Road will contribute to and enhance the area's fun, vibrant and eccentric identity by appropriately responding to its existing human scale, including the fine grain and established built form patterns of the street. Development should also achieve a balance and diversity of activities and experiences to support the liveliness and vitality of Darlinghurst Road, which is to continue to fulfil its key economic, social, and cultural role within the neighbourhood and wider area.

The area's role as a centre is to be strengthened by capitalising on its proximity to public transport, and by providing commercial and retail services for existing and future residents and visitors. The centre is to be consolidated with Orwell Street, promoting active retail and commercial uses to improve the link between Darlinghurst Road, Macleay Street, Lankelly Place and Victoria Street

The well recognised Kings Cross skyline, which includes the iconic Coca-Cola sign, is a significant feature of William Street. Heritage items such as the Kings Cross Hotel have a landmark presence. Any significant redevelopment is to enhance the existing pedestrian network to improve pedestrian amenity.

Neighbourhood principles

Development within the Kings Cross neighbourhood is to:

- (a) Retain Darlinghurst Road and Bayswater Road as a precinct which supports a mix of daytime and night time commercial and retail uses.
- (b) Provide active retail and commercial uses on Orwell Street to improve the link between activities along Darlinghurst Road, Macleay Street, Lankelly Place and Victoria Street and the activity and surveillance of the pocket park on Orwell Street.
- (c) Enliven Springfield Avenue and Springfield Plaza with active uses and outdoor dining that is aligned to and addresses them.
- (d) Provide employment opportunities and range of non-residential uses on Darlinghurst Road that support the existing high population density of Kings Cross and serve its international, regional and local function including retail, business, entertainment, food and drink, cultural and community uses.
- (e) Reinforce the urban form of Darlinghurst Road including its fine grain, varied, high quality architectural character, and avoid building design that reduces diversity and grain.
- (f) Increase uses that provide all day activity, particularly those that serve the broader community's social, cultural, and entertainment needs.
- (g) Design development to be interesting, reference the socio-historic significance of Darlinghurst Road and support community diversity and harmony.
- (h) Locate taller buildings predominantly along the ridge line and at the crossing of Victoria Street and Darlinghurst Road while maintaining an irregular and stepped skyline as viewed from the City.
- (i) Design development on the eastern corner of Darlinghurst Road and Bayswater Road to respond to its highly visible corner location.
- (j) Consider upper level setbacks for new developments to respect the existing street wall heights to Darlinghurst Road, where appropriate.
- (k) Retain the unique skyline elements of existing buildings that exceed the height context. However these buildings do not set the precedent for future building heights.
- (l) Maintain the small lot subdivision and predominant terrace building type along Victoria Street.
- (m) Preserve the Kings Cross Hotel building as an important building for the Kings Cross / Woolloomooloo area.
- (n) Design new development located near existing entertainment venues to minimise and mitigate noise.
- (o) Encourage outdoor eating in Lankelly Place and expand the existing laneway character.
- (p) Maintain view corridors along Orwell Street and over terraces along Victoria Street towards the city skyline.

2.5.5 Elizabeth Bay and Potts Point Foreshore neighbourhood

Neighbourhood statement

The Elizabeth Bay and Potts Point Foreshore neighbourhood occupy the eastern slopes of the village. The neighbourhood is predominantly residential and characterised by a steep and undulating landform with medium and high-rise buildings, a landmark historic house and large foreshore park. It has an irregular street pattern with many following the land contours and a fine grain subdivision pattern except for waterfront lots which are generally larger and longer.

The northern part within the suburb of Potts Point is distinguished by late 19th Century and early 20th Century residential flat buildings on large lots mostly built to the street. It has a leafy character

characterised by a streetscape quality of side setbacks and predominant landscape. The building heights reinforce the existing cityscape in response to the undulating character of the area.

The southern part within the suburb of Elizabeth Bay is older and within the Elizabeth and Rushcutters Bays Heritage Conservation Area (refer to C20). It features a diversity of housing styles and densities within a landscape setting that allows view sharing to continue from the private domain and gaps between buildings. Elizabeth Bay House is to be preserved as a heritage item and a landmark heritage building.

There are small clusters of shops at Elizabeth Road and Bayswater Road that complement the Kings Cross centre.

Neighbourhood principles

Development within the Elizabeth Bay and Potts Point foreshore neighbourhood is to:

- (a) Reinforce Greenknowe Avenue as a mixed-use street with small office and commercial uses along the street frontage at ground level. Elsewhere, retain the residential character of the neighbourhood.
- (b) Preserve the diversity of building types, architectural periods and heights by retaining contributory buildings from the Federation, Victorian, interwar and postwar periods.
- (c) Maintain existing buildings within a landscape setting including green side setbacks to maximise neighbour amenity and harbour glimpses from the street.
- (d) Design new building in the middle of lots with narrow street frontages and separation between buildings to provide views to the harbour and sky and create opportunities for soft landscaping including trees.
- (e) Retain the unique “loop” on Elizabeth Bay Road with grand residences and their significant landscapes, juxtaposed against tall narrow fronted apartment buildings with views through to Sydney Harbour.
- (f) Maintain the predominant setbacks and building alignments relative to the street.
- (g) In the north (on Macleay/Wylde Street), maintain the built form that accentuates the topography (taller buildings on the ridges and edges and lower buildings in the valley).
- (h) In the south (Elizabeth Bay), design new buildings to maintain a consistent height in Reduced Levels (RL AHD) while responding to a change in topography to enable lower building heights on the top of the slope and taller building heights at the bottom of the slope. Built form that steps in elevation with the topography is not supported.
- (i) Step built form along Macleay Street Elizabeth Bay and the ridge line and along the bottom of the cliff down towards Sydney Harbour.
- (j) Maintain and enhance views and vistas through appropriate framing and by controlling encroachment into them:
 - i. to Sydney Harbour and parks from the public domain
 - ii. from Elizabeth Bay House towards the harbour
 - iii. from the harbour towards Elizabeth Bay house.
- (j) Provide a landscaped foreshore setback at the edge of Sydney Harbour.
- (k) Retain and improve pedestrian access to Reg Bartley Oval and Rushcutters Bay Park.
- (l) Encourage clear and accessible links through the area to enhance pedestrian amenity, improve access and to integrate the neighbourhood with Garden Island and Cowper Wharf Roadway.

2.6 Oxford Street Village Locality Statements

Oxford Street Village covers Darlinghurst, Paddington and Moore Park. As one of the most historic villages in Sydney, it is located within several heritage conservation areas and includes contributory buildings, heritage properties, theatres, commercial buildings, fine grain retail tenancies and character laneways and open spaces. It contains some of Sydney’s most important institutions, many of which are visual landmarks.

Oxford Street, which is the village's main street, evolved from an Aboriginal track from the coast to the harbour and is a major connector between the eastern suburbs of Sydney and Central Sydney. It includes one of the city's 24-hour late-night trading areas with a prominent night-life, bars, restaurants and cafes. It is known locally, regionally and internationally as the home to the annual Sydney Mardi Gras Festival and parade, which brings significant tourism benefits to the village.

Adjoining Oxford Street, Darlinghurst and Paddington are low-rise, high-density residential neighbourhoods known for their historic terraces, intimate streets and small businesses. They are also home to a major health and education cluster anchored by National Art School in the former Darlinghurst Gaol and St Vincent's Hospital and an Australian Army base, Victoria Barracks.

The village incorporates Moore Park and development along its fringe including grand old houses and townhouses overlooking Centennial Park. Moore Park has been dedicated for public use since 1811 and has evolved to become a regional sports complex and entertainment quarter alongside the Sydney Cricket Ground, Sydney Football Stadium and Fox Studios Australia.

Future character

Oxford Street Village is a place of creativity and culture, small business and terrace living on the eastern edge of Central Sydney. It contains some of Sydney's most important cultural institutions, such as the National Art School, Eternity Playhouse, East Sydney Community and Arts Centre, Sydney Jewish Museum and the UNSW Art and Design Campus.

In the 20 years from 2016 to 2036 the village will provide additional capacity for 2,300 jobs and 1,100 new homes. Most of this modest growth will occur around the northern end of Oxford Street and in Darlinghurst.

The City of Sydney is proposing a culture-led revitalisation of the Oxford Street Cultural and Creative Precinct between Hyde Park and Greens Road. It will realise its potential to become a grand avenue and a cultural and creative precinct which prioritises pedestrians and has high urban amenity. It will have a thriving day and night-time scene, including live music and performances, anchored by the National Art School and UNSW Art and Design Campus. Floor space for cultural and creative purposes will be prioritised creating new opportunities for basement entertainment facilities and laneway development, while protecting the heritage character and significance of the precinct. It will become a place that locals go to and a must-see destination for visitors to the city.

Oxford Street is the heart of the LGBTIQ+ community in Sydney. It hosts many LGBTIQ+ businesses and is the home to Sydney's annual Mardi Gras Parade.

Darlinghurst will support an increasing number of small professional and creative businesses. This will occur primarily through the imaginative and sympathetic adaptive reuse of historic buildings in mixed-use zones which will strengthen its dense and diverse urban character. The Darlinghurst local centre retains its human scale and traditional strip-shop character with a range of boutique retail, restaurants and cafes enlivening the streets.

The historic residential area in Paddington and Centennial Park will retain their original development patterns, including laneways and many original dwellings, which provide a distinctive low-scale rhythmic character and a historic charm to streets. Old terrace houses will be retained and conserved with additions and alterations to the rear to maintain streetscape appeal. Mature canopy street trees and landscaped front gardens will soften and cool streetscapes. The high end of Oxford Street provides for the daily shopping needs of local residents and is anchored by the Town Hall, School and Church which remain visual and historic landmarks along the street.

Strategic directions to 2036 include:

1. Respect and reinforce the historic character of the village and its cultural offerings.
2. Support a creative and cultural precinct around Oxford Street and Taylor Square.
3. Strengthen the LGBTIQ+ identity of Oxford Street by celebrating the past and building a vibrant and inclusive future.
4. Facilitate a diverse and safe night-time economy and a thriving live music and performance industry along Oxford Street to Taylor Square.

5. Prioritise the preservation of and investigate approaches for no net loss of creative, arts and cultural floor space, including production and performance spaces.
6. Facilitate growth of knowledge intensive job clusters in Darlinghurst by safeguarding and prioritising space for commercial and enterprise uses.
7. Plan for 'people first' and greener activity streets to support the community's health and well-being.

Oxford Street village principles

Development in Oxford Street village is to:

- (a) Respond to the built form, scale and fabric of heritage items and contributory buildings within heritage conservations areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Retain and adaptively reuse heritage buildings and conserve contributory and neutral buildings in Heritage Conservation Area.
- (c) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of amenity for residents and great public places and spaces.
- (d) Retain and expand floor space for entertainment, arts, performance and cultural purposes along Oxford Street to Taylor Square.
- (e) Strengthen the Village's cultural life and diverse and safe night-time activity in and around Oxford Street and Taylor Square.
- (f) Deliver diverse, suitable and well-designed spaces and places in mixed-use areas in Darlinghurst to support growth of knowledge-intensive businesses including start-ups.
- (g) Protect long distance panoramic views and vistas from elevated locations and the visibility of landmark heritage buildings from streets and public spaces.
- (h) Aim for net-zero energy emissions and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (i) Protect and increase canopy tree cover and vegetation across public and private land to cool and green the village.

Development

Development in the Oxford Street Village must achieve and satisfy the outcomes expressed in the village and neighbourhood statements and their supporting principles.

2.6.1 Oxford Street Village neighbourhoods

Oxford Street Village has seven neighbourhoods, which are described below in Table 2.4 and shown on the village map at Figure 2.6. The direction provides a high-level indication of how the village will change over time.

Oxford Street Village neighbourhoods		
Neighbourhood	Description	Direction
Darlinghurst	A dense urban neighbourhood with a rich history and a diverse mix of commercial, residential and institutional uses.	Maintain as a vibrant and diverse historic neighbourhood and place for small business.
Oxford Street Cultural and Creative Precinct	A corridor between Hyde Park and Greens Road with a mix of commercial and institutional uses, open spaces and laneways.	Enhance as one of Sydney's iconic places and a centre of culture and creativity.

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South Dowling	A small leafy historic neighbourhood with a mix of uses and buildings of different types and sizes on its streets and lanes.	Maintain historic streetscapes and diversity of uses which enliven the neighbourhood.
Paddington South	An historic residential neighbourhood with wide tree-lined streets and a lively and attractive high street.	Maintain leafy historic streetscapes and high residential amenity.
Centennial Park	A large lot residential neighbourhood with a mix of housing types, whose history and design quality are highly valued.	Maintain and reinforce as an attractive edge to Centennial Park with dwellings of high architectural merit in generous landscape grounds.
Victoria Barracks	An Australian Army base and historic military complex behind high sandstone walls.	Maintain and conserve for defence personnel accommodation with appropriate residential facilities.
Moore Park East	A regional public park and sporting and entertainment complex.	Maintain and enhance as a place of recreation and entertainment.

Direction	What it means
Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.

Table 2.4: Directions for Oxford Street Village neighbourhoods

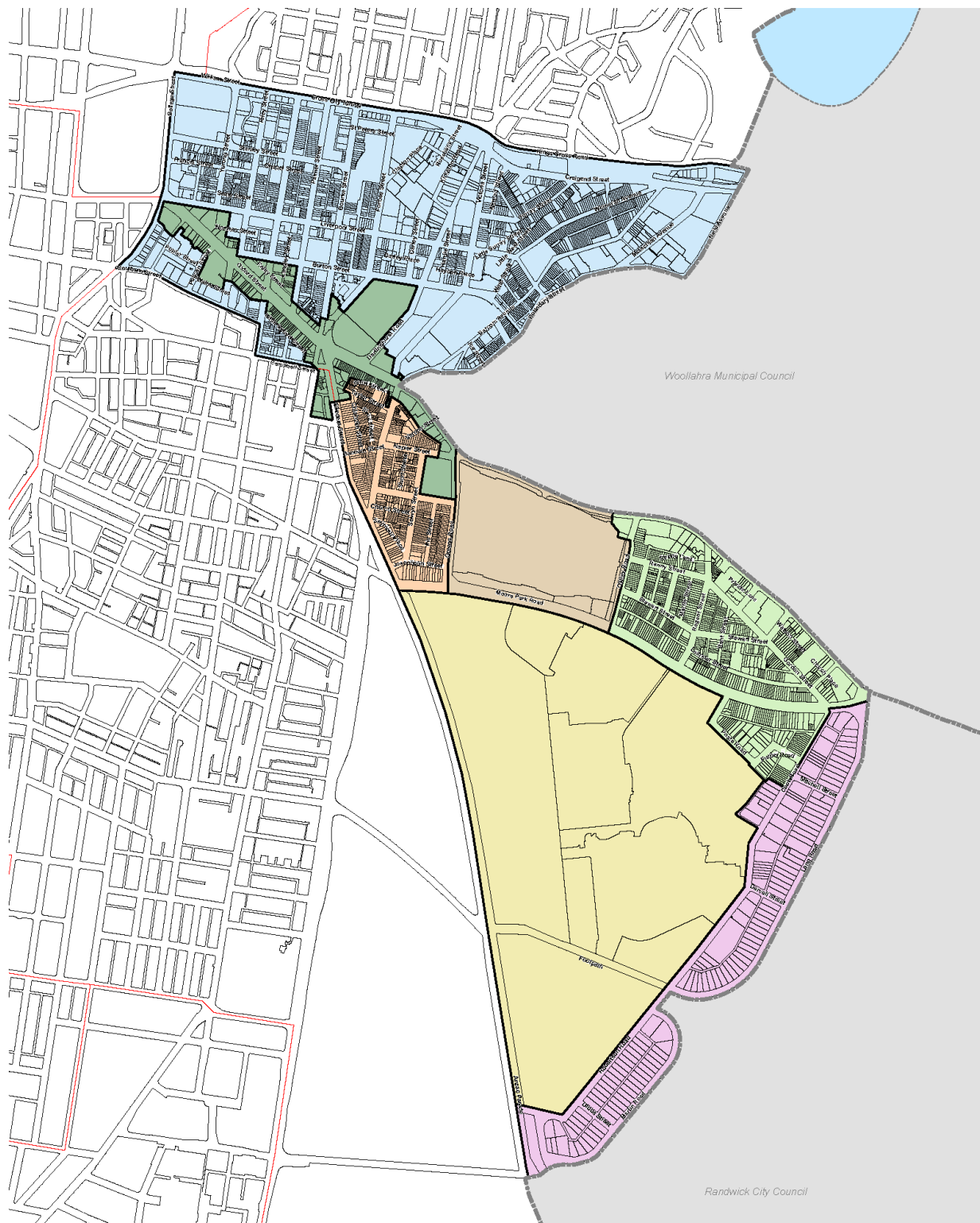


Figure 2.6

- | | | |
|--|-------------------|-------------------------|
| Darlinghurst | Paddington South | Moore Park East |
| Oxford Street Cultural and Creative Precinct | Centennial Park | Village Areas |
| South Dowling | Victoria Barracks | City of Sydney boundary |

Oxford Street village neighbourhoods

Figure 2.6: Oxford Street Village neighbourhoods

2.6.2 Darlinghurst neighbourhood

Neighbourhood statement

Darlinghurst is a dense urban neighbourhood with a rich history and a mix of commercial, residential and institutional uses. It retains a Victorian street pattern and residential pockets of terrace rows with rear lanes. The neighbourhood is enclosed by major roads with taller buildings and topographical ridges making it relatively secluded. Many historic and large institutional buildings occupy prominent and elevated locations on the edges of the neighbourhood including the Australian Museum, Sydney Grammar School, Darlinghurst Fire Station, St. John's Church and Rectory, the Sacred Heart Church and St Vincent's Hospital.

The neighbourhood is the result of a series of historic land grants and development phases described in more detail in the following heritage conservation areas:

- Barcom Avenue (refer to C11)
- Oxford Street and Victoria Street (refer to C12)
- East Sydney (refer to C13)
- Rosebank (refer to C14)
- William Street South (refer to C16O).

On the eastern edge of the Central and Central Business District village, many historic dwellings are used for business purposes in the creative industries and professional services. The area to the south of the Oxford Street Cultural and Creative Precinct transitions between this eastern edge of Central Sydney to the lower scale and finer grain of Surry Hills.

At its centre are the existing Darlinghurst Road and Victoria Street retail spines between Burton and Williams Streets. These retail spines will reinforce the predominant built form character of buildings with vertical articulation that reflects the small lot subdivision pattern and low scale street wall heights with awnings.

Liverpool Street is to have active frontages that reinforce retail and commercial uses at the street level and buildings with a low street wall height and awnings for pedestrian protection. A secondary neighbourhood centre is located along McLachlan Avenue and Boundary Street. It must complement uses along Victoria Street and Darlinghurst Road (between Burton Street and William Street) and provide residents with daily shopping needs. McLachlan Avenue also contains some large footprint specialised retail which is to be retained. Retail uses including outdoor dining will consolidate in the local and neighbourhood centre to increase the quiet amenity of the surrounding residential streets.

Future development wherever possible is to complement the character created by low scale buildings with street heights that respond to the topography, with a small lot pattern and intact heritage Victorian and Federation residential streetscapes.

Neighbourhood principles

Development within the Darlinghurst neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern.
- (b) Deliver small offices and home offices, or small commercial suites in mixed-use zones by adaptively reusing terraces to strengthen creative industries and information media clusters.
- (c) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (d) Locate taller buildings on the ridges and edges and lower buildings in the valley to maintain district and street corridor views.
- (e) Retain and introduce active uses on the ground floor of buildings on William Street, Victoria Street, Liverpool Street, Burton Street and facing Green Park to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.

- (f) Provide an active frontage to the ground floor and public art at 1 Kings Cross Road, Darlinghurst.
- (g) Provide active uses above ground level on Darlinghurst Road and Victoria Street (between Liverpool and William Streets) to extend activity and surveillance of the streets.
- (h) Provide outdoor dining associated with restaurants and cafes along Victoria Street, Burton Street, Stanley Street (between Crown Street and Yurong Street) and Crown Street (between Stanley Street and William Street) where footpath width permits.
- (i) Maintain a street wall height of 3-4 storeys to William Street to respond to the heritage character.
- (j) Maintain the vertical articulated small lot pattern and low street wall heights along Victoria Road.
- (k) Provide footpath awnings to Victoria Street, Darlinghurst Road and Burton Street, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.
- (l) Along McLachlan Avenue:
 - i. retain speciality services and showrooms along the northern part;
 - ii. maintain the street wall height of existing buildings;
 - iii. provide active uses on the ground floor, especially retail and cafes;
 - iv. provide outdoor dining associated with restaurants and cafes; and
 - v. provide footpath awnings.
- (m) Maintain the building heights of SCEGGS (St Albatross Reserve) to allow local views from adjacent houses along Thomson Street.
- (n) Provide openings such as windows and balconies along pedestrian thoroughfare site links to improve casual surveillance.
- (o) Formalise the existing informal through-site pedestrian link in development of the St. Johns Church site and adjoining car rental site.
- (p) Maintain the green vista along Liverpool Street that terminates at the end of Darlinghurst Public School.
- (q) Protect the sandstone cliff on the corner of Liverpool and Bourke Streets.

2.6.3 Oxford Street Cultural and Creative Precinct

Neighbourhood statement

Oxford Street and its surrounding area is one of Sydney's iconic places and has long been appreciated as a creative and cultural precinct both locally and internationally. It follows an ancient path used by the Gadigal people of the Eora Nation and is one of Sydney's earliest main streets, characterised by Edwardian, Victorian, Art Deco, Inter-War and Federation style architecture. It is an important high street and a focus for community activity and provides for the daily needs and services of residents. The Oxford Street Cultural and Creative Precinct is an important place for the LGBTIQ+ community and hosts LGBTIQ+ bars, clubs, restaurants, saunas, sex industry and adult entertainment venues and shops. For many years, the precinct has been an iconic destination for nightlife and shopping and is home to the annual Sydney Mardi Gras Parade.

The Oxford Street Cultural and Creative Precinct's character is built on its diverse use, activities, heritage and building forms and is within the Oxford Street Heritage Conservation Area (refer to C17). It hosts a mix of fine grain businesses, educational institutions, health facilities and spaces for residents, workers, visitors and festivals. The Oxford Street Cultural and Creative Precinct is to continue to be a rich and diverse neighbourhood and high street with high quality public domain, a range of fine grain shops, galleries and venues. It provides a focus for infrastructure and the daily needs and services of residents in Darlinghurst and Paddington.

New development will reposition the Oxford Street Cultural and Creative Precinct and its role in the Eastern Creative precinct by encouraging culture as a driver of creativity and enterprise, a source of job creation, and potential for place-making. It will build upon existing and emerging

employment clusters within the area and capitalise on the area's proximity to long term establishments including the National Art School and UNSW Art and Design Campus.

Future redevelopment of sites within the Precinct will increase the provision of cultural and creative floor space and stimulate activity, encourage mixed uses, increase employment and pedestrian activity and contribute to the overall revitalisation of the local area.

Basements provide ideal and unique spaces for late night trading uses, such as clubs and performance spaces, helping to activate a more diverse night-time economy on Oxford Street.

Temporary uses are also encouraged to activate vacant spaces, stimulate activity and visual interest and improve amenity while permanent uses or development solutions are being sought. Temporary uses could mean the additional use of a premises for art installations or exhibitions, pop-up shops, events, performance, seminars, talks and the like.

Development will conserve the heritage significance and character of the existing built form and streetscape and at a minimum retain the existing quantum of cultural and creative floor space. New development will increase the on-site provision of cultural and creative floor space, and encourage diverse and activated street frontages and lanes which contribute to the vibrancy of the day and night-time economies and the cultural and creative offering of this regionally significant precinct.

Neighbourhood principles

Development within the Oxford Street Cultural and Creative Precinct is to:

- (a) Support the realisation of the neighbourhood as a cultural and creative precinct.
- (b) Respond to and reinforce the role of Oxford Street as a local centre and activity street.
- (c) Strengthen the LGBTIQA+ of Oxford Street by celebrating the past and building a vibrant and inclusive future.
- (d) Retain and conserve significant heritage fabric (including significant interiors) and the structural stability of buildings. This determines the extent of alterations and additions to heritage items and contributory buildings.
- (e) Retain and increase floor space that can be used for a cultural and creative purpose.
- (f) Provide outdoor dining associated with cafes and restaurants along streets, corner sites and laneways where footpath width permits.
- (g) Enhance the local area's night-time offering.
- (h) Increase late night entertainment uses in new and existing basement levels.
- (i) Locate land uses with consideration to:
 - i. the ability to activate the public domain;
 - ii. access and servicing requirements; and
 - iii. the potential for sound from cultural, creative and night-time uses and other land use conflicts.
- (j) Avoid residential development in locations fronting Oxford Street due to decreased amenity associated with the main road and the potential conflict with desirable land uses that promote activity and the night-time economy.
- (k) Deliver vertical additions to heritage items and contributory buildings that:
 - i. increase floor space for cultural and creative purposes;
 - ii. support Oxford Street's role as a local centre;
 - iii. respond to and complement the character of heritage items, contributory buildings and buildings constructed as a group;
 - iv. follow agreed heritage principles from the outset;
 - v. respond to and complement streetscapes and lanes; and
 - vi. minimise overshadowing to neighbouring residential properties.
- (l) Reinforce the individuality of buildings, fine-grain pattern of tenancies, buildings constructed as a group, and different areas that characterise the precinct.
- (m) Align buildings with and activate streets and lanes at the ground level.
- (n) Retain and conserve shop fronts with heritage significance. The design of new shopfronts should take their cues from traditional shopfronts.

- (o) Provide awnings to the footpath, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.
- (p) Increase public pedestrian access to, and activation of, the National Art School, UNSW Art and Design Campus and the Darlinghurst Court House.
- (q) Provide through-site links in long blocks to increase public access to Oxford Street and the surrounding streets or laneways where it will not diminish the heritage significance of the building or character of heritage conservation areas.

2.6.4 South Dowling neighbourhood

Neighbourhood statement

South Dowling is a small leafy historic neighbourhood with a mix of uses and buildings of different types and sizes on its streets and lanes. It is divided by South Dowling Street but shares a unique character created by consistent groups of two-three storey Victorian terraces and small plazas formed by street closures that green the neighbourhood and provide small open spaces. This character is highlighted by the contrast with adjoining larger institutional and commercial buildings.

The special areas are notable for their intimate scale and amenable pedestrian enclaves, qualities that are an important part of the future character. South Dowling is part of the Paddington Urban Heritage Conservation Area (refer to C50).

Residents have a short easy walk to their daily needs and a lively night-life on Oxford Street. Consolidating commercial and retail uses on Flinders Street is encouraged to provide a greater intensity and variety of land uses and to form a neighbourhood centre.

Neighbourhood principles

Development within the South Dowling neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of historic sites and retaining rear lanes and pedestrian plazas.
- (b) Retain the original service function and scale of Iris Lane.
- (c) Maintain the unique landscape character of the neighbourhood and the large street tree canopy over Selwyn and Napier Streets.
- (d) Confine additions and alterations to the rear of lots to protect historic streetscape character and the scale and massing of front elevations.
- (e) Step buildings and rooflines with the topography to minimise view loss, overlooking and overshadowing impacts.
- (f) Provide vehicle access only from rear lanes to retain their functionality, reduce on-street parking and increase opportunities to green streets.
- (g) Design small and low-scale development on lanes to retain the prominence of street frontage buildings.
- (h) Design studio/garages on one-sided streets such as Iris Street (rear facing Selwyn Street) and Josephson Street (rear facing Moore Park Road) to be of high quality and feature simple pitched roof forms. Windows that overlook the street and pedestrian entries alongside vehicle doors are encouraged.
- (i) Provide active uses on the ground floor of buildings fronting Flinders Street and Moore Park Road, where appropriate, to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (j) Deliver quality boutique accommodation and commercial uses on Moore Park Road where the building type is appropriate to support visitation of Moore Park sport and entertainment venues.
- (k) Provide footpath awnings to the commercial node and retail node on Flinders Street, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.

2.6.5 Paddington South neighbourhood

Neighbourhood statement

Paddington South is an historic residential area with wide tree-lined streets and a lively and attractive high street.

Oxford Street is the local centre for the neighbourhood and is distinguished by its varied buildings stock with institutional buildings and vibrant mix of ground floor retail development. New development and upgrades of existing building stock is to enhance pedestrian amenity and streetscape appeal. Ground floor uses are to engage with the street and building frontages open to the footpath.

Temporary uses along Oxford Street are also encouraged to activate vacant spaces, stimulate activity and visual interest and improve amenity while permanent uses or development solutions are being sought.

The ridge plays an important role in forming the road and built form pattern. The historic Paddington Town Hall, with its clock tower and distinctive colonnade, is a landmark building. The visual dominance of it and other landmark institutional buildings on high points will be retained. Commercial/retail buildings are typically massed to their highest point at the street edge and should step down the slope.

Behind this active high street, South Paddington is a low-scale residential neighbourhood with a generous tree canopy over-arching wide streets. It is divided by Moore Park Road and is within the following heritage conservation areas:

- Paddington South (refer C48)
- Furber Street (refer C6)

North of Moore Park Road, it retains a strong Victorian character with functioning laneways and two-storey terrace houses on narrow lots. The consistency of terrace rows, their scale and proportions, roof design and materials palette, is important to the quality of the streetscape and is to be retained. High quality alterations and additions are encouraged to maintain the rear lane character and protect residential amenity. Pocket parks, including street closures, also contribute to the character of the neighbourhood, and are to continue to play an important role in enhancing the area.

The area south of Moore Park Road was subdivided later and has larger lots with a mix of building types including one and two storey Federation and Inter-war houses and terraces and two to three storey Inter-war red brick residential flat buildings. It is characterised by brick and tile construction, green streets, high quality pedestrian links, an inviting Poate Lane and landscaped front and rear gardens.

Neighbourhood principles

Development within the Paddington South neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of small sites and retaining rear lanes.
- (b) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and to align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (c) Step buildings and rooflines with the topography to minimise visual and overshadowing impacts.
- (d) North of Moore Park Road, confine additions and alterations to the rear of dwellings to protect historic streetscape character and the scale and massing of front elevations.
- (e) Retain the width of above-ground rear extensions of terraces on Cook Road for the breezeway to optimise the amenity provided by sun access and natural ventilation for all the buildings in a row.

- (f) Design rear studio development and garages with simple pitched roof forms and minimise the size and “blankness” of garage doors to enhance pedestrian amenity.
- (g) Encourage commercial uses in traditional corner shops to maintain a lively neighbourhood and to provide services close to where people live.
- (h) Enhance pedestrian amenity and enliven Oxford Street:
 - i. retain and introduce active uses on the ground floor of buildings fronting the street
 - ii. deliver a mix of commercial and residential uses above the ground floor of building fronting the street
 - iii. provide outdoor dining associated with restaurants and cafes on corner sites where the footpath width permits
 - iv. provide footpath awnings, where appropriate and sympathetic to the building
 - v. design buildings to align with and address the street at ground level
 - vi. deliver entertainment uses, including creative and performance activities in the Paddington Town Hall to support a diverse night time economy.
- (i) Coordinate the redevelopment of the current Mitre 10 site and the Telstra building on William Street to contribute positively to the built form of Oxford Street and the public domain. Deliver public open space and a through-site link to Gordon Street as part of the redevelopment of the sites.
- (j) Increase housing choice south of Moore Park Road:
 - i. deliver multi-unit housing on sites with non-contributory buildings and on amalgamated non-contributory building sites on Moore Park Road adjacent to the corner lot with Cook Road, and on Poate Road
 - ii. provide a mix of building types, including terraces, apartments and townhouses to reflect the rich diversity of form and massing, and encourage the use of a palette of materials and colours that responds to the dark brick, brick patterning and terracotta tiled roofs of walk-up flats.
- (k) Protect the visual prominence of landmark institutional buildings along Oxford Street such as Paddington Town Hall.
- (l) Protect the curtilage of institutional heritage buildings including church and school buildings along Oxford Street to enable a visual appreciation of the buildings in their setting.
- (m) Protect views along sloping and undulating streets, particularly east-west views to Central Sydney.
- (n) Landscape front gardens, narrow streets and setbacks of commercial buildings with plants to increase urban vegetation and improve pedestrian amenity.

2.6.6 Centennial Park neighbourhood

Neighbourhood statement

Centennial Park is a large lot residential neighbourhood with a mix of housing types, whose history and design quality are highly valued. Originally subdivided in the late 19th Century as large prestige building blocks overlooking Centennial Park, many lots retain grand architect-designed homes in landscape grounds from that time. With parking from the rear laneway, they provide an attractive edge to Centennial Park. Lots fronting Land Road are within the Lang Road Heritage Conservation Area (refer to C7).

The distinctive historic and landscape character of the neighbourhood is to be retained and enhanced. Generous open space and garden areas provide an appropriate setting for large detached houses and the scale and integrity of these original buildings are to be protected. Some large lots were unsympathetically redeveloped in the middle of the 20th Century including for residential flat buildings. While existing higher density residential uses remain, their refurbishment and redevelopment is encouraged to provide more efficient and amenable site responses.

Neighbourhood principles

Development within the Centennial Park neighbourhood is to:

- (a) Retain and reinforce the established character of grand houses in landscape settings along Lang Street by maintaining the original front building setback and confining access and development to the rear.
- (b) Design secondary buildings or extensions on sites sloping up from the street to be not visible from the street.
- (c) Retain existing consistent lot widths along Lang Road and reinstate a complementary development pattern to Cook Road, where possible.
- (d) Retain the scale and form of contributory buildings on Cook Road between existing residential flat buildings.
- (e) Maintain the overall height of existing residential flat buildings and ensure that redevelopment provides a direct, clear visual and physical connection between the building entry and the street.
- (f) Provide underground parking for any redeveloped medium density site without imposing negative visual or amenity impacts on streets or laneways.
- (g) Provide generous open space on detached house lots and encourage planting of large trees and shrubs to strengthen the landscape character and enhance park-side amenity.

2.7 Glebe Point Road Village Locality Statements

Glebe Point Road Village is a waterfront promontory with the largest intact Victorian and Edwardian townscape in Sydney and a diverse resident population. It is located on the traditional lands of the Gadigal of the Eora nation and was a source of fresh water and seafood. It features extensive parklands on reclaimed land and a continuous foreshore public walk.

The built environment responds to the topography and its foreshore location, with the shopping high street, Glebe Point Road, along the central ridge. It was one of the first places to be settled in Sydney and most of the original terraces and row houses remain on the high land. There are pockets of high-density residential development on former industrial land on the lower slopes and valleys.

The village's southern boundary is defined by Parramatta Road and Broadway, which is the main approach road to Central Sydney. Along the road can be found a subregional shopping hub and clusters of creative, professional, research and technology businesses. The distinctive former Grace Bros buildings with their twin globe towers are gateway landmarks on this road.

The village is strongly influenced by proximity to the health and education institutions and has a high student population. About 20 per cent of dwellings are public housing in historic estates, townhouses and mid-century high-rise towers. There is also a high number of serviced apartments, backpacker beds and student rooms, many in older dwellings.

The village includes the site of the new Sydney Fish Market at the head of Blackwattle Bay and the Wentworth Park greyhounds racing track which will be returned to parkland after 2027.

Future character

Glebe Point Road Village is an historic peninsula township, which offers housing for all people with a welcoming walkable foreshore, traditional high street and vibrant small business sector. It is self-contained but well connected to Central Sydney and is renowned for its leafy Victorian streetscapes, social and student housing and wide choice of eateries on the doorstep of the University of Sydney. Primarily a residential neighbourhood, it enjoys the amenity of large foreshore parklands, direct light rail access to Central Sydney and a choice of local schools.

Significant growth is not anticipated in the village over the 20 years from 2016 to 2036. Over that period, additional capacity will be provided for 1,500 jobs and 2,500 new homes. Most growth will occur in mixed use and enterprise land along Parramatta Road and Broadway enhancing the approaches to the city and gateways to the village. Medium-rise apartments will incorporate a component of affordable rental housing. Old warehouses will be adaptively reused for specialised

health, higher education and professional businesses leveraging proximity to Sydney University, University of Technology Sydney and Royal Prince Alfred Hospital.

Glebe Point Road itself will remain the backbone of the village and its local centre with traditional shopfronts and awnings. It will continue to be a highly walkable street and offer a unique collection of small retail, cafes and restaurants which also attract visitors to the village.

The distinctive and varied historic character of surrounding residential areas will be retained and enhanced through conservation and sympathetic new development. Public housing stock will be subject to ongoing conservation and renewal to meet modern living standards and increase supply. Mature canopy street trees and gardens will soften, cool and unify streetscapes. Views and vistas towards the water and city skyline down streets will be retained.

The village's parklands and foreshore walk will continue to expand and grow in popularity, enhanced by the return of Wentworth Park for public open space. The relocation of the Sydney Fish Market to the head of Blackwattle Bay will transform a working waterfront to a new tourist destination and facilitate a new foreshore pedestrian link through to Central Sydney.

Key strategic directions to 2036 include:

1. Respect and reinforce the historic character of the village and its social diversity.
2. Facilitate growth of health and education uses in mixed-use zones along Parramatta Road by prioritising and safeguarding space for specialised knowledge-based businesses.
3. Collaborate with the NSW Government to achieve better outcomes for social housing precincts.
4. Advocate for the restoration of Wentworth Park greyhound racing track as open space for community and recreation activities.
5. Support relocation of the Sydney Fish Market to the head of Blackwattle Bay to create an international tourist destination.
6. Continue to improve the Glebe Foreshore Walk for public access and recreation, and its connectivity to Pyrmont.

Glebe Point Road Village principles

Development in Glebe Point Road Village is to:

- (a) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within heritage conservation areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Retain and adaptively reuse heritage buildings and conserve contributory and neutral buildings in heritage conservation areas.
- (c) Replace, modify or screen detracting buildings and reveal original fabric and detail on historic buildings in heritage conservation areas.
- (d) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of amenity for residents and great public places and spaces.
- (e) Reinforce Glebe Point Road as the traditional high street and centre of village life and extend active uses and frontages.
- (f) Focus commercial uses in local centres and mixed-use areas to strengthen them and retain the integrity of historic residential areas.
- (g) Maintain and strengthen physical and visual links from streets to the foreshore to enhance public access.
- (h) Aim for net-zero energy emissions and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (i) Protect and increase urban tree canopy and vegetation across public and private land to unify and green streets.

Development

Development in the Glebe Point Road Village must achieve and satisfy the outcomes expressed in the village and neighbourhood statements and their supporting principles.

2.7.1 Glebe Point Road Village neighbourhoods

Glebe Point Road Village has nine neighbourhoods, which are described below in Table 2.5 and shown on the village map at Figure 2.7. The direction provides a high-level indication of how the village will change over time.

Table 2.5: Directions for Glebe Point Road Village neighbourhoods

Glebe Point Road Village neighbourhoods		
Neighbourhood	Description	Direction
Glebe Point Road	The traditional main street and local centre of the village located along the ridge of the Glebe Point peninsular.	Maintain and reinforce its historic charm and role as the centre of village life and a popular eat street.
Glebe Central	A Victorian and Edwardian neighbourhood with a mix of private, public and affordable rental housing.	Maintain and reinforce historic houses and streetscapes while enhancing foreshore public access.
Ross Road	A diverse area with neighbourhood centre and a mixed-use edge to Parramatta River.	Maintain and strengthen as the gateway to Forest Lodge and secondary local centre for the village.
Forest Lodge	A low-rise residential area, in parts steep, with hilltop terraces and town houses on its lower slopes.	Maintain and strengthen historic streetscapes and high residential amenity.
Mountain Street	A mixed-use gateway precinct to Central Sydney and regional shopping centre which overlooks Wentworth Park.	Enhance the quality and diversity of built form and uses while greening streets and retaining views to parkland.
Harold Park	A high-quality medium density residential precinct which provides diverse housing within an open space setting.	Maintain quality public open spaces, connections to the foreshore and heritage community hub.
Camperdown North	A large-lot mixed use neighbourhood with historic and ongoing connections to hospital care and education.	Enhance the design quality of buildings and amenity of the public domain.
Wentworth Park and Foreshore	A regional park including the Wentworth Park Greyhounds racing track and site of the new Sydney Fish Market.	Change to deliver the new Sydney Fish Market and convert the greyhound racing track to public open space.
Glebe Foreshore Parklands	An interconnected system of parks and paths which provide continuous foreshore public access.	Maintain public access and continue to improve them as green, safe, inclusive and engaging spaces.

Direction	What it means
Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.

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– Amendments

Maintain

The look and feel of the existing neighbourhood will be retained and strengthened.

Figure 2.7: Glebe Point Road Village neighbourhoods

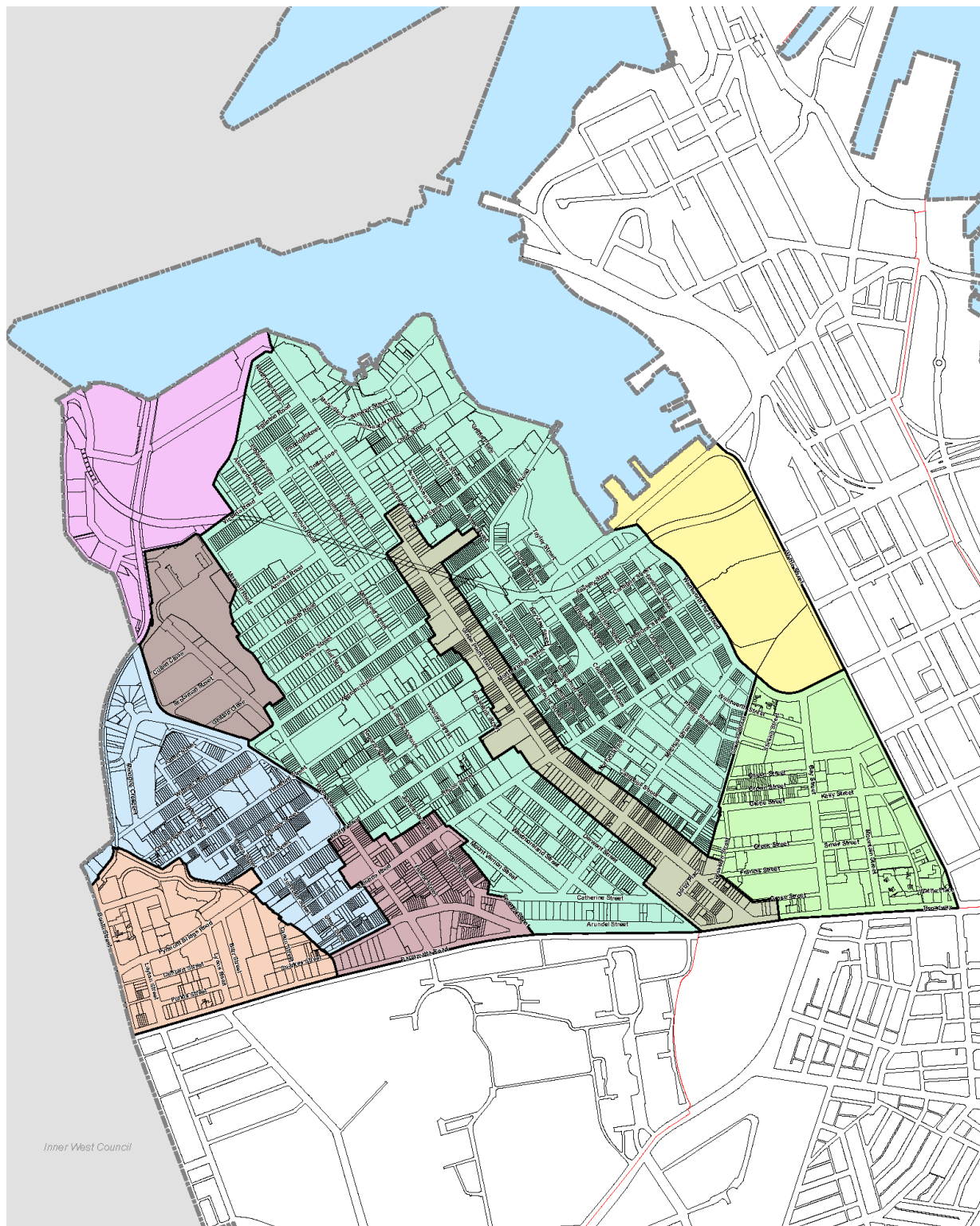


Figure 2.7



Glebe Point Road village neighbourhoods

2.7.2 Glebe Point Road neighbourhood

Neighbourhood statement

Glebe Point Road is the traditional main street and local centre of the Village located along the ridge line of the Glebe Point peninsula. A notable pedestrian-friendly shopping street since the 19th Century, Glebe Point Road is to provide the cultural, artistic and health and well-being related uses as well as basic commodities and services for the local community and visitors.

It is largely within the Glebe Point Road Heritage Conservation Area (refer to C29) and is significant for a large number of original shopfronts which provide the cue for future development.

Development along Glebe Point Road is to retain and reinforce the consistent 19th Century streetscape consisting of fine grain small scale, two and three storey buildings, diverse and vibrant mix of commercial and retail uses, the pedestrian focussed “main street” and the mature landscaping and street plantings.

Neighbourhood principles

Development within the Glebe Point Road neighbourhood is to:

- b. Retain active uses on the ground floor of buildings fronting Glebe Point Road, particularly specialist retail, café and dining uses, to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- c. Provide outdoor dining associated with restaurants and cafes, where the footpath width permits, to activate and enliven the street.
- d. Retain and restore original shopfronts to reveal original fabric and detail.
- e. Design new shopfronts modelled on surviving original shopfront in the street and any on-site evidence.
- f. Design buildings to align with and address the street at ground level to enhance streetscape vistas and to generate pedestrian interest and interaction.
- g. Design building bays and openings to be vertically proportioned and consistent with the rhythm along Glebe Point Road
- h. Design the rear portions of buildings to minimise bulk and impact on adjacent buildings, where the ground level of buildings is lower at the rear than at street level.
- i. Respect the heritage significance of individual buildings and streetscape groupings as a major determinant for height, massing and façade proportions in any potential redevelopment or adaptive re-use opportunity.
- j. Enhance the pedestrian scale, amenity of the public domain and diversity of shops and services to create a village atmosphere.
- k. Retain and supplement street and private garden trees and landscaping to increase urban vegetation and green the street.
- l. Protect important views to the north and along east-west streets towards Central Sydney.

2.7.3 Glebe Central neighbourhood

Neighbourhood statement

Glebe Central is a Victorian and Edwardian neighbourhood with a mix of private, public and affordable rental housing supported by schools and civic buildings within an easy walk of foreshore parks and the shopping high street. It is a predominantly residential area, which retains its original subdivision pattern of streets with laneways aligned to Glebe Point Road.

As a result of long run ownership of large parts of the neighbourhood by the church and later the NSW Government, most buildings from that era survived and streetscapes have a high level of intactness. Many of the houses have been used for social housing for over 150 years. On the lower slopes of the eastern side of the peninsula, there is some medium and high density residential flat buildings, including social housing, which retains the prominence of the ridge and vistas towards to parkland and the water.

Some of the main through streets support small spots of non-residential uses such as local shops and boutique accommodation. The southern end of Glebe Point Road transitions to a mix of small-scale office suites, local retail, professional services and visitor accommodation. The lower part of Bridge Road is the gateway to Glebe and is lined with a mix of recreational, commercial, retail, industrial uses in high quality buildings. Clear and accessible pedestrian connections to Blackwattle Bay and an enhanced public domain are priorities. Retail uses are encouraged within a short distance from the light rail stop.

The historic residential building stock encompasses a wide range of building types that reflect the history of Glebe and include one and two storey late 19th Century dwellings of a variety of styles from grand homes, to narrow terraces and wide cottages. A number of heritage conservation areas apply to different parts of the neighbourhood reflecting its historic development:

- Bishopthorpe (refer C27)
- Glebe Point (refer C28)
- Lyndhurst (refer C31)
- St Phillips (refer C32)
- Hereford and Forest Lodge (refer C33)
- Toxteth (refer C34).

The historic character of streetscapes varies across the heritage conservation areas but is generally low scale and a combination of consistent elements in the public and private domain including building type, roof form, scale, detailing, setbacks, front gardens, street trees and fences. Most areas have rear lanes, which continue to provide a functional purpose. Alterations and additions are not to be visible from the street and infill development is to be modest in size, respond to the topography and enhance historic streetscapes.

The neighbourhood has many attractive elevated views and strong visual and physical connections to local and regional public open space including the waterfront.

Neighbourhood principles

Development within the Glebe Central neighbourhood is to:

- (a) Retain as a predominantly residential neighbourhood avoiding any reduction in the number of dwellings available as social housing.
- (b) Retain the fine-grain historic subdivision and development pattern by precluding amalgamation of sites and retaining rear lanes.
- (c) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and to align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (d) Confine additions and alterations to the rear of lots to protect historic streetscape character and the scale and massing of front elevations.
- (e) Design laneway development to be modest but of high design quality to protect and enhance the low scale of intact, consistent lanes and to retain the prominence of street frontage buildings.
- (f) Provide vehicle access only from rear lanes to retain their functionality, reduce on-street parking and increase opportunities to green streets.
- (g) Encourage simple pitched roofs where they prevail on existing streets to establish an appropriate spatial relationship to the street.
- (h) Step buildings and rooflines with the topography to reduce building bulk and scale and enable view sharing to the water and City skyline and minimise overshadowing and overlooking of private open space.
- (i) At the southern end of Glebe Point Road, deliver high quality boutique accommodation, professional suites, non-government and community services by adaptively reusing detached houses on large lots with rear lanes.

- (j) Open up views and activate mixed-use land along the light rail line on the lower part of Bridge Street:
 - i. deliver commercial, industrial, recreational and community uses and retail uses near the light rail stop
 - ii. design buildings to address the rail line and the road
 - iii. adopt a warehouse typology on the south side with breaks in the building mass to allow views from the light rail towards Blackwattle Bay
 - iv. increase the scale of existing warehouses on the west side adjacent to the tram stop where there will be minimal visual and amenity impacts on the houses elevated above on Bayview Street
 - v. introduce gaps in development to allow visual and physical connections to the waterfront and to Wentworth Park.
- (k) Maintain the prominence of the vegetated ridgeline as the highest point visible from public streets and open spaces and retain long street views which reveal the topography.
- (l) Design development to prevent any reduction in views and vistas down terminating streets.
- (m) Maintain the visibility of the spires of St John's Church, St James' Church and The Abbey to protect their visual prominence and landmark qualities.
- (n) Maintain the brick chimney stack as a visual marker and unique character element in the neighbourhood.
- (o) Plant substantial vegetation including large trees in large front setbacks to increase urban vegetation and supplement street tree planting.
- (p) Integrate the sandstone cliffs and rocky outcrops edging Jubilee Park and the retaining walls to the north of Glebe Point Road with landscaping while retaining their legibility.

2.7.4 Ross Street neighbourhood

Neighbourhood statement

Ross Street neighbourhood is anchored by a small neighbourhood centre and includes a mixed-use edge to Parramatta Road directly opposite one of the main entrances to the University of Sydney. Retail uses are focused along Ross Road and St Johns Road, which have some significant landmark and heritage buildings including the Glebe Town Hall that has been in existence for over 100 years, early Federation era shopfronts and the Victorian Regency style Nag's Head Hotel. It provides the daily shopping and dining needs for Glebe residents and university students.

The Ross Road neighbourhood is largely within the Hereford and Forest Lodge Heritage Conservation Area (refer C33).

Parramatta Road sites contains commercial and residential uses, including university services and student accommodation. Future development is to result in high quality designed buildings which enhance the public domain and the arterial approach to Central Sydney.

Future uses and built form introduced on the corner of St John's Road and Ross Street are to integrate and enliven the neighbourhood. The section of Ross Street, between Parramatta Road and St Johns Road, is to be treated as a key pedestrian and vehicle access to Forest Lodge. The future development on the site on the corner of Parramatta Road and Ross Street is to provide a strong entry feature to the neighbourhood.

Neighbourhood principles

Development within the Ross Street neighbourhood is to:

- (a) Retain and introduce active uses on the ground floor and first floor on Ross Street and St John's Road to enhance pedestrian amenity and reinforce the vitality and liveliness of the neighbourhood centre.
- (b) Design buildings to align with and address Ross Road and St John's Road at ground level to enhance streetscape vistas and to generate pedestrian interest and interaction.

- (c) Maintain the lower scale of buildings on St John's Road in keeping with its role as the secondary axis of the local centre.
- (d) Provide footpath awnings to active frontages along Ross Street and St John's Road, where appropriate and sympathetic to the building, to unify the streetscape, enhance pedestrian amenity and provide weather protection.
- (e) Strengthen views towards Sydney University along Ross Street by consolidating the pattern of large street edging buildings.
- (f) Introduce tree planting in breaks or recesses in buildings on large lots outside the neighbourhood centre, where space permits, to increase urban vegetation and supplement street trees.

2.7.5 Forest Lodge neighbourhood

Neighbourhood statement

Forest Lodge is a low-rise residential area, in parts steep, which comprises hill top historic streets and townhouses on its lower slopes. Residents enjoy the convenience of a small heritage public school in the neighbourhood and a short walk to the Glebe foreshore and Ross Road local shops.

Forest Lodge is to remain as a predominantly fine grain residential area characterised with a low scale. Future development is to respond to the built form context and sloping topography. Small local shops to the north of the neighbourhood are encouraged to enliven the area and support the local residential population.

Following heritage conservation areas apply:

- Hereford and Forest Lodge (refer C33)
- Toxteth (refer C34).

Neighbourhood principles

Development within the Forest Lodge neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of small sites and retaining rear lanes.
- (b) Respond to the predominant terrace typology and protect distinctive groups of detached and terrace housing.
- (c) Design and site development adjoining public open space to respect the amenity of the open space.
- (d) Introduce a setback for buildings opposite Orphan School Creek to enhance the open space corridor.
- (e) Landscape front gardens to increase urban vegetation and supplement street tree plantings.
- (f) Retain and protect the visibility of sandstone cliffs and edges by integrating the landscaping of the adjoining public and private spaces.

2.7.6 Mountain Street neighbourhood

Neighbourhood statement

The Mountain Street neighbourhood is a mixed-use gateway precinct to Central Sydney which overlooks Wentworth Park. It is anchored by the landmark former five storey Grace Bros building with its twin globe towers, which is now the Broadway Shopping Centre and student accommodation. Within a short walk of cafes and restaurants along Glebe Point Road and a choice of leisure parks, residents and workers enjoy a high degree of urban amenity.

The neighbourhood will continue to provide a diverse and sustainable mix of uses in restored and adaptively reused early warehouse buildings or in new buildings whose bulk and scale is appropriate to the large lots and existing urban form. The Mountain Street Heritage Conservation Area (C68) denotes a concentration of substantial Federation warehouses of boxy and utilitarian design which inform future development. The neighbourhood also contains a small Heritage

Conservation Area, Hughes (refer C30), which applies to the earliest residential subdivision of Glebe and contains early workers cottages and terraces that are to be retained.

Views through the precinct along streets towards Wentworth Park (and potentially to the waterfront) are to be retained to provide a strong visual association of the neighbourhood and Wentworth Park. Improved access to open space is important and will enhance the amenity of the area for residents and workers. Avenue planting along Mountain Street will enhance the streetscape and help break down the scale of larger buildings.

Wentworth Park is to be framed with street-edge buildings. Views through the neighbourhood towards Wentworth Park will be retained.

Neighbourhood principles

Development within the Mountain Street neighbourhood is to:

- (a) Retain and adaptively reuse historic warehouses to facilitate their conservation and ongoing contribution to the character of the neighbourhood.
- (b) Adopt simple built forms which recognise the predominant warehouse character of the neighbourhood.
- (c) Deliver commercial uses at ground and first floor levels, where appropriate, to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (d) New development located next to strongly modelled heritage buildings is to respond to their floor to ceiling heights, proportion of bays and the design of horizontal elements.
- (e) Retain early housing in the area, particularly along Glebe and Queen Streets.
- (f) Protect amenity for residents on Wattle Street by locating new residential development behind and buffered by commercial uses or at least above the first floor in mixed use buildings.
- (g) Include generous internal courtyard spaces in conversions of large footprint buildings where possible.
- (h) Strengthen the built-form edge to Broadway with buildings of a consistent height and articulation.

2.7.7 Harold Park neighbourhood

Neighbourhood statement

Harold Park is a high quality medium density residential precinct which provides diverse housing within an open space setting. It is located in a valley on the west side of Glebe Central on the site of the former Harold Park Raceway. The redevelopment is a model for ecologically sustainable development including reuse of existing infrastructure (Tram Depot), minimising export of material from the site, minimising greenhouse gas generation throughout the development's lifecycle, minimising water use, maximising water reuse and supporting transit-oriented design principles.

About one third of the neighbourhood is publicly accessible open space park linked to the adjacent foreshore park network and providing active and passive recreation uses. The adaptive reuse of the heritage Tram Depot for a range of food and dining purposes enhances the local village lifestyle and attracts visitors to the neighbourhood and foreshore parklands.

Neighbourhood principles

Development within the Harold Park neighbourhood is to:

- (a) Provide for a diverse population through an appropriate mix of dwelling types including accessible, adaptable and affordable housing to meet local housing demand.
- (b) Retain and enhance the heritage Tram Depot as a community hub supporting a range of uses that will serve the Village, including community, retail and small-scale commercial uses.
- (c) Retain universal access to the light rail station at Jubilee Park from the Tram Depot and adjacent public open space.

- (d) Retain public domain view corridors from streets in Glebe to the east into, through and over the site.
- (e) Design buildings to be visually recessive in a variety of heights and forms with taller buildings designed to minimise the visual impact of upper levels.
- (f) Retain lower scale maisonette and townhouse typologies at the south end of the neighbourhood.
- (g) Maintain and enhance the heritage values of the Tram Depot by appropriate adaptive reuse of the structures and maintaining and enhancing the curtilage around the Tram Depot including the forecourt and historical formal gardens.
- (h) Retain unrestricted public access to open space within the neighbourhood including pedestrian and cycle connections from surrounding areas and to the adjacent network.
- (i) Maintain a high-quality open space landscape with habitat for local indigenous species, design based on an imaginative interpretation of the site's physical attributes and historical use for racing and public transport (tram uses), and places for active and passive recreation.
- (j) Retain high quality pedestrian and bicycle priority streetscapes and very low vehicular traffic speeds.

2.7.8 Camperdown North neighbourhood

Neighbourhood statement

Camperdown North neighbourhood is a large lot, mixed-use neighbourhood with historic and ongoing connections to hospital care and education. North of Pyrmont Bridge Road, the historic former Royal Alexander Hospital for Children site has been adaptively redeveloped for apartments while retaining many original elements. South of Pyrmont Bridge Road, comprises high rise public housing, hospital administration, light industrial uses and large retail showrooms.

Parramatta Road will be enhanced as a main approach road to Central Sydney through uses that activate the street and landscaping that increases greenery and the street tree canopy.

Camperdown North will continue to transform from industrial uses to a vibrant high density mixed-use neighbourhood.

Neighbourhood principles

Development within the Camperdown North neighbourhood is to:

- (a) Locate active uses on the ground floor of buildings facing Parramatta Road to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (b) Introduce diverse uses above the ground floor of buildings on Parramatta Road to extend activity and surveillance of the street.
- (c) Prioritise business, knowledge-intensive, creative and other enterprise activities in mixed use areas.
- (d) Provide public benefit such as open space, pedestrian and bike connections and adequate on-site parking for new development on industrial sites.
- (e) Landscape with substantial vegetation including large trees in the front and side setbacks of buildings, where space permits, to increase urban vegetation and supplement street tree planting.

2.8 King Street Village Locality Statements

King Street village includes a major health and education precinct, low-rise terraces and cottages in historic neighbourhoods, the well-known shopping and retail strip of King Street, Sydney Park and a large urban renewal area.

The health and education precinct centres around the Sydney University, the oldest university in Australia, and the Prince Alfred Hospital, a major public teaching hospital. They were some of the

earliest developments in the village and contain significant sandstone heritage buildings. Around them, new apartments and student accommodation, as well as new education and health facilities have been built.

King Street, following an Aboriginal high track between Sydney Harbour and Botany Bay, is a historic city-serving street which retains many of the hallmarks of a traditional high street. Suburbs of working-class Victorian dwellings along King Street remain largely intact. The Western Line, bisecting the village, provides fast rail access to Sydney and Parramatta. Former brickworks and related industries in the south of the village have been adaptively reused or redeveloped including housing. Sydney Park is on the site of the former Bedford Brick Works and is notable for its four brick chimneys.

Future character

King Street Village is a place of learning, innovation and living along key routes to the city. It is empowered by its medical and education sector, enlivened by its long connecting high street and enriched by its large regional park with stunning views over the city. Within this framework, there are quiet residential neighbourhoods valued for their historic streetscapes, a variety of views and walking access to local shops, eateries and community facilities.

In the 20 years from 2016 to 2036, the village will provide additional capacity for 4,200 jobs and 5,500 new homes. Most of this growth will be located in the north of the village and on large former industrial sites in the south.

The University of Sydney and Royal Prince Alfred Hospital are anchor institutions for growth in specialised research, health and education businesses and jobs in the village. Co-location and collaboration help to build a globally competitive employment precinct. The City will support growth of specialised clusters around these institutions by prioritising a wide variety of work spaces ranging in type and price points for related businesses, including start-ups.

King Street, especially its central section, is a landmark heritage shopping street retaining its sense of enclosure, narrow shopfronts and two and three storey decorative stucco facades. It is renowned for its concentration and diversity of small shops and venues which are a destination for local, students and visitors seeking a unique shopping experience or night out. The street opens up at the Railway Bridge into a small plaza which is the civic and cultural heart of Newtown. It is framed the Court House, Town Hall, Fire Station, Police Station and former School of Arts.

Sydney Park, at the south of the village, is a high-quality landscaped park which is important for its regional recreational opportunities, environmental attributes and community activities. The scale, setback and design of interface development will maintain and enhance the utility and amenity of Sydney Park including its ecology, openness, sunlight access and district views.

The village is also one of the most historic villages in Sydney and consists predominantly of heritage conservation areas. Existing fine grain low scale residential areas and terrace rows are retained and enhanced through new development of consistent scale, proportions and design. Streetscape appeal is strengthened by locating car parking to the rear and greening including canopy trees.

Strategic directions to 2036 include:

1. Respect and reinforce the historic character of the village and the vitality of King Street.
2. Facilitate the growth of a health and education precinct in association with the University of Sydney and the Royal Prince Alfred Hospital by prioritise and safeguard space for specialised knowledge-based businesses in nearby mixed-use zones.
3. Encourage community use of the University of Sydney grounds for passive recreation and public access to university recreational facilities
4. Maintain and enhance the amenity of King Street and its role as the Village's traditional high street.
5. Complete the Ashmore residential neighbourhood including a local centre with terraces, apartments and live-work accommodation designed for 21st Century living.

6. Maintain and enhance Sydney Park as a significant regional park contributing to the lifestyle and amenity of the village and environmental health and diversity.

King Street Village principles

Development in King Street village is to:

- (a) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within Heritage Conservations Areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Retain and adaptively reuse heritage items, historic warehouses and former corner shops and conserve contributory and neutral buildings in Heritage Conservation Area.
- (c) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of amenity for residents and great public places and spaces.
- (d) Reinforce and extend activity along King Street Road to strengthen its role as a unique and vibrant night-time shopping street and regional destination.
- (e) Deliver diverse, suitable and well-designed spaces and places to support specialised health and education businesses in mixed use areas around the Sydney University and the Royal Prince Alfred Hospital.
- (f) Help deliver diverse housing, including affordable housing for key workers and students in close proximity to Sydney University and the Royal Prince Alfred Hospital.
- (g) Incorporate the facilities and services the community needs to support health and wellbeing wherever possible.
- (h) Focus commercial uses in local centres and mixed-use areas to strengthen them and retain the integrity of historic residential areas.
- (i) Prevent encroachment into views and vistas from public places of landmarks buildings and structures including the sandstone buildings at the University of Sydney and Royal Prince Alfred Hospital and the chimney stacks at Sydney Park.
- (j) Maintain long-distance panoramic views from elevated public places towards the City and its surrounds.
- (k) Aim for net-zero energy emissions and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (l) Protect and increase urban tree canopy and vegetation across public and private land to unify and green streetscapes.

Development

Development in the King Street Village must achieve and satisfy the outcomes expressed in the village and neighbourhood statements and their supporting principles.

2.8.1 King Street Village Neighbourhoods

King Street Village has eight neighbourhoods, which are described below in Table 2.6 and shown on the village map at Figure 2.8. The direction provides a high-level indication of how the village will change over time.

Table 2.6: Directions for King Street Village neighbourhoods

King Street Village neighbourhoods		
Neighbourhood	Description	Direction
Camperdown South	A mixed-use and health services area with strong associations with the adjacent Royal Prince Alfred Hospital and University of Sydney.	Enhance opportunities for a variety of health and education related businesses to establish in mixed use areas.

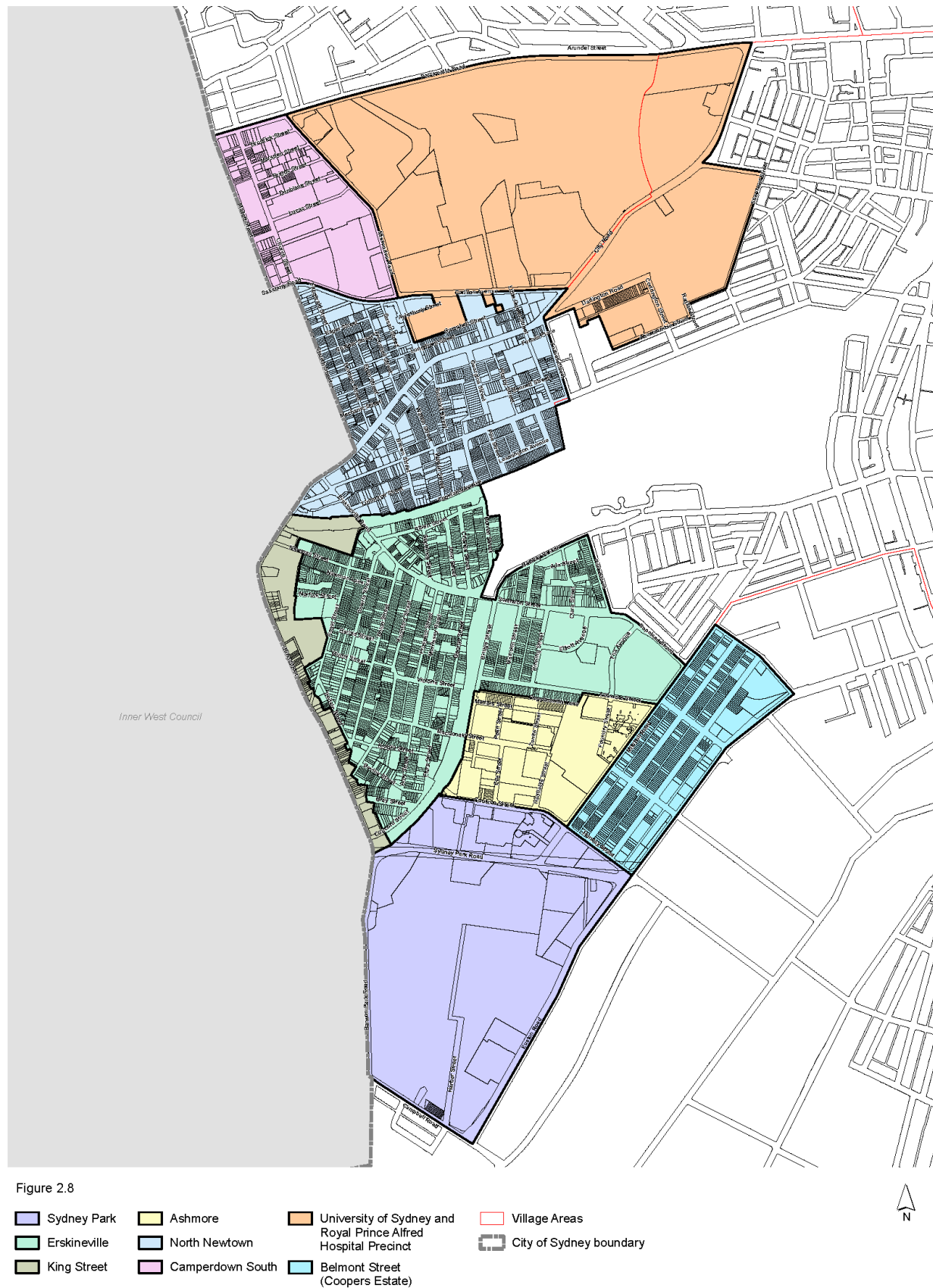
Sydney Development Control Plan 2012 – Policy and housekeeping
– Amendments

University of Sydney / Royal Prince Alfred Hospital Precinct*	Anchor institutions for a health and education innovation corridor stretching from Camperdown to Ultimo.	Maintain as key assets underpinning the innovation corridor while enhancing public access and through-site links.
North Newtown	A historic residential neighbourhood close to Sydney University and the Royal Prince Alfred Hospital which is focused around the King Street.	Maintain quiet historic residential streetscapes buffered by a lively and active main street.
Erskineville	A fine-grain low-scale residential neighbourhood and local centre characterised by cohesive streetscapes.	Maintain and strengthen historic streetscapes, physical and visual connections, and the traditional local shopping street.
King Street Retail Strip	The southern part of King Street and prominent historic high street.	Enhance with mixed uses that bring more people to the area and enliven the street.
Ashmore	A new neighbourhood on former industrial land with a variety of dwelling types and local centre.	Enhance by completing the neighbourhood and delivering facilities and services for residents.
Belmont Street (Cooper Estate)	A fine grain low scale residential area, with medium density mixed use edges.	Maintain the low-rise historic mix of building types on tree-lined streets buffered by medium rise mixed uses on main streets.
Sydney Park	A 40-hectare multi-purpose regional park featuring historic brick chimneys with a medium density and industrial edge.	Maintain a high level of accessibility and amenity for users of Sydney Park and provide facilities and activities which contribute to community health and wellbeing.

* The University of Sydney / Royal Prince Alfred Hospital Precinct includes Victoria Park and the Sydney University campus on the east side of City Road within the Redfern Street Village.

Direction	What it means
Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.

Figure 2.8: King Street Village neighbourhoods



King Street village neighbourhoods

2.8.2 Camperdown South neighbourhood

Neighbourhood statement

Camperdown South is a mixed-use and health services area with historic and ongoing associations with the Royal Prince Alfred Hospital and University of Sydney and is bounded by Parramatta Road to the north.

There are a diverse mix of lot sizes and building typologies within a grid street pattern. It supports narrow fronted houses, hotels, educational and medical uses, and a neighbourhood centre on Missenden Road.

Missenden Road is the main entry to Royal Prince Alfred Hospital and a slow road designed for pedestrian and patient safety with generous sidewalks, safe crossings, seating and landscaping. A small neighbourhood centre on Missenden Road centre near Parramatta Road will continue to strengthen with a selection of shops and eateries that provide for the daily needs of residents, essential workers and visitors throughout the day and into the evening.

Parramatta Road will be enhanced as a main approach road to Central Sydney through uses that activate the street and landscaping that increases greenery and the street tree canopy.

The neighbourhood will continue its transformation from industrial uses to a vibrant high density mixed-use neighbourhood where a variety of types and sizes of work spaces is available for research, education and medical businesses, including start-ups.

Neighbourhood principles

Development in the Camperdown South neighbourhood is to:

- (a) Retain and introduce active uses on the ground floor of buildings facing Parramatta Road to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (b) Deliver diverse uses above the ground floor of buildings on Parramatta Road to extend activity and surveillance of the street.
- (c) Deliver high quality design on gateway sites at the corner of Parramatta Road and Missenden Road.
- (d) Deliver diverse, suitable and well-designed spaces and places to support specialised health and education businesses in mixed use areas.
- (e) Deliver public benefit such as open space, pedestrian and bike connections and adequate on-site parking for new development on industrial sites.
- (f) Include through site links with the redevelopment of the Royal Prince Alfred Hospital on Mallett Street to enhance access to the grounds of the hospital and university.
- (g) Landscape with substantial vegetation including large trees in the front and side setbacks of buildings, where possible, to increase urban vegetation and supplement street tree planting.

2.8.3 University of Sydney/Royal Prince Alfred Hospital Precinct

Neighbourhood statement

The University of Sydney and the Royal Prince Alfred Hospital are anchor institutions for an emerging health and education innovation corridor stretching from Camperdown to Ultimo. They are world class institutions which will continue to play a significant role in the city as specialised education, health and research facilities fostering discovery and innovation. They are distinguished by fine architecture, a rich history, expansive landscape grounds and a range of recreation facilities.

The institutions are largely within the Sydney University Heritage Conservation Area (C5). Their heritage values are to be conserved and supplemented by contemporary facilities.

The health and education precinct includes the Victoria Park and Sydney University campus on the east side of City Road within the Redfern Street Village.

Renewal of the campus grounds is to include strong connections to surrounding areas with a network of walking and bicycle links. The boundaries of the campus are to be improved with landscaping particularly along Shepherd Street, Darlington. The connection to the cultural uses at Eveleigh Railway workshops is to be reinforced.

Neighbourhood principles

Development in the University of Sydney/Royal Prince Alfred Hospital precinct is to:

- (a) Deliver small scale retail, business and community uses to strengthen the retail centre along Missenden Road.
- (b) Enhance the University's landscape campus setting and provide a more legible internal street and pedestrian network.
- (c) Ensure new University development adjoining the surrounding neighbourhoods is to step down to the scale of those streets and the predominant scale of adjoining heritage conservation areas.
- (d) Landscape the University's campus boundaries to improve the interface to adjacent neighbourhoods.
- (e) Retain views and vistas to landmark buildings within the University of Sydney campuses and Royal Prince Alfred Hospital campus.
- (f) Retain the visual prominence of the University of Sydney Great Hall and its landscape setting including Victoria Park by controlling encroachment into views.
- (g) Improve pedestrian and bike links through the University of Sydney, Victoria Park and Royal Prince Alfred Hospital.

2.8.4 North Newtown neighbourhood

Neighbourhood statement

North Newtown is a historic residential neighbourhood close to Sydney University and the Royal Prince Alfred Hospital which is focused around King Street.

A number of heritage conservation areas apply to different parts of the neighbourhood reflecting its historic development:

- Bucknell Street (refer to C39)
- O'Connell Street (refer to C43)
- King Street (refer to C43)

Residential areas retain the original Victorian grid street pattern and many terrace houses with diverse overlays including Federation houses and small lot industrial, many of the latter now adaptively reused. A similarity in scale produces varied yet harmonious historic streetscapes.

King Street runs through the centre of the neighbourhood. It is a retail and entertainment centre with a dynamic blend of traditional and contemporary buildings and shop fronts, dominated by the grand silhouettes of the upper floors of the heritage buildings. Retail activity extends down Missenden Road toward the Hospital precinct creating a secondary neighbourhood centre. Fringe retail activity is encouraged on lanes behind King Street to ensure a diversity of activity.

The active front of King Street buffers the quiet residential areas behind. Residential areas mainly comprise terrace rows with a consistent scale and proportions, roof design and materials palette. This contributes to the quality of the streetscape. High quality additions and alterations are encouraged to maintain the character and protect residential amenity.

Neighbourhood principles

Development in the North Newtown neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of historic sites and retaining rear lanes.
- (b) Retain and conserve the low scale of built form and consistent building types in heritage conservation areas, particularly King Street's high street wall buildings and residential terrace rows.

- (c) Design infill buildings to be consistent with the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and align with design elements of adjacent buildings to enhance an appreciation of the character and significance of the heritage conservation area from the street.
- (d) Design additions and alterations to retain the scale and massing of front elevations, and the original roof form as viewed from the primary street frontage.
- (e) Provide vehicle access only from rear lanes to retain their functionality and reduce on-street parking and crossings.
- (f) Enhance pedestrian amenity and activity along King Street:
 - i. encourage retail uses, entertainment uses, and cafes and restaurants as the, including late night uses
 - ii. expand building footprints at the rear of buildings
 - iii. provide footpath awnings to active frontages, where appropriate and sympathetic to the building
 - iv. preclude vehicle crossings.
- (g) Provide complementary uses in association with King Street:
 - i. deliver retail uses on rear lanes behind King Street and at corners of side streets and along Missenden Road and Erskineville Road
 - ii. deliver mixed uses on Carillon Avenue
 - iii. deliver active uses along the western end of Wilson Street.

2.8.5 Erskineville neighbourhood

Neighbourhood statement

Erskineville is a predominantly fine-grain low-scale residential neighbourhood and local centre characterised by a historic small lot subdivision pattern and cohesive streetscapes. The neighbourhood is located south of the western rail line and has good physical connections to Erskineville Road/Swanson Street. There are small open spaces throughout and one major recreational space, Erskineville Oval, which has been used by various sporting clubs since the beginning of the 20th Century.

Erskineville Road is the neighbourhood's centre. It is a vibrant and active local community hub with a diverse mix of uses, including retail, business and commercial uses, community facilities, cafes, restaurants and hotels, high quality public domain, well designed infill development that is respectful of the existing street character. Future development is to incorporate active uses and high-quality façade design to enhance pedestrian amenity and appeal.

The historic residential building stock is primarily Victorian terraces with some early Federation terraces, semi-detached and detached houses. A small public housing estate adjacent to Erskineville Oval and commenced between the wars is distinctive for its two-story apartment format and associated community facilities. A number of heritage conservation areas apply to different parts of the neighbourhood reflecting its historic development:

- Burren Estate (refer C21)
- Erskineville Estate (refer C22)
- Former Macdonaldtown Estate (refer C23)
- Malcolm Estate (refer C24)
- Pleasant Avenue (refer C26)
- Tootgood & White's Estate (refer C26)
- Gowie Street (C40)
- Newman and Gibbes Streets (refer C42)
- Union Street West (refer C46).

Some parts of the neighbourhood are elevated providing views towards the City skyline and Sydney Park chimney stacks.

The consistency of terrace and cottage rows; their scale and proportion, roof design, materials palette and intact rear laneways is very important to the quality of the streetscape and will be retained.

Neighbourhood principles

Development in the Erskineville neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of historic sites and retaining rear lanes.
- (b) Retain unique development features which are a signature of the neighbourhood:
 - i. retain angled lots and street setbacks on Albert Street and Septimus Street
 - ii. retain cantilevered balconies extending over the footpath on Gibbes Street and Lambert Street.
- (c) Retain and reinforce the low scale of built form and the consistency of building types including setbacks and building alignments.
- (d) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and align with design elements of adjacent buildings (such as front verandahs) to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (e) Design infill development to address the street and provide opportunities for passive surveillance of the street.
- (f) Confine additions and alterations to the rear of dwellings to retain the scale and massing of front elevations and to retain the original roof form as viewed from the primary street frontage.
- (g) Step buildings and rooflines with the topography to minimise view loss, overlooking and overshadowing impacts.
- (h) Design laneway development (studio/garages) to be modest but of high design quality to protect and enhance the low scale of intact, consistent lanes and to retain the prominence of street frontage buildings.
- (i) Provide vehicle access only from rear lanes to retain their functionality, reduce on-street parking and increase opportunities to green streets.
- (j) Enhance pedestrian amenity and activity along Erskineville Road:
 - i. design new retail/commercial strip development to respond to and complement the scale and proportion of traditional strip retail to the east
 - ii. design buildings to align with and address the street at ground level, including building with internalised spaces
 - iii. retain the visual dominance of corner buildings which are typically taller to reinforce an understanding of the ridge in forming the road and built form pattern
 - iv. limit the height of new mixed-use development
 - v. retain and introduce active uses on the ground floor of buildings fronting Erskineville Road
 - vi. provide footpath awnings to active frontages along Erskineville Road, where appropriate and sympathetic to buildings
 - vii. protect streetscape vistas along Erskineville Road and side views to the south by continuing to build to the street edge
 - viii. retain the green open quality of the north side of Erskineville Road between Septimus and Burren Streets which the additional road width in this area has created
 - ix. retain the public through-site link to Baldwin Street through the car park.
- (k) Deliver a community activity hub on the tram sheds site:
 - i. integrate with Newtown Railway Station
 - ii. retain and enhance its heritage significance
 - iii. maintain and adaptively re-use the landmark tram sheds building

- iv. provide a pedestrian street and sequence of new public spaces to connect King Street to Erskineville Road, through the tram sheds site.
- (l) Retain and conserve the visual prominence of landmark buildings, particularly former corner shops, Erskineville Primary school and hotels along Albert Street.
- (m) Retain panoramic and long-distance views, in particular those to Central Sydney and the Sydney Park brick chimneys, and local views to Erskineville Road Village centre and significant buildings (for example the Rose Hotel) from public places.
- (n) Retain and protect the pedestrian link between Union and Rochford Street and the Amy Lane access to the park.

2.8.6 King Street Retail Strip

Neighbourhood statement

The King Street retail strip is one of the economic, social and cultural main streets within the City. Its continuous facades and the general uniformity of scale create a distinct streetscape and visual identity.

The King Street retail strip is largely within the southern part of the King Street Heritage Conservation Area (refer to C47) known as precinct three. It is significant to the State as a rare, largely intact retail strip of predominantly late Victorian and early Federation buildings. Its significance goes deeper than appearances, with strong community esteem and activity.

The Southern part of King Street is to continue to be an economic, social and cultural main street and will have key local and regional public transport links, centred around Newtown Railway Station. It has a wide array of interesting speciality shops, theatres, café and restaurants and galleries, shops and services for local needs including schools and community centres, and a mix of uses including retail and commercial at ground level and residential above.

Future development is to incorporate active uses and high-quality façade design to enhance pedestrian amenity and appeal.

Neighbourhood principles

Development in the King Street retail strip is to:

- (a) Step buildings and rooflines with the topography while retaining the visual dominance of landmark and mixed-use buildings which are typically taller at the street edge, to reinforce an understanding of the ridge in forming the road and built form pattern.
- (b) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and align with design elements of adjacent buildings to complement the traditional strip retail street and buildings.
- (c) Retain and introduce active uses, including night time uses, such as cafes, restaurants, retail, entertainment, professional services and commercial to enhance pedestrian amenity and reinforce the vitality and liveliness of the street.
- (d) Design buildings to align with and address the street at ground level to enhance streetscape vistas and to generate pedestrian interest and interaction.
- (e) Deliver additional storeys to traditional strip retail buildings but setback from main street frontage only where such development will not impact on the amenity of adjoining residential areas or the significance of a heritage item, contributory building or the heritage conservation area.
- (f) Protect the curtilage of heritage items along King Street, notably the church and heritage school buildings by controlling encroachment into views, to enable a visual appreciation of buildings within their setting.
- (g) Retain educational/religious and mixed uses that gives the northern part of King Street a distinct open and green quality that contrasts with the strong built edge to the south.
- (h) Deliver a community activity hub by adaptively reusing buildings on the Newtown Railway Station and Tram Sheds site.

- (i) Deliver mixed use development and higher built form over and adjacent to the Railway to mark this important nodal point and junction with Enmore Road and King Street, taking into consideration heritage issues in regards to the Tram sheds and station buildings.
- (j) Deliver appropriate infill development to the Newtown Performing Arts High School edge (southern parts only) to better define the street edge and provide a more active retail/commercial interface.
- (k) Protect the streetscape vistas in both directions, along the street and the striking side street views towards the city skyline, by continuing to align buildings with the street.
- (l) Provide under awning lighting on new awnings, which maintains the strong rhythm of the existing “string of pearls” along the King Street.

2.8.7 Ashmore neighbourhood

Neighbourhood statement

Ashmore will be a sustainable neighbourhood that offers a variety of dwelling types that will be well integrated with the surrounding conservation areas of Erskineville and Alexandria.

Development will be complemented with a high-quality public domain, including new streets, a central public park and bike links to facilitate pedestrian and cycle movement throughout the precinct, and integrated with the surrounding street network and open spaces.

Ashmore will have a strong landscaped character, with new development being setback from the street to provide a landscape buffer between the new buildings and the public domain. New development will be designed to ensure it brings life to the street with individual entries to ground floor dwellings, to provide passive surveillance and opportunities for social interaction.

Neighbourhood principles

Development in the Ashmore neighbourhood is to:

- (a) Coordinate the delivery of housing with the provision of adequate community facilities and services.
- (b) Deliver a mix of dwelling types to provide flexibility and choice that reflects the needs of 21st Century living.
- (c) Deliver a permeable network of streets that responds to key connections and the surrounding historic street patterns of Erskineville and Alexandria.
- (d) Deliver an appropriate mix of land uses with retail at ground level on MacDonald Street, adjacent to McPherson Park and some commercial uses at the intersection of MacDonald Street and Mitchell Road.
- (e) Transition building heights to the surrounding heritage conservation areas.
- (f) Deliver high quality streetscapes with canopy trees to provide shade and amenity, and incorporate water sensitive urban design where appropriate.
- (g) Deliver one main park, known as McPherson Park, for passive and active recreation, and to assist with stormwater management.
- (h) Establish a strong landscaped character which unifies the neighbourhood including by setting back development from the public domain and selecting native plants.
- (i) Create an attractive public domain with pedestrian and bike connections. Links to public transport are to be clear and legible, and are to prioritise pedestrians with slow speed traffic lanes.
- (j) Protect key panoramic views from Sydney Park to the Central Sydney skyline and King Street ridge and east-west views throughout the neighbourhood to enhance visual permeability.

2.8.8 Belmont Street (Coopers Estate) neighbourhood

Neighbourhood statement

The Belmont Street neighbourhood will remain a predominantly fine grain low scale residential area, with medium density mixed use and residential concentrated around its edges providing a transition to the high-density Sydney Park and Ashmore residential neighbourhoods.

Most of the neighbourhood, except properties fronting Euston Road, are within the Cooper Estate Heritage Conservation Area (refer to C55) which is significant for its regular 1880s subdivision pattern and working-class origins.

Streets will have generous tree canopies overarching wide walkable streets providing visual and physical connections to Erskineville Oval and the Mitchell Road/ Maddox Street neighbourhood node. The variety of built form including detached houses, terraces, townhouses, adapted warehouses, apartments is important to this area and are to be retained. The consistency of terrace rows, their scale and proportion, roof design and materials palette is very important to the quality of the streetscape and are to be retained.

Along Euston Road and McEvoy Street the area is in transition from industrial/light commercial to mixed use. This area is to be revitalised by new development which improves the presentation of buildings, a greater mix of uses, and better functionality of the street and path network for pedestrians. North of Sydney Park Road the focus is on a mix of retail, commercial, community and residential uses.

Neighbourhood principles

Development in the Belmore Street neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern in the Cooper Estate heritage conservation area by precluding amalgamation of sites and retaining rear lanes.
- (b) Retain the predominant low scale of built form and the consistency of building types in the Cooper Estate heritage conservation area.
- (c) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of heritage and contributory buildings, and align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (d) Provide vehicle access only from rear lanes to retain their functionality, reduce on-street parking and increase opportunities to green streets.
- (e) Deliver higher built form along Lawrence Street (eastern edge) and Mitchell Road but constrain the street wall height to maintain a pedestrian scale and existing character.
- (f) Design apartment buildings to align to and address the street at ground level and provide opportunities for passive surveillance of the street.
- (g) Deliver mixed-use residential and commercial premises along Mitchell Road, Fountain and Lawrence Streets through the adaptive reuse of commercial and industrial buildings.
- (h) Retain and adaptively re-use Federation and Interwar factories and warehouses buildings, where possible, to facilitate their conservation and ongoing contribution to the character of the neighbourhood.
- (i) Enhance pedestrian amenity and enliven Euston Road / McEvoy Street:
 - i. design buildings to align with and address the street at ground level
 - ii. design facades with modulation and articulation of the horizontal and vertical proportions including changes in materials to reduce bulk and scale
 - iii. constrain the street wall height to three storeys
 - iv. convert existing industrial/commercial uses into mixed use development with ground floor retail uses and commercial and residential uses above.
- (j) Retain the visual prominence of landmark buildings, particularly former corner shops, warehouses, hotels/pubs along Mitchell Road.

2.8.9 Sydney Park

Neighbourhood statement

Sydney Park is a 40 hectare multi-purpose regional park featuring historic brick chimneys which is to be enhanced by surrounding development. It has a sustainable wetland ecosystem and offers district views over the city and Airport. The Park has historic and cultural significance and is used for recreation, environmental learning, community activities and events. Interface development contributes to its amenity and accessibility.

The Sydney Park Residential precinct to the north is to continue to be a high-density residential area focused and edging Sydney Park, providing district and regional views from Sydney Park toward the City Skyline, the Erskineville basin and other important local landmarks.

Three isolated industrial and commercial sites intrude into Sydney Park along its Euston Street boundary. Opposite, the “big box” industrial development of the Southern Employment Lands, they are to continue the existing industrial character of the area. Future development will enliven the area with improved presentation of buildings, a greater mix of uses, and better functionality of the street and path network for pedestrians.

Neighbourhood principles

Development in the Sydney Park neighbourhood is to:

- (a) Design large development blocks to optimise the number of apartment entries directly accessed from streets with high pedestrian amenity including those with footpaths and street trees.
- (b) Redevelop the isolated terraces on Campbell Road to a higher density and form that encourages active frontages overlooking Sydney Park.
- (c) Improve the public domain interface of buildings along Euston Road:
 - i. provide active edges to buildings which adjoin Sydney Park to enhance passive surveillance and improve the appearance to the park
 - ii. design buildings to align with and address the street at ground level to enhance streetscape vistas and to generate pedestrian interest and interaction
 - iii. design buildings with modulation and articulation of the horizontal and vertical proportions of facades including a change in materials to reduce bulk and scale and provide good visual amenity.
- (d) Constrain the scale, setback and design of large developments which interfaces with Sydney Park to retain and enhance public access, sunlight access and environmental values of the Park.
- (e) Maintain views to Sydney Park, the former brick works, and surrounding areas from the public domain.
- (f) Retain panoramic 360 degree views from Sydney Park high points to important local cultural landmarks including the King Street Newtown ridge, the Eveleigh rail yards and further north to the City skyline.
- (g) Provide better pedestrian links from Ashmore (to the north of Sydney Park Road), and Sydney Park through provision of a pedestrian bridge at this location.
- (h) Improve the amenity of Sydney Park Road public domain by introducing street trees and improved pedestrian amenity through better connectivity and pavement treatments.
- (i) Strengthen bike links to Sydney Park and the Alexandra Canal area.

2.9 Green Square and City South Village Locality Statements

Green Square and the City South Village encompasses the bustling, high density urban renewal area of Green Square, the quieter residential streets of Rosebery, and the enterprise and urban services precincts in Alexandria and Rosebery. It is located on the traditional lands of the Gadigal of the Eora nation along an old transit route which survives in part as Botany Road, the major north-south artery.

The village is the largest in the City and strategically located between the economic powerhouse of Central Sydney and the global gateways of Port Botany and Sydney Airport. By the end of the 19th

Century, the area was full of heavy industries, with some small residential estates for workers on higher ground at Zetland, Waterloo and Beaconsfield. A number of these subdivisions remain today and are protected as heritage conservation areas.

The waning demand for traditional industry close to the city, and direct rail line through Green Square from the airport to the CBD, led to the northern part of the village being established for a high density, mixed use community. The Green Square urban renewal area is the major population centre with the Green Square Town Centre its civic and commercial heart.

The south west remains an industrial area with a more varied offer today that incorporates a range of urban services, big box retail, mixed business and light industrial uses. These uses are critical to support the growth of the City and its economic prosperity.

Rosebery in the south east is a trendy hub for cafes, creative business and various light industry. The Rosebery Estate is at the south of the suburb and has a special character as a “Garden Suburb” designed by John Sulman with its consistent subdivision pattern, building form, streetscape patterns and predominant housing types.

Future character

The Green Square and City South Village is a productive and liveable village of two parts which is transforming and growing, leveraging its strategic location and transport connections.

Between 2016 and 2036 the village will provide additional capacity for 17,200 jobs and 20,300 new homes, providing over one third of the city's new dwellings. New dwellings will mainly be provided as apartments in Green Square.

In the north, the Green Square area will continue its transition towards a thriving, contemporary and mixed use community. Residents will have greener walkable streets, new parks and connections, and access to new community facilities and services. A portion of all new housing will be affordable rental housing, facilitated by the City's affordable rental housing levies. The Green Square Town Centre, at its heart, is a high density sustainable precinct with fast rail access to the airport and Central Sydney.

In the south, the enterprise areas are protected and continue to play a crucial role in supporting economic growth and network connections with a focus on new businesses and industry opportunities, employment across a range of sectors, and land availability for key industrial activities and essential urban services. Keeping land mainly for employment ensures that these uses are not displaced by residential dwellings.

Key strategic directions to 2036 include:

1. Facilitate well designed, sustainable new homes in the urban renewal area.
2. Protect industrial and urban services land and evolve businesses in the in the Southern Enterprise Area and Green Square Town Centre.
3. Invest in new infrastructure, public squares/plaza's, open space, streets and drainage to support a growing population.
4. Increase urban tree canopy and deliver the Liveable Green Network comprising the Green Grid and pedestrian and cycling connections.
5. Advocate for more public transport, including a new Metro Station by 2028 at Zetland, so that supply keeps pace with demand.

Green Square and City South Village principles

Development in the Green Square and City South Village is to:

- (a) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within Heritage Conservations Areas and conserve the heritage values of the place including streetscapes and lanes.
- (b) Protect and enhance the special character of Rosebery, including the intact subdivision pattern, the sense of openness and landscape setting, the predominant housing styles, and generally consistent built form character and scale.

- (c) Retain and adaptively reuse heritage items, historic warehouses and former corner shops and conserve contributory and neutral buildings in heritage conservation areas.
- (d) Retain and manage the Southern Enterprise Area for industrial and urban services uses while enabling new business opportunities.
- (e) Where appropriate, deliver new, improved and safe connections for walking and cycling, including new streets and cycleways, footpaths and through-site links, to improve permeability and link key locations within the village.
- (f) On major and busy roads, and identified active frontages, incorporate non-residential floorspace to ensure ongoing, adequate and appropriate supply of suitable land and floor space for business, industry and services.
- (g) Limit the scale of retail to ensure the primacy of the Green Square Town Centre.
- (h) Provide new green open spaces to support a growing population.
- (i) Enhance the quality of gathering & meeting spaces to support social connectedness and sustain quality of life including through provision of dedicated public communal indoor and outdoor open spaces.
- (j) Protect and increase urban tree canopy and vegetation across public and private land and along water channels to unify and green streetscapes and corridors.
- (k) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of amenity for residents, visual variety and high quality public places and spaces.
- (l) Aim for net-zero energy emission and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (m) Ensure stormwater and floodwater is managed so that development is not adversely affected by flooding and that flood risks and hazards are minimised.

Development

Development in the Green Square and City South Village must achieve and satisfy the outcomes expressed in the Village and neighbourhood statements and supporting principles.

2.9.1 Special Character Area

Rosebery Estate is identified as a Special Character Area which contributes to the unique identity and quality of the City. It has a character unmatched elsewhere in Sydney and is highly distinctive. The Special Character Area is mapped in the Sydney Local Environmental Plan 2012.

Direction

Special Character Areas are significant to the cultural life and heritage of the City. Over time, their character will be maintained and strengthened with development that enhances their unique attributes.

Development

Development in Rosebery Estate must achieve and satisfy the outcomes expressed in the locality statement and its supporting principles as well as the statement of future character for Green Square and City South Village and its supporting principles.

2.9.2 Green Square and City South Village neighbourhoods

Green Square and City South Village has five neighbourhoods, which are described below in Table 2.7 and shown on the village map at Figure 2.9. The Direction provides a high-level indication of how the village will change over time.

Table 2.7: Directions for Green Square and City South Village neighbourhoods

Green Square and City South Village neighbourhoods		
Neighbourhood	Description	Direction

Sydney Development Control Plan 2012 – Policy and housekeeping
– Amendments

Green Square	A diverse and high density residential growth area on former industrial land created through design excellence and sustainable outcomes.	Enhance by continuing renewal to create a vibrant, sustainable and connected place for living with high amenity and walkability.
Green Square Town Centre	The residential, commercial, retail and cultural centre for the Green Square Urban Renewal Area.	Enhance the town centre as the vibrant, sustainable, mixed-use hub for the village.
North Alexandria (which also forms part of Green Square)	A light industrial area located close to Green Square station identified for higher density commercial and specialised employment purposes.	Change to a thriving, diverse, dynamic and creative modern employment precinct and centre.
Southern Enterprise Area	A flexible employment area and home of industry and urban services supporting Sydney's growth.	Enhance by diversifying the range of industrial and urban service activities including more high-tech industrial, design warehouse and some retail.
Rosebery Estate Special Character Area	A historic "Garden Suburb" with a consistent subdivision pattern, building form and streetscape patterns.	Maintain the open landscape character of streets and historic built form.

Direction	What it means
Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.

Figure 2.9: Green Square and City South Village neighbourhoods

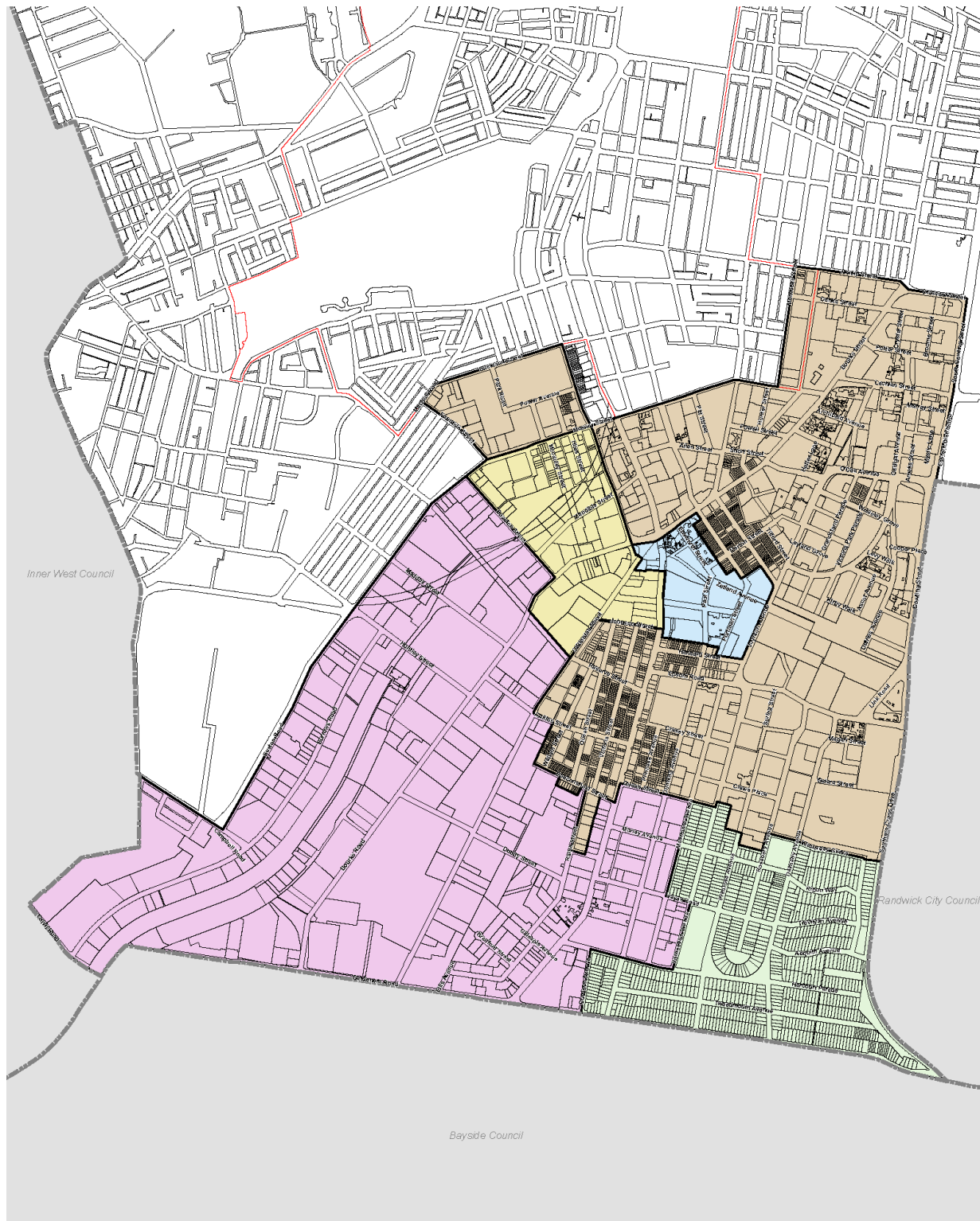


Figure 2.9

- | | | |
|--------------------------|--------------------------|-------------------------|
| Green Square | Rosebery Estate | Village Areas |
| Green Square Town Centre | Southern Enterprise Area | City of Sydney boundary |
| North Alexandria | | |



Green Square and City South village neighbourhoods

2.9.3 Green Square

Neighbourhood statement

Green Square is a diverse and high-density mixed use community. Over one third of the City's new housing will be built in this neighbourhood, which will grow to around 32,000 dwellings, housing around 60,000 to 70,000 people (depending on occupancy trends) when the area is expected to be fully built out by 2036. Most new housing will be provided as apartments in a variety of sizes, price points and building designs including affordable rental housing. Existing fine-grain low scale housing in heritage conservation areas (C72 Hansard Street and C73 Zetland Estate) will be retained and will provide much needed diversity.

A placemaking approach is used to deepen new communities' connections to place and each other. This approach is people focused and achieved through high-quality urban design and coordinated delivery of community infrastructure. While Green Square Town Centre is the centre of community life for the neighbourhood, a number of smaller centres will also provide facilities and services for residents. The largest, Danks Street, is at the northern gateway to the neighbourhood and is a thriving retail centre with a variety to art galleries, cafes and restaurants.

The City's capital works program will deliver community facilities and public domain improvements, including open space, streets, cycleways, through site links, tree planting and vegetation improvement.

This neighbourhood will undergo significant change to 2036.

Neighbourhood principles

Development in Green Square is to:

- (a) Locate taller and slimmer buildings along high traffic volume roads to act as an acoustic buffer while addressing overshadowing and visual impacts.
- (b) Retain the fine-grain low scale built form of residential development in heritage conservation areas.
- (c) Transition building height and form adjacent to heritage conservation areas and Rosebery Estate with low scale typologies, including maisonettes and townhouses.
- (d) Respond to existing industrial heritage with high quality design which complements without mimicry.
- (e) Where appropriate, incorporate non-residential floor space into new residential development.
- (f) Where appropriate, design new streets to prioritise pedestrians with low speed traffic lanes and generous street landscaping for amenity.
- (g) Support Danks Street's function as a Local Centre which meets the retail demands of residents, and also act as a regional attractor by:
 - i. improving the public domain
 - ii. providing a variety of building types and scales
 - iii. providing continuous active frontages along Danks Street to connect it to the supermarket in Crown Square.
- (h) Support neighbourhood centres at the Junction of Queen Street and Botany Road, at the intersection of Epsom Road and Rothschild Avenue and the western half of Archibald Avenue (west of Gadigal Avenue).
- (i) Protect the mass transit corridor and encourage a transport interchange with commercial and retail uses at the intersection of Zetland Avenue and Defries Avenue.
- (j) Transform and enlarge Zetland Avenue into a grand avenue with ample space for generous footpaths to accommodate outdoor dining areas, dedicated bicycle paths, future light rail (or interim bus service), local vehicular access and car parking.
- (k) Enhance gateway streets including Bourke Street, Zetland Avenue, Botany Road and Epsom Road by providing active ground floor uses, public domain improvements and street tree planting.

- (l) Protect the heritage listed trees along Joynton Ave and incorporate into the Joynton Avenue public domain.
- (m) Provide new large civic squares as a focus for community life at Victoria Park, Danks Street and around the heritage listed former Sydney Water Valve House in Danks Street South.
- (n) Protect significant and district views including, but not limited to:
 - i. towards the Central Sydney skyline from south of the North Rosebery precinct in Kimberley Grove
 - ii. Victoria Park and Green Square from the South Dowling corridor
 - iii. Sacred Heart College in Kensington from Zetland Avenue
 - iv. distant and local views from Queen Street and Victoria Street Beaconsfield.
- (o) Address the existing and proposed open spaces to increase surveillance and generate pedestrian activity while minimising overshadowing.

2.9.4 Green Square Town Centre

Neighbourhood statement

The Green Square Town Centre is the residential, commercial, retail and cultural centre for Green Square. When the Green Square Town Centre is complete, it will have the potential to accommodate approximately 5,850 residents and 9,300 workers, creating a new village hub for the southern areas of the City of Sydney.

It will be a highly accessible place, providing good access to and from the centre, through walking, cycling or public transport. The Town Centre will provide a range of open spaces including parks and plaza areas which will offer places for relaxation, recreation and venues for community events.

Shea's Stream and its interpretive elements will be a key design feature along the east-west spine. Community buildings will be provided including the re-use of the heritage buildings of the former Royal South Sydney Hospital and a new community library at the heart of the Town Centre.

The town centre will set new benchmarks in public domain design and ecologically sustainable development. As part of a large scale urban renewal project, the Town Centre will demonstrate that cities can grow in ways that are 'climate positive' whilst still be economically and environmentally sustainable.

Neighbourhood principles

Development in the Green Square Town Centre neighbourhood is to:

- (a) Enable the Green Square Town Centre to achieve its potential to become a major centre.
- (b) Integrate the Green Square Town Centre with the wider Green Square area.
- (c) Deliver a coherent structure of streets that complements the existing, adjacent street network and is highly permeable for pedestrians.
- (d) Establish the Green Square Town Centre as a model for environmentally sustainable design in new centres.
- (e) Include retail development of a type and scape that reflects the centre's role as a major centre.
- (f) Include appropriate, adaptable and affordable housing.

2.9.5 North Alexandria neighbourhood

Neighbourhood statement

North Alexandria is set to become a thriving, diverse, dynamic and creative modern employment precinct, located near Green Square station. The former light industrial activities will transition towards a range of higher-density, more knowledge-intensive and creative industry employment sectors. It will incorporate new open spaces, entertainment and business support services.

Growth in office and flexible enterprise floor space on the western edge of Green Square centre reinforces its economic role and supports the broader role of the Southern Enterprise Area for

industrial and urban services uses. Formation of crucial public spaces, legible connections and attractive entertainment and recreation options are essential if businesses locating in North Alexandria are to attract skilled talent.

The area is well served by public transport, being close to the Green Square train station and numerous bus routes. The precinct enjoys access to several dedicated cycleways and will benefit from the future rapid transport route along the Green Square to Ashmore connector and Waterloo Metro station.

Proposed streets and through-site links will better connect North Alexandria to neighbouring precincts. Green links and proposed public open spaces will raise amenity levels and assist with flood mitigation. The industrial built form, established trees, layers of history, low scale laneways, open canals, and connection to the Liveable Green Network give North Alexandria a unique character. North Alexandria has a number of listed buildings, as well as a heritage conservation area, which will preserve the fine grain, low-rise, industrial character in the north-block of the precinct.

This area is to become a focus for cultural and creative industries, food and drink, and entertainment and lends itself to becoming a destination for the wider area. Flexible, shared use of the laneways can support alfresco activity and events.

Extended opening hours for retail, dining, live music, cinema and other forms of temporary programming in public spaces is also encouraged to bring late night activity to the north-block, balancing the contribution to street activation and vibrancy of the area with any likely impact on amenity.

In close proximity and integrated in grain and scale, the mid-block will be characterised by lower rise, larger floorplate, flexible commercial buildings which will attract a range of creative and knowledge-based tenants in diverse workspaces including small offices with workshops, storage, semi-industrial and showroom spaces.

The higher density, large floorplate built forms in the south-block lend themselves to higher order employment and commercial development including office, as a western edge to Green Square.

The periphery of the precinct will act as a transition to adjoining areas, with large landholdings that preserve the economic function of the area.

Neighbourhood principles

Development in the North Alexandria neighbourhood is to:

- (a) Enhance North Alexandria's role in catering to specialised employment clusters including transport and logistics, manufacturing and professional services.
- (b) Enable the North Alexandria neighbourhood to achieve its potential to become a focus for cultural and creative industries, food and drink, and entertainment.
- (c) Support a diverse range of business uses.
- (d) Provide a range of day-to-day services like childcare, retail and food and drink.
- (e) Integrate the neighbourhood with adjoining precincts, improve green links and provide new open spaces.
- (f) Provide higher amenity in the public domain and better urban outcomes, with defined streets, new connections where required, positive landscape spaces, and improved relationships between buildings and the public domain.
- (g) Retain heritage, industrial landmarks and unique structures where possible, particularly in the north-block, and enable the adaptive reuse of special buildings to respond to their changing function.
- (h) Achieve a sensitivity to scale, fine grain character and materiality in the north-block and surrounding buildings.
- (i) Balance maximised street activation and street/building interface with the industrial character of buildings in the north-block of limited doors and windows.
- (j) Present high quality frontages to the Liveable Green Network and public open spaces.

- (k) Deliver a high quality public domain through the careful design of frontages, through-site links, setbacks, loading and access, and through the screening of warehouses and industrial uses with active uses in the mid-block.
- (l) Harness the placemaking opportunities which are presented by the canals and Liveable Green Network.
- (m) Protect mature trees on Bowden and Wyndham streets and throughout the heritage conservation area.
- (n) Address trapped low points for stormwater through development, particularly on Botany Road.
- (o) Improve way finding, amenity and legibility with more connections and an improved arrangement of streets.
- (p) Increase permeability through the precinct with more crossing points along major roads, well-designed streets and through-site connections to facilitate comfortable walking both within and around the precinct.
- (q) Warehouse and industrial building typologies are to prioritise high quality building frontages and public domain over internal site functions, private driveways, large vehicle crossing points and inactive street edges.
- (r) Commercial buildings in the south-block are to avoid campus-style building typologies. Large landscaped edges used primarily for vehicle access, inactive frontages and poor street address are to be avoided.

2.9.6 Southern Enterprise Area

Neighbourhood statement

The Southern Enterprise Area is a flexible employment area and home of industry and urban services supporting Sydney's growth. While this locality will continue to accommodate traditional industrial activities, particularly around Alexandra Canal, it will over time accommodate a wider variety of economic activities in key areas. Building on the strength of existing logistics and lighter industrial uses that benefit from good access to the airport and Central Sydney, this area will also facilitate a range of higher value employment, such as high tech and offices where appropriate, to realise a thriving, innovative mixed business economy.

It is characterised by traditional large-scale warehouses, used for manufacturing, distribution and logistics as well as less intensive and smaller scale buildings which are better for emerging industries. Some businesses (such as fashion or publication) require warehousing but with a higher office component while others split their operations and locate warehouses elsewhere.

The area is located close to the St Peters Interchange that facilitates movement of freight into and out of the area including to the international ports via the Sydney Gateway project.

The west of the area is to continue to accommodate population-serving industrial businesses and strategic industrial uses. Botany Road is an important route connecting Central Sydney with Botany Bay and is to continue its role as a commercial and industrial hub with a strong employment focus. The area around Birmingham and Bradford Streets, as well as Dunning Avenue and Hayes Road are current destinations for a diverse mix of uses including small scale retail, cafes, shopping and commercial activity. An activity hub around Hayes Road will act as a small centre to support the surrounding residential, commercial and industrial uses. A bulky goods area is to be maintained in the south of the locality along O'Riordan Street. Elsewhere, limited ancillary uses may also be appropriate to support the industrial uses and working population in the area.

New streets throughout the locality will provide greater permeability to encourage walking and cycling whilst breaking up larger industrial land parcels to facilitate access for the evolving uses and maximise street frontages.

A pedestrian and cycling connection and green link along the alignment of the Alexandra Canal and following the Shea's Creek channel will form the backbone of the Liveable Green Network. Future development will present a more inviting edge to the canal, creating opportunities for future

crossing points, casual surveillance and an active interface between the public and private domain. An active square at the head of the Alexandra Canal will create a vibrant and inviting gateway to the water's edge.

Areas close to Rosebery Estate may be appropriate for affordable rental housing and built form that will respond to the finer grain lot pattern and legible well-connected street and block system of the Estate.

Neighbourhood principles

Development within the Southern Enterprise Area is to:

- a) Deliver a range of employment land uses in appropriate locations including high-tech industries, research and development, freight handling and other airport related industries in addition to the existing more traditional employment uses.
- b) Prioritise capacity for higher density flexible office space and hi-tech industries that adopt best practice environmental standards and contribute positively to the public domain.
- c) Provide choice and flexibility for the future in the subdivision of large lots:
 - i. take a comprehensive and integrated approach
 - ii. create opportunities for a range of businesses and building types
 - iii. avoid fragmented subdivision and strata titling.
- d) Along Botany Road, provide a diverse mix of land uses in mixed use zones, including residential development with commercial development at lower levels to ensure satisfactory residential amenity.
- e) Allow for some ancillary non-residential uses that support employment activity and / or service the local working population, such as food and drink premises, entertainment facilities and markets, which are limited in scale and do not compromise the operations of industrial and employment generating uses.
- f) Strengthen small activity nodes where they are currently located at the intersection of Bourke and Huntley Streets and at Doody and Bourke Streets.
- g) Improve traffic, access and permeability of the neighbourhood:
 - i. introduce new bike and pedestrian friendly streets and improve current streets to provide more street frontage for businesses and create route choice and ease of movement for pedestrians and cyclists
 - ii. design new streets in "planned subdivisions" to be bike and pedestrian friendly and to deliver new and improved local connections
 - iii. locate drop-off and servicing areas on site, where possible, to reduce pressure on the road network
 - iv. maintain potential for an east-west street linking Bowden Street and the Green Square Town Centre.
- h) Create more attractive streetscapes and improve pedestrian amenity on main roads:
 - i. provide wider pathways, more canopy trees and building envelopes which allow street trees to achieve mature canopies along Botany Road, O'Riordan Street and Bourke Road
 - ii. provide large building setbacks to form an extension of the public domain along Botany Road
 - iii. design buildings that are high quality and contemporary along O'Riordan Street.
- i) Enhance the Liveable Green Network and its connectivity through to Green Square:
 - i. introduce open space landscaped connections, including through sites, for pedestrians and cyclists between streets, Turruwul Park and the canals
 - ii. maximise views to and along the Alexandra Canal with the location of through-site links, new streets and open spaces
 - iii. design new buildings to address the water channels and through-site links
 - iv. introduce new pocket parks and small areas for passive recreation including a new public open space on the corner of Doody and Ralph Street.
- j) Celebrate the area's history by retaining and adaptively re-using early industrial buildings.

- k) Respond positively to the street layout, subdivision pattern and landscaped setbacks characteristic of the adjoining Rosebery Estate.
- l) Edge public open spaces, through-site links and streets with active uses to increase safety and security.
- m) Extend the large canopy of existing trees on Mentmore Avenue to strengthen the 'green' character of the street and support the transition to the existing low-scale Rosebery Estate by creating a buffer to new development.
- n) Introduce a landscaped setback along the west side of Mentmore Avenue (north of Hayes Road) to complement the landscaped setbacks within the Rosebery Estate.

2.9.7 Rosebery Estate Special Character Area

Neighbourhood statement

Rosebery Estate is a historic "Garden Suburb" with a consistent subdivision pattern, building form and streetscape patterns and the predominance of Federation, Californian Bungalow and other Inter-War housing.

It retains the subdivision pattern of the original Rosebery Estate, designed by John Sulman c. 1912 to reflect the ideals of the 19th Century Garden City Movement. This movement sought to combine the 'natural' attributes and advantages of country living with the 'social' attributes and advantages of living in towns. Unlike other examples of Garden City planning in Australia at the time, Rosebery was also envisaged as a 'Model Industrial Suburb' whereby detached housing within a spacious landscaped setting would be located close to industrial employment land.

This vision was based on an underlying assumption that a healthy living environment and proximity to work would bring benefits to both employees and employers, and that more harmonious community relations would result.

The majority of dwellings in the area were developed over three separate periods in the first half of last century which has resulted in a consistency in its built form and streetscape. This was reinforced by a covenant on all properties within the garden subdivision which regulated building setbacks and materials. Over time, the built form has been modified by residents seeking/looking to expand and adapt older houses to meet modern living requirements. As a result, many dwellings have lost their original details and have been replaced with buildings that are out of keeping with the original character of the area. Despite these modifications, the area possesses a special character that is not dependant on the architectural merit of surviving early housing stock alone.

The elements that give the Rosebery Estate Special Character Area its unique character include:

- The intact subdivision pattern, which is experienced through the wide streets, long view corridors along streets, large regular lots, the regularity of built form and the detached appearance of the majority of dwellings.
- A predominance of housing styles including Federation, Californian Bungalow and other Inter-War housing.
- The sense of openness created by the common building front setback of 6m, the predominant single storey appearance of built form, the consistent pattern of building separation and low, open front fencing.
- The generally consistent built form character and scale that includes gabled roof form, consistent roof pitch, open verandas, parking behind the building line, and facade articulation.
- The landscaped setting.

Neighbourhood principles

Development within the Rosebery Estate is to:

- (a) Retain the historic Garden Suburb subdivision pattern, through maintaining low site coverage, separation between dwellings and the pattern of detached single dwellings.

- (b) Balance the needs and desires of residents to improve and adapt their homes and to protect and enhance Rosebery's special character, as described above.
- (c) Retain and enhance existing dwellings wherever possible, and through development, reverse any unsympathetic renovations.
- (d) Provide a diversity of single storey dwelling types and allow for the development of attached, 'side by side' dual occupancy dwellings that contribute to and enhance the Rosebery Estate Special Character Area.
- (e) Deliver harmonious development where retention or adaptation is not possible. New buildings should not copy or mimic the architectural styles of the past but must incorporate the architectural features identified in the character statement.
- (f) Protect front setbacks and the single storey appearance of built form to retain the Garden Suburb streetscape character.
- (g) Prohibit basement car parking structures within the front setback and other features that are inconsistent with the neighbourhood statement.

2.10 Redfern Street Village Locality Statements

Redfern Street Village, to the south of Central Sydney, is Gadigal Country and home to one of Sydney's largest communities of Aboriginal and Torres Strait Islander peoples. The area, commonly known as "Aboriginal Redfern" has historical and contemporary significance for Aboriginal and Torres Strait Islander peoples, being the site of civil rights movements, historical and current Aboriginal community controlled services, and the part of Sydney where many First Nations peoples moved from all over Australia.

Whilst many residents are long-term and have long-standing bonds to the area, the village has also become an entry point for people coming into the city for work opportunities, shelter and connections with community.

The former Eveleigh Railway Goods Yards occupies a large and central location within the village and has been instrumental in shaping the village. In its heyday, it was Sydney's largest employer and spurred the development of surrounding neighbourhoods with small terraces for workers, industrial workshops and warehouses, many of which remain today. More recently, the Goods Yards have been a catalyst for urban renewal with the adaptive reuse of the former railway workshops and development of the Australian Technology Park, which has seen a growth in jobs in knowledge-based industries.

The NSW Government has committed to creating a globally competitive innovation and technology precinct in the corridor from Central to Eveleigh, including land in the former Eveleigh Railway Goods Yard and land in and around Central Station.

There are a number of large public housing estates in the village.

The village's flat terrain, proximity to customers, good access to international ports and available workforce has made it a desirable place for businesses to establish, especially those with large space requirements or seeking affordable premises. In turn, the availability of local jobs and good public transport access to Central Sydney, has driven a housing boom in recent decades.

A new metro station is scheduled to open at Waterloo in 2024 and the NSW Government has plans to renew the surrounding area including the adjoining Waterloo social housing estate.

Future character

Redfern Street Village is a place of contrasts, opportunity, innovation and community. It is where old and new sit comfortably together, large and small businesses flourish and housing is available for all people. It is a magnet for talented and technically qualified people who benefit from co-location and collaboration and expect high amenity and places with character and good access.

In the 20 years from 2016 to 2036, the village will experience significant growth. Capacity will be provided for 14,500 jobs and 9,300 new homes. Most of this growth will be concentrated in urban

renewal precincts along Botany Road and around the new metro station at Waterloo. This includes high-density, mixed-use precincts to be delivered by the NSW Government at North Eveleigh and at Central.

The entire length of Botany Road will be revitalised to become a more attractive active street and employment centre. The City incentivise additional commercial floor space in highly accessible locations along Botany Road to strengthen its economic role, improve the public domain and enable the delivery of more affordable rental housing.

At Waterloo Station, a new urban centre and high-rise residential precinct will be delivered by the NSW Government and will seamlessly integrate with the redevelopment of the adjoining Waterloo public housing estate. The estate will provide a mix of social, affordable and private housing; medium- and high-rise buildings; a new main street and village green; and a range of new community facilities and services that support a culturally diverse community. A sense of belonging and community is to be fostered, where both long-term residents and new generations can see themselves and feel they belong.

Surrounding historic residential and mixed-use neighbourhoods will absorb some of the growth while retaining those qualities that make them special. New development will enhance the historic fabric of the village, creating places for the community to come together and activating main streets. Clusters of historic row terrace housing will anchor residential areas and help to retain a deep and ongoing sense of community, which will be enhanced by streets that are leafy and walkable. New housing in historic residential areas will respond to the scale, height and fine grain of the built form. New businesses will take advantage of the many historic warehouses to create unique and boutique work spaces.

The village will remain a significant place and home to Aboriginal and Torres Strait Islander peoples. They will have a crucial role in planning decisions going forward to ensure they feel welcome and supported, can afford to live in Redfern Street Village and have a highly visible heritage and culture. New development in the area is to showcase “Connecting with Country” design and consultation approaches.

Strategic directions to 2036 include:

1. Respect and reinforce the historic character of the village and its significance to First Nations people.
2. Collaborate to enable culturally appropriate affordable and social housing for Aboriginal and Torres Strait Islander peoples to prevent their displacement from the area.
3. Revitalise Botany Road as a vibrant commercial precinct with taller buildings providing increased capacity for employment uses.
4. Strengthen Redfern Street as a vibrant local centre, which is inviting, safe and pedestrian friendly.
5. Encourage development that contributes to the innovation corridor.
6. Facilitate economic growth around the innovation and technology corridor by prioritising and safeguarding space for specialised and knowledge-based businesses in surrounding mixed-used areas.
7. Collaborate with the NSW Government on redevelopment of the Waterloo Estate to achieve better outcomes and more housing choice.
8. Work with the NSW and Australian Governments to create an improved east-west transport corridor to strengthen cross-district links.

Redfern Street Village principles

Development within Redfern Street Village is to:

- (a) Acknowledge and celebrate Aboriginal cultural and continuing connection to the area as a significant place associated with Aboriginal rights and identity.
- (b) Respond to and complement the built form, scale and fabric of heritage items and contributory buildings within Heritage Conservations Areas and conserve the heritage values of the place including streetscapes and lanes.

- (c) Retain and adaptively reuse heritage items, distinctive and early industrial buildings, historic pubs and former corners shops and conserve contributory and neutral buildings in the Heritage Conservation Area.
- (d) Deliver exceptional and cohesive architectural and urban design outcomes that results in a high level of amenity for residents and great public places and spaces.
- (e) Deliver diverse, suitable and well-designed spaces and places to support specialised technology-based businesses in mixed-use areas around the Eveleigh Railway Goods Yards.
- (f) Deliver additional commercial floor space along Botany Road in highly accessible locations in association with quality affordable rental housing and public domain improvements.
- (g) In major urban renewal projects:
 - i. incorporate appropriate cultural infrastructure and creative workspaces
 - ii. include dedicated public open spaces and shared or communal indoor and outdoor spaces to increase the amount and quality of green spaces and options for communities to come together across the village
 - iii. provide precinct-scale sustainable infrastructure to minimise carbon emissions, resource consumption and waste generation
 - iv. include green roofs, soft landscaping and canopy trees to increase biodiversity and cool the village.
- (h) Protect sunlight to existing parks and public squares and ensure new parks and squares receive adequate sunlight.
- (i) Aim for net-zero energy emissions and increase green facades and roofs on offices, hotels, multi-unit residential, shopping centre and mixed-use new developments, as well as major refurbishments.
- (j) Protect and increase urban tree canopy and vegetation across public and private land to cool and green the village.

Development

Development in the Redfern Street Village must achieve and satisfy the outcomes expressed in the village and neighbourhood statements and supporting principles.

2.10.1 Redfern Street Village Neighbourhoods

Redfern Street Village has ten neighbourhoods, which are described below in Table 2.8 and shown on the village map at Figure 2.10. The direction provides a high-level indication of how the village will change over time.

Table 2.8: Directions for Redfern Street Village neighbourhoods.

Redfern Street Village neighbourhoods		
Neighbourhood	Description	Direction
Central Park	A high density integrated residential neighbourhood and local centre on the former Carlton and United Brewery site.	Maintain a high-quality public domain, connectivity with surrounding areas and strong environmental performance.
Chippendale, Darlington / West Redfern	A historic fine-grained residential and mixed-use neighbourhood including converted warehouses.	Maintain historic scale and heritage significance while improving residential amenity.
Erskineville Oval North and Alexandria Park	A historic and leafy residential neighbourhood with commercial strip along its northern edge.	Enhance Railway Parade/Henderson Road as an active street while maintaining the historic residential amenity of other streets.

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Redfern Central and Redfern Park south	A historic mixed-use area, which retains a residential character and strong association with the Aboriginal community.	Maintain Aboriginal cultural connections while enhancing residential amenity and activating streets.
Redfern Street and Redfern Park	An historic walkable tree-lined active street and local centre with a long and continuing association with the Aboriginal community.	Enhance pedestrian amenity and extend activity along the street while retaining historic scale and Aboriginal services.
Botany Road Precinct	An established commercial corridor, which is evolving into a vibrant medium to high rise precinct with high pedestrian amenity and connected green public domain.	Enhance commercial floor space capacity while increasing affordable rental housing stock and improving the public domain.
Waterloo Estate (North and Central)	A mid 20th Century public housing estate, which falls under state planning controls.	Improve the social housing stock and public domain.
Waterloo Estate (South)	A mid 20th Century public housing estate, which falls under state planning controls.	Change into a new high-density residential neighbourhood with mix of social, affordable and private housing.
University of Sydney	A part of a broader health and education precinct, most of which is located in the King Street Village.	Refer to 2.8.4 University of Sydney/Royal Prince Alfred Hospital precinct.
Central to Eveleigh Corridor	The former Eveleigh Railway Goods Yard and South Eveleigh (former Australian Technology Park), which falls under state planning controls.	Enhance to support growth of a globally competitive innovation and technology precinct.
Central Precinct	Rail infrastructure land at Central Station, which falls under state planning controls.	Change to a new high-density mixed-use urban centre with a focus on a globally competitive innovation and technology businesses.

Direction	What it means
Change	The look and feel of the existing neighbourhood will transform into something different.
Enhance	The look and feel of the existing neighbourhood will improve and may evolve to augment its quality and experience.
Maintain	The look and feel of the existing neighbourhood will be retained and strengthened.

Figure 2.10: Redfern Street Village neighbourhoods

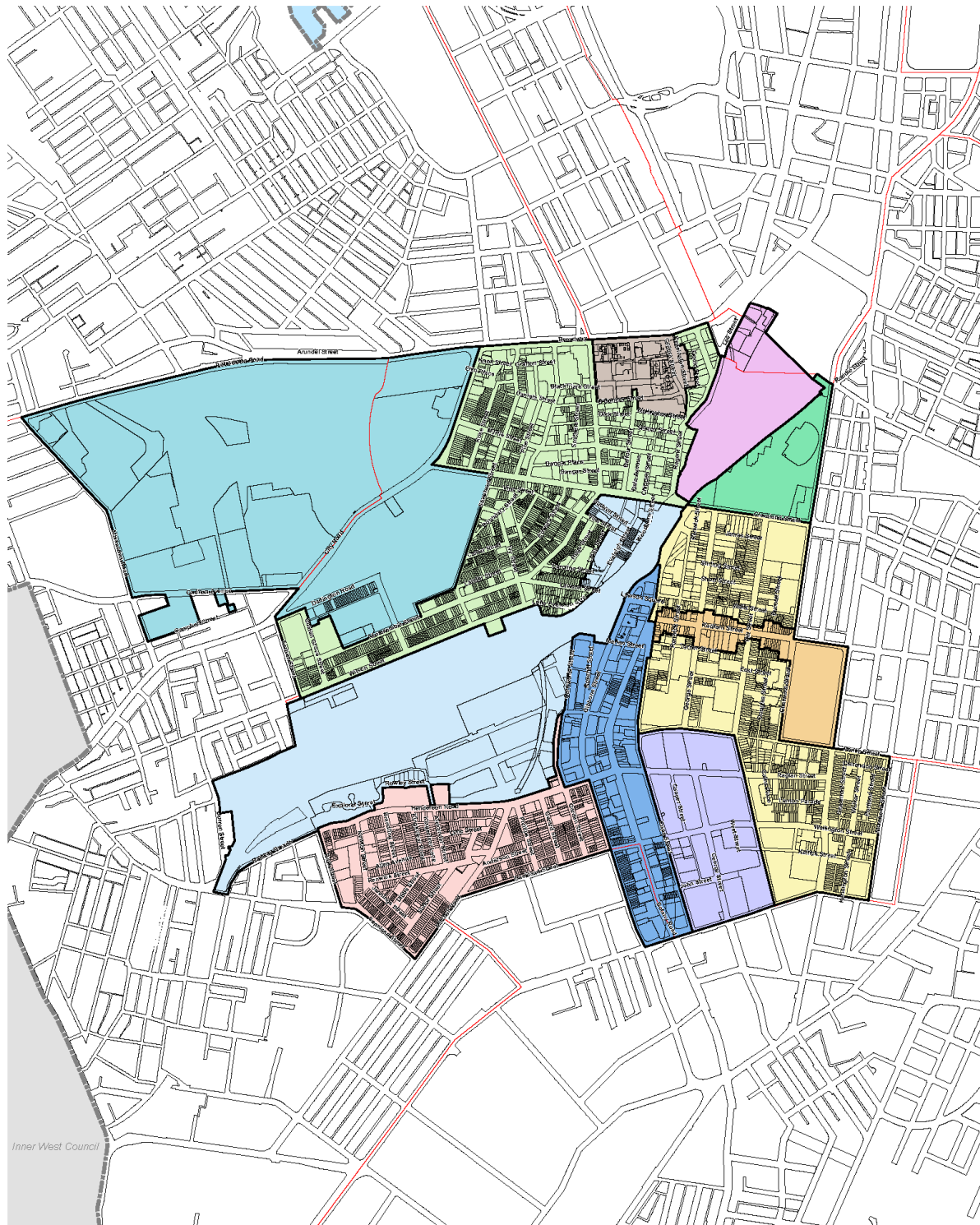


Figure 2.10

- | | | | | |
|---|--|--|------------------------------|-------------------------|
| Central Park | Redfern Central and Redfern Park South | Botany Road Precinct | Central to Eveleigh Corridor | Village Areas |
| Chippendale, Darlington and West Redfern | Redfern Street and Redfern Park | University of Sydney and Royal Prince Alfred Hospital Precinct | Central Precinct | City of Sydney boundary |
| Erskineville Oval North and Alexandria Park | Waterloo Estate | | Prince Alfred Park | |

Redfern Street village neighbourhoods

2.10.2 Chippendale, Darlington and West Redfern neighbourhood

Neighbourhood statement

This neighbourhood is an historic fine grained residential and mixed use neighbourhood including converted warehouses. It is characterised by historic narrow-fronted single and two storey terraces with rear lane access, commercial buildings and warehousing, which contribute to the legibility of the area's history and neighbourhood quality.

The scale of housing and adapted warehouse buildings is generally low to medium rise with the exception of the blocks fronting Parramatta Road and Regent Street, where early to mid-20th Century taller office buildings and warehouses dominate.

The consistency of terrace rows and pre-war and post-war industrial warehouses, their scale and proportions, roof design and materials palette, is important to the significance of the heritage conservation areas and is to be retained. The built form of Victorian terraces and their intactness varies across the area from grand two-storey terrace houses to narrow terraces and rare two-storey weatherboard terraces as described in the following heritage conservation areas:

- Chippendale (C9)
- Darling Nursery estate (C10)
- Golden Grove (C18)
- Darlington (C19)

Part of the distinctive character of the area is the contrast in scale between Victorian terraces and the larger cubic forms of later warehouses and industrial development. Many warehouses have been conserved and adaptively reused for professional services and technology-based industries supporting related to nearby education and medical institutions.

High quality additions and alterations are to maintain the scale and heritage character of heritage conservation areas and protect residential amenity.

The locality is alive throughout the day, with residents and workers provided with easy walking access to shops and services at Central Park, the West Redfern neighbourhood centre and along Abercrombie Street. With few parks in the locality, landscaping within streets, in front yards and on buildings is especially important to greening and cooling the locality.

Neighbourhood principles

Development within the Chippendale, Darlington and West Redfern neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of historic sites and retaining rear lanes.
- (b) Retain residential uses and the existing pattern of retail and small-scale commercial uses scattered through the neighbourhood particularly along Abercrombie Street.
- (c) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of existing buildings and to align with design elements of adjacent buildings to enhance a visual appreciation of heritage buildings and historic streetscapes.
- (d) Design additions and alterations to retain the scale and massing of front elevations and the original roof form as viewed from the primary street.
- (e) Deliver non-residential uses on sites with active ground floor uses on Broadway, Regent Street, Cleveland Street and City Road to extend activity and surveillance of the street.
- (f) Design institutional development to be sympathetic to the scale and fine grain character of the neighbourhood.
- (g) Renewal of public housing sites is to include buildings around the perimeter, which overlook and address the street, and achieve a height transition to surrounding heritage conservations areas.
- (h) Provide improved connections for walking and cycling, including through-site links, to the local centre of Central Park.
- (i) Maintain and reinforce the existing character of well-established street tree plantings including those in Bartley, Balfour and Buckland Streets.

2.10.3 Erskineville Oval North and Alexandria Park neighbourhood

Neighbourhood statement

Erskineville Oval North and Alexandria Park is an historic and leafy residential neighbourhood with a commercial strip along its northern edge, which enjoys good access to neighbouring local schools and parks. Located immediately south of the former Eveleigh Railyards, Railway Parade/Henderson Road is evolving as an active street for small-scale professional services and specialised technology-based industries harnessing the increase in residential and worker populations generated from the Australian Technology Park development.

Within the boundary roads, the area retains its Victorian subdivision pattern and many one and two terrace houses from that time, which were used by workers at the Eveleigh railway workshops. It retains a cohesive built form and scale within a small lot subdivision pattern.

It will remain a predominantly low scale residential area with wide tree-lined streets and rear lanes. The consistency of terrace and cottage rows, their scale and proportion, roof design, materials palette and intact rear laneways is very important to the quality of the streetscape and will be retained. The distinctive historic character is described in more detail in the following Heritage Conservation Area statements:

- Alexandria Park (refer C10)
- Kingsclear Road (refer C3)
- Malcolm Estate (refer C24)

The historic Alexandria Town Hall and mayor's residence in Alexandria Park provide a continuing civic and visual focus with space available for hire for functions, community meetings and conferences.

Warehouse buildings from the early 20th Century add interest to the otherwise residential character and are to be conserved and adaptively reused.

The area enjoys good physical and visual connections to neighbouring localities for people on foot. The industrial brick chimney stack on Railway Parade is an important visual and historic landmark in the locality. Residents have a short easy walk to neighbourhood centres along the main vehicular routes on Swanson Street, Erskineville Road and at the intersection of Henderson and Mitchell Roads for their daily shopping needs.

Neighbourhood principles

Development within the Erskineville Oval North and Alexandria Park neighbourhood is to:

- (a) Retain the fine grain subdivision and development pattern by precluding amalgamation of historic sites and retaining rear lanes.
- (b) Retain the predominantly low scale of building form (one to two storeys) and the consistency of buildings types including setbacks and building alignments.
- (c) Design infill to respond to height, massing, predominate horizontal and vertical proportions of heritage and contributory buildings, and align with design elements of adjacent dwellings to enhance an appreciation of the character and significance of heritage conservation areas from the street.
- (d) Provide vehicle access only from rear lanes to retain their functionality, reduce on-street parking and increase opportunities to green streets.
- (e) Residential infill development is to face the street with windows located to enable passive surveillance of the street.
- (f) Retain and restore traditional strip retail buildings to enliven streetscapes.
- (g) Retain and introduce active uses at the ground floor of buildings along Railway Parade/Henderson Road, especially professional services and creative industries, to enhance pedestrian amenity and complement development in the Central to Eveleigh corridor.
- (h) Protect and improve views from Phillips, Gerald and Garden Streets to Alexandria Park through appropriate framing and by controlling encroachment into views.

- (i) Maintain the visual prominence of landmarks particularly former corner stores, the Chimney Stack on Henderson Road and adaptively re-used warehouses.

2.10.4 Redfern Central and Redfern Park South neighbourhood

Neighbourhood statement

The areas around Redfern Street and Redfern Park are historic mixed use areas, which retain a residential character and have a long and continuing association with the Aboriginal community. They have a varied built form reflecting a number of different eras of development but of a generally consistent low scale. However, within the varied overall character, there are streets of great consistency with narrow terrace rows or larger two storey terraces. The intimate scale of small, narrow streets and lanes fronted by narrow lots add to its human scale, charm and amenity and are especially important in adding to a sense of community and are to be retained.

While this area supports a range of different uses, it remains a mainly residential area, which is highly walkable due to its Victorian grid street pattern and canopy street trees.

The area has kept its rich heritage of residential and industrial building and diversity of building types and scales. The industrial working past is still evident in older warehouses, which add interest to the otherwise residential character. Their adaptive reuse for new purposes is encouraged. The historic character of the locality is described in more detail in the following Heritage Conservation Plans:

- Redfern Estate (C56)
- Waterloo (C70)

A diversity and mix of commercial and retail uses, including shop top housing, can be found along Elizabeth Street. Residents have a short walk for their daily shopping needs including at a small neighbourhood centre at the intersection of Phillip and Morehead Streets, which contains mixed uses and active frontages.

Despite its diversity, the neighbourhood has retained its human scale and strong neighbourhood feel with non-residential uses actively contributing to improving streets and public safety.

Neighbourhood principles

Development within the Redfern Central and Redfern Park South neighbourhood is to:

- (a) Avoid site amalgamation on established, consistent low scale, small lot residential streets and consider site amalgamation elsewhere.
- (b) Retain and conserve consistent rows of particular building types, including the terraces along William Street, Chalmers Street, Great Buckingham Street, between Phillip, Morehead, Wellington and Elizabeth Streets, on Raglan and Lenton Parade, and in Pitt, Albert and Renwick Streets.
- (c) Deliver a mix of building types to reflect the diversity of form and mass.
- (d) Retain a consistent building while permitting higher buildings on streets at the edges of the neighbourhood and larger deeper sites where their impact can be minimised.
- (e) Within the Waterloo heritage conservation area:
 - i. design infill to reflect the build form, scale and mass of existing building types including the fine grain created by narrow lots and the predominant roof form
 - ii. ensure that buildings respond to and reveal the topography by stepping with the slope.
- (f) Deliver diverse and active uses which support village life along the neighbourhood's northern and eastern edge:
 - i. retain and introduce active uses on the ground floor of buildings fronting Elizabeth, Pitt and Phillips Streets including uses such as commercial, retail and professional services
 - ii. retain and introduce diverse uses above ground floor in the neighbourhood nodes on Elizabeth and Phillip Street including boutique accommodation, galleries, commercial, leisure and residential uses

- iii. provide outdoor dining associated with cafes and restaurants in neighbourhood nodes and on Elizabeth and Pitts Streets where footpath width permits
- iv. provide continuous awnings to retail and commercial buildings fronting Elizabeth Streets between Phillip and Raglan Streets
- v. deliver boutique accommodation and commercial uses on Cleveland and Elizabeth Streets where building setbacks are generous and a direct street relationship is not achievable
- vi. protect and enhance the traditional shopping strip on Pitt Street.
- (g) Deliver community uses adjacent to Redfern Park and other public open space.
- (h) Design a high quality building on the gateway site at the corner of Cleveland and Regent Street.
- (i) Enhance visual and physical links across Chalmers Street to Redfern Park by opening entries to buildings.
- (j) Protect and enhance vistas along north-south streets, panoramic northern views to Central Sydney and from Regent Street to the west and north.
- (k) Retain mature heritage fig trees, which line streets south of Redfern Park and provide filtered distinct views to the west and south.
- (l) Maintain the visual prominence of the tree canopy on Mount Camel, so it remains the highest point visible from public streets and open spaces.
- (m) Landscape front gardens of dwellings, narrow streets and the setbacks of commercial buildings to green and cool the locality.

2.10.5 Redfern Street and Redfern Park neighbourhood

Neighbourhood statement

Redfern Street and Redfern Park form the heart of Redfern. For over 100 years, they have been a focus for community infrastructure and activity, including services especially for Aboriginal people. It is an eclectic mix of civic, religious, commercial and residential buildings of a similar scale but of different ages and built form, which add to its visual interest. Many shops date from the Victorian, Federation and Interwar period. The former Courthouse and Post Office clock tower are notable historic and visual landmarks in the streetscape.

The neighbourhood is within the Redfern Estate Heritage Conservation Area (refer to C56).

The acquisition of the historic Redfern Post Office by the City will see it adaptively re-used as an Aboriginal and Torres Strait Islander cultural hub.

Redfern High Street will continue to be the local centre for Redfern and a safe, lively and attractive walking street during the day and night with active building frontages, shop top housing, continuous awnings, outdoor dining and street landscaping. Heritage and character buildings are to be retained.

Redfern Park is a culturally significant place, which continues to play an active role in enhancing the quality of life of local residents. *“Here sport, politics, self-determination and a sense of cultural identity and community belonging have been entwined for Aboriginal people since the mid-twentieth century.”* (Dictionary of Sydney). Remnants of early Victorian design remain in its large mature trees and ornate fountain. It also features a sports oval, playgrounds, skate plaza and basketball practice area.

Neighbourhood principles

Development within the Redfern Street and Redfern Park neighbourhood is to:

- (a) Design infill development to align with and address the street at ground level to enliven and activate the street.
- (b) Locate taller buildings towards the Railway Station end of Redfern Street.

- (c) Design street frontage heights to respond to adjacent heritage or contributory buildings and their significance.
- (d) Retain and introduce active uses on the ground floor of buildings fronting Redfern Street, including commercial, retail, professional services, community, café and dining, to enhance pedestrian amenity and reinforce the vitality and liveliness of the public domain.
- (e) Retain and introduce diverse uses above the ground floor, including commercial, community and residential uses, to extend activity and surveillance of the street.
- (f) Provide outdoor dining associated with restaurants and cafes where the footpath width permits to activate and enliven the street.
- (g) Provide footpath awnings to active frontages, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.

2.10.6 Botany Road Precinct

Neighbourhood statement

Botany Road Precinct is set to become a vibrant medium to high-rise commercial precinct with high pedestrian amenity and connected green public domain. New laneways, widened footpaths and new cycleways will improve access to the new Waterloo Metro Station and create more opportunities for tree canopy. There will be green spaces for all people to gather with a strong sense of the continuing connection and cultural significance of the place for Aboriginal people. The precinct will also increase the amount of affordable housing close to jobs, services and public transport.

Botany Road Precinct contains a busy and noise-affected transport corridor, serving as the primary route for goods transport between Central Sydney, North Sydney and beyond to Sydney Airport, Port Botany and the industrial areas of Alexandria and Mascot. Waterloo Metro Station and other public transport improvements will serve as a catalyst for urban change and employment growth, providing a high-capacity public transport connection to Central Sydney and centres of employment across the city. Proximity to the Central to Eveleigh innovation corridor and major urban renewal precincts will also drive change.

In key locations, taller buildings will provide increased commercial floor space, affordable housing and facilitate enhanced public domain outcomes, such as improved east-west pedestrian connections. The tallest buildings will be located over the Metro West station where a new local centre will be established as part of the NSW Government redevelopment plans.

Regent Street will continue to grow as an extension of the Redfern Street centre, with improvements to the public domain and lowering of main road traffic activity contributing to it becoming a more comfortable retail street. The original Victorian and Federation subdivision and terrace groups will be maintained, and any new development will respond to heritage items and respect the existing fine- and medium-grain pattern.

As the primary role of the precinct is to support job growth in the village, housing is not a priority but may be appropriate close to public transport and where it will not conflict with or restrict delivery of commercial and non-residential development.

The precinct is highly significant for Aboriginal and Torres Strait Islander people, both historically and culturally for people living and working in the area, as well as those who are based elsewhere or only visit.

It has two distinct areas of special and unique character:

1. Regent Street – an area of unique indigenous character unmatched in Australia of special cultural significance for the Redfern-Waterloo Aboriginal and Torres Strait Island Communities.
2. Buckland Street – a group of historic terraces in a leafy streetscape that is uncommon in the area and which is an important east-west connector for local residents.

New development in the precinct is to showcase “Connecting with Country” design and consultation approaches, acknowledging and respecting Country as well as the social, cultural and civic rights history of Aboriginal Redfern.

As the precinct develops and changes it will better balance the movement function of the road network with its place function, providing a more comfortable and attractive space for people to work and visit. The one-way pairing of Regent Street and Gibbons Street will be replaced with two-way streets, speed limits will be lowered and additional crossings will be introduced. New laneways and through-site links will be delivered, providing a continuous mid-block laneway network and increasing walkable connections.

Neighbourhood principles

Development within the Botany Road Precinct is to:

- (a) Prioritise the heritage and cultural connection of Aboriginal people to the place in design and development.
- (b) Deliver commercial development in highly accessible locations to strengthen the economic and productive role of the precinct.
- (c) Deliver affordable housing in association with additional commercial floor space to meet the diverse housing needs of the local community.
- (d) Ensure residential uses do not impede the delivery and operation of current and future employment generating land uses.
- (e) Retain the fine and medium-grain development pattern on Regent Street and Botany Road between Boundary Street and Henderson Road with multiple shopfronts and business entries to maintain the traditional strip retail shopping character.
- (f) Provide a mix of building types in the southern part of the neighbourhood (on Botany Road) for a range of commercial uses and to create a diversity of form and mass.
- (g) Deliver lively active corners at key intersections with Botany Road, including McEvoy Street, Buckland Street and Henderson Road.
- (h) Protect sensitive uses from noise and pollution impacts from major roads, including consideration for future planned changes to the road network.
- (i) Ensure building heights are lower than existing development on Regent and Gibbons Street, and elsewhere lower than the future Waterloo Metro over-station development.
- (j) Prioritise pedestrian movement on Botany Road by moving driveways and servicing to a new rear lane network.
- (k) Improve pedestrian access to key public transport nodes of Redfern Station, Waterloo Metro Station and the bus interchange, with through-block links, active frontages on key pedestrian routes, maintaining sight-lines and wayfinding.
- (l) Activate Botany Road between McEvoy Street and Waterloo Metro Station, especially at night, with ground floor entertainment uses, night-time activity, visible lobbies, passive lighting and public art installations to provide a comfortable and safe pedestrian connection.
- (m) Provide a transition in building height to the quiet, low density residential area of Alexandria Park Heritage Conservation Area.
- (n) Provide opportunities for commissioned and informal public art on Regent Street, including window displays, front facades and secondary frontages on side streets.
- (o) Protect and enhance panoramic views towards the City centre from the public domain, particularly across existing public open space at Rosehill Street Reserve.
- (p) Protect solar access to public open spaces and surrounding residential dwellings including the Waterloo Estate.

2.10.7 Waterloo Estate (North and Central)

Neighbourhood statement

The Gadigal of the Eora Nation are the Traditional Custodians of the place we now call Waterloo. There is a strong and resilient Aboriginal and Torres Strait Islander community living in the Waterloo Estate today.

Waterloo Estate also plays an important role in the provision of social housing in the Sydney local government area and is home to a large existing community living in social housing.

A high proportion of residents are long-term and have long-standing bonds to the area and community.

Following large block amalgamation and major tower housing projects, Waterloo Estate (North and Central) is currently characterised by tower blocks and residential slab buildings dating from the 1970s, set within 1.6 hectares of private open space. The housing stock is aged and a plan for the neighbourhood's improvement will be developed by the NSW Government in due course.

Neighbourhood principles

Principles to guide the development of Waterloo Estate (North and Central) are to be developed alongside any NSW Government's plan to renew the area.

2.10.8 Waterloo Estate (South)

Neighbourhood statement

Aboriginal and Torres Strait Islander peoples have always lived in Waterloo and the Waterloo Estate is home to a strong and resilient Aboriginal community. Through the 20th century the area has also attracted working-class people of many backgrounds, and today the resident population is characterised by an ethnically diverse mix of low-income residents and ageing citizens, a high proportion of whom are long-term residents and have long-standing bonds to the area and community.

The early fine grain Victorian linear housing plots have been cleared and replaced over time, most notably during the 1960s and 1970s with large block amalgamation and major tower housing projects. This has resulted in an area distinct in form, scale and street pattern from neighbouring areas.

The redevelopment of Waterloo Estate (South) will establish a local centre to capitalise on the increased density and connectivity of the locality and create a vibrant mixed-use neighbourhood with diverse housing choices, employment opportunities, local-serving commercial premises including retail, food and beverage, affordable amenities and space for community activities and cultural events.

Key changes in Waterloo Estate (South) and focal points for the neighbourhood include the creation of two public parks, new community facilities and the transformation of George Street into the neighbourhood's main street with local retail activity, including a supermarket to serve the local community.

An improved street network will be introduced to maximise legibility, permeability and accessibility for all. There will be an emphasis on making streets pedestrian and cycle friendly and street widths will accommodate multiple users and needs. Planned regional cycle paths will be completed through the locality.

A fine-grain lot pattern will be re-introduced, with flexible and varied lot sizes, allowing for a variety of separate apartment buildings in each block and a flexible approach to staging the redevelopment. The variety and quality of the architectural design and housing choices will cater to the diverse community of existing and future residents, providing a vibrant, attractive, environmentally sustainable and safe neighbourhood.

Waterloo Estate (South) will continue to play an important role in the provision of housing for people on low incomes in the local government area but will also include an equal amount of private market housing. A range of dwelling types are to be provided, including culturally appropriate housing, to support evolving family situations and structures.

Buildings will be generally arranged to form continuous street frontages around courtyards to achieve a clear delineation between public and private space.

The layout of new development will create high quality public spaces and its height and form will ensure good levels of amenity in the public domain, including comfortable wind conditions and optimised solar access. Building height and form will respond to the hierarchy of streets and open spaces and to key view corridors both over and within the locality. New development will also respond appropriately to the form and setting of heritage items in the neighbourhood.

Future development, street layout and design will respond to the topography of the locality, which is distinctly different on either side of George Street. The steeply sloping topography to the eastern side requires careful layout of streets and walkways to ensure equitable access across the site.

Overall greening of this locality will provide benefits for sustainability, health and the management of urban heat. The majority of established and significant trees which define key streets and open spaces will be protected during redevelopment and integrated into the design of each development to ensure their longevity.

The public domain will be reinforced and celebrated through public art and cultural heritage interpretation.

Neighbourhood principles

Development within Waterloo Estate (South) is to:

- (a) The significant Aboriginal and Torres Strait culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part of the development and placemaking.
- (b) A legible and permeable pattern of new streets, public open space and pedestrian and cycle connections is to be provided which responds to key connections within and surrounding the locality, stormwater management considerations, local traffic and access requirements and urban design principles.
- (c) George Street is to become the main street of the community, with continuous ground floor active frontage and awnings. It is to have a generous 10 metre setback on its eastern side to receive the afternoon sunlight.
- (d) Meet the community's recreation and wellbeing needs by providing one large park (over 2 hectares) adjacent to Waterloo Metro station, as the focus of community activity and containing a wide range of uses for the community's diverse needs, and one smaller park in the south of the locality for passive recreation.
- (e) Community facilities and uses are to be provided in appropriate locations containing a variety of uses and to be open day and night to contribute towards safety and activation.
- (f) High quality streetscapes, including new footpaths, tree planting and street furniture are to be provided. Sunlight is to be maximised to promote healthy street tree growth, for water infiltration and urban heat management.
- (g) Streets are designed to maximise safety of vulnerable road users, including pedestrians and people on bicycles.
- (h) The regional east-west and north-south cycle paths which cross at Wellington and George Streets are to continue through the locality, connecting the area to the city in the north; Green Square Town Centre in the south; Alexandria and Sydney parks in the west and Moore Park in the east.
- (i) Retail opportunities are to be provided on George Street, Wellington Street and Cooper Street near the large park; and along McEvoy Street.
- (j) The heights of buildings are to respond to the streets and parks on which they are located. Tower forms are to be limited to the southern part of the area near McEvoy Street, and to the corner of Kellick and Gibson Streets.
- (k) Heights of buildings are to minimise overshadowing in both the public and private spaces and are not to generate uncomfortable wind effects at street level. Awnings and colonnades

are to be incorporated along retail frontages to increase pedestrian amenity and help to minimise sunlight, rainfall and wind impacts.

- (l) The impacts of noise and pollution along McEvoy Street are to be carefully addressed through careful design of buildings, including setting buildings back from the street frontage.
- (m) Existing views of the sky and how comfortably any proposed built form sits within the existing skyline is to be considered from key public vantage points in the surrounding area, including Redfern, Alexandria, and Waterloo parks; and the new large park.
- (n) A range of dwelling typologies and a diverse housing and tenure mix is to be provided to support a range of housing needs and living choices including evolving family structures and culturally appropriate housing.
- (o) Varied, innovative and high-quality design is to be delivered to ensure an environmentally sustainable, attractive and diverse neighbourhood. A flexible and varied lot pattern is to support this outcome.
- (p) Development is to be accompanied by high quality landscaping which delivers trees, greening and urban biodiversity and is supported by areas of deep soil.
- (q) Trees are to be retained wherever possible throughout the precinct, along McEvoy Street, George Street, and at the corners of the north eastern street block bound by Wellington, Kellick, Gibson and Pitt Streets.
- (r) Excellent ecologically sustainable development outcomes are to be achieved to enable a low-carbon precinct which is resilient against the impacts of climate change (including flooding and urban heat) and enables efficient use of resources by future residents.
- (s) A sense of belonging and community is to be fostered, where both long-term residents and new generations can see themselves and feel they belong.
- (t) Private spaces, including communal open space, will be designed to supplement the public domain with each apartment building having its principal usable communal open space on the roof. Each group of buildings will share communal courtyard space.

Amendment 6 – Urban design

a. Rename the title of Section 3 ‘General Provisions’ to ‘Requirements for All Development’

b. Remove Section 3.1.4 ‘Public open space’ and replace with the following text:

3.1.4 Public open space

This section does not apply to Central Sydney.

New public open space may be required as part of an urban renewal area or major development project. When Council requires dedication of open space, this is identified in the Development Contributions Plan. Where dedication is not required, open space may need to be provided via another means such as an easement.

Objectives

- (a) Provide suitably sized, high quality, good amenity and publicly accessible open space in urban renewal areas and major projects.
- (b) Ensure the design and environmental conditions of public open space are suitable for a variety of both passive and active uses appropriate to the location and provide for community needs.
- (c) Support the health and growth of vegetation in public open space by providing suitable environmental conditions.
- (d) Locate public open space so that it connects existing and planned walking and bike network and, where possible, linked to biodiversity corridors and water bodies.

Provisions

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(1) Public open space is to be provided and designed in accordance with the *Proposed open space map* and in Schedule 5 Public open space design criteria.

(2) Development that affects public open space must:

- (a) except for spaces protected by sun access or overshadowing controls in Sydney LEP – receive at least four hours of sunlight between 9am and 3pm on 21 June to a consistent area of at least 50 per cent of the total area of the park, as demonstrated by a solar insolation analysis;
- (b) have a comfortable wind environment for sitting; and
- (c) ensure there is a clear distinction between private, communal and public open space.

c. Edit the text in Schedule 5 ‘Public open space dedication and design criteria’ as follows, with strikethrough representing deletion and underline representing additions or edits:

The following table sets out criteria in addition to those in Section 3 that apply to any land that is to be dedicated to Council for the purpose of public open space.

Size	Local parks are to be a minimum of 5,000sqm <u>2,000 square metres</u>, unless the proposal will increase an area of adjoining open space or provide a lineal connection to nearby open space. Spaces need to be large enough to create a sense of openness and provide usable green spaces. 5,000sqm is preferred as it allows for the accommodation of a variety and diversity of open space uses and amenity.
Shape	Regular <u>Compact</u> plan shapes, square or rectangular, are preferred to allow flexibility for useable open space <u>with a preferred length to width ratio of 2:1</u>. The minimum width for access corridors (linear parks) <u>parks</u> is 10m. Long narrow parks are generally unacceptable unless the prime function is for linking larger park areas.
<u>Design, planting and use</u>	<u>Open space design is to be high quality and create interest and character and provide for uses required by the community and good amenity.</u> <u>Open spaces are to have clearly defined pedestrian entries and movement routes, appropriate seating and zones for activities that are clearly defined and encourage use.</u> <u>Parks are not to be above basements, structures or the like and are to be predominantly deep soil supporting significant canopy tree planting.</u> <u>Landscape design and plant selection should be consistent with water use and water sensitive urban design strategies and may include native drought-tolerant plants and grasses.</u>

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Parks should be predominantly flat to maximise diversity and flexibility of use. Most of the area of parks should have gradients less than 1:40.

Open space is to be safe and secure for all users by providing:

(a) open sightlines and high levels of passive surveillance;

(b) lighting in accordance with Sydney Lights: Public domain design code (available on the City of Sydney website) and specific advice from council following evaluation of site specific conditions and risk of crime.

Well designed and integrated shade structures are to be provided over play equipment and barbeque facilities.

Comfort and amenity

~~Good solar access, protection from wind and traffic noise and a visually attractive environment for users is to be provided.~~

Accessibility

~~The location and park landscape should maximise access for people with mobility difficulties;~~

Maximise access for people with disability by designing in accordance with the Inclusive and Accessible Public Domain Guidelines.

Distance from any residence

~~All residents should be within a ten minute walk (approximately 400m) of local open space.~~

Location

Locate new open space to:

(a) be protected from traffic noise;

(b) be away from busy roads; and

(c) ensure that it increases accessibility and reduces walking distance to parks for the local community.

Park boundary

~~It should be clearly demonstrated~~The design and location of the park must make it clear that the park is public open space.

~~A park is to have at least 50% frontage to a street and at least three sides of the park are to be street/lane frontage.~~

~~Corner street frontages are preferred to ensure identification as a public space and to~~The park design should contribute to security and surveillance of the site-neighbourhood.

~~A substantial length of road frontage is crucial for local parks to ensure access, good~~

~~community surveillance and legibility of the public domain.~~

Connectivity

The park should be located on identified pedestrian walking routes and adjacent to cycle routes and provide opportunities to link to adjoining nearby open space where possible.

Safe and convenient access is to be provided.

The location and urban design is to provide for multi-mode access.

Land quality Contamination and restrictions on use

~~Maximum slope in the park is to be 1:4.~~

The park is ~~to be fit for purpose (generally flat and usable)~~ and not to be constrained by contaminated land restrictions or other restriction on use, for example by being burdened by property easements or infrastructure.

~~Assessing the land quality will minimise development and maintenance costs and ensure long term flexibility for the use of the park.~~

- d. Edit the title of Section 3.2 ‘Defining the Public Domain’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

3.2 ~~Defining the Public Domain~~ All Development and Public Places

- e. Remove Section 3.2.2 ‘Addressing the street and public domain’ and replace with the following text:**

3.2.2 Development adjoining streets, lanes, parks and squares

Provisions (9) – (15) do not apply to single dwelling houses.

Objectives

- (a) Ensure that development contributes to the activity, safety, amenity and quality of streets, lanes parks and squares.
- (b) Ensure development provides high quality frontages facing public places in terms of scale, massing, finishes and architectural detailing.
- (c) Maximise the number, legibility, visibility and accessibility of entries from surrounding public places.
- (d) Minimise and ameliorate the visual effect of blank walls both at ground level and exposed blank side walls above ground level.
- (e) Ensure the placement and design of building services, access ramps, fences and walls is integrated into the building design and that their visibility from public places are minimised.

Provisions

- (1) Buildings are to be designed to:

- (a) provide separate entries to each ground level common circulation area, tenancy or dwelling from an adjoining street or lane; and

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- (b) maximise visibility of internal uses of retail, commercial and common areas at ground level from surrounding streets and lanes.
- (2) Development that exposes the blank side of an adjoining building or has a party or side wall visible from public space is to be designed with a visually interesting treatment of high quality design applied to that wall.
- (3) Ground floor levels on sites that are not flood affected are to:
 - (a) for retail spaces – have entries at the same level as the adjacent footpath or public place;
 - (b) have finished floor levels no more than 1 metre above the level of the adjacent footpath or public place;
 - (c) provide opportunities for direct surveillance of the adjacent street or public place at maximum intervals of 6m.
- (4) Car parking areas at ground level are to be screened by active uses to a minimum depth of 6m from the façade, visible to the street or public place.
- (5) Basement parking areas and structures:
 - (a) in Central Sydney, must not protrude above the level of the adjacent street or public place;
 - (b) in other areas, must not protrude more than 1 metre above the level of the adjacent street or public place. Where they are visible, basement structures and vent grills are to be integrated into the building design and screened by landscaping with a minimum planting depth of 1 metre in plan.
- (6) Residential developments:
 - (a) are to have a street address and provide a direct line of sight from a street into the common building entry or entries. Where a development comprises a number of buildings with a variety of orientations, a major part of the overall development is to face (have an facade parallel to) the street, and
 - (b) are to be designed and laid out so that every 6m a dwelling, communal space or other high use space provides opportunities for direct surveillance of the adjacent street or public domain.
- (7) Lane frontages not occupied by services and vehicle access areas are to include entries to dwellings, common circulation areas, retail and/or commercial uses that will not cause nuisance to adjacent residential uses.
- (8) Front boundary fences and walls in heritage conservation areas are to be sympathetic with the predominant type on the street in height, width, materiality and design.
- (9) Except within a heritage conservation area, front boundary fences and walls are to be screened from view from adjacent streets or other public places with a 1 metre landscaped setback where:
 - (a) the fence or wall has an average height greater than 1.2 metres, or
 - (b) the fence or wall has an absolute height greater than 1.5 metres.
- (10) Level changes near the interface with a street or other public place are to be carefully designed and consolidated. Plans and renders are to show all necessary stairs, balustrades, handrails and tactile surface indicators required by the proposed level changes at a 1:50 scale.
- (11) Public or common stairs are to have shallow gradients with 135mm risers and 350mm goings in high use areas and 150mm risers and 300 goings elsewhere.
- (12) Extensive and switch-back ramps along a building's frontage are not permitted. Ramps are to be positioned perpendicular to the street frontage. Landscaping is to be used to screen ramps along their length, without obscuring their entrances.
- (13) Services and facilities such as substations, fire escapes, waste collection areas, meters and on-site detention tanks are to be contained within the building envelope and not located in front or

landscape setbacks or deep soil areas. The location of all required services are to be shown on plans and elevations at a 1:50 scale and in perspectives and illustrations.

(14) Services that require direct street access such as fire hydrant boosters are to be incorporated into the street facing facade, whether that is a fence or the building envelope, and not located in landscape setbacks or deep soil areas. They are to be fully shielded from view from public places within an enclosure that relates to the architectural design of the building. The location of fire hydrant boosters are to be shown on plans and elevations at a 1:50 scale and in perspectives and illustrations.

(15) Building elements visible from public places such as access panels, service enclosures, soffits, wall returns, bollards and elements visible when garage doors are open are to be high quality and well-integrated into the architectural design and materiality of the ground floor street facing facade. These elements are to be shown on plans, sections and elevations at a 1:50 scale.

f. Insert the following sections after Section 3.2.2, and renumber subsequent sections accordingly:

3.2.3 Height of buildings in storeys

The Height of Buildings (storeys) excludes many structures including roof top plant and lift overruns but includes mezzanine levels.

Objectives

- (a) Establish the relationship of development to surrounding public space.
- (b) Establish the planned scale of development.
- (c) Clarify how much of the height permissible under the LEP can be occupied by structures and enclosed space.
- (d) Ensure new development is consistent with the existing or planned scale of the area.

Provision

- (1) Development must not exceed the maximum number of storeys shown on the Height in Storeys Map.
- (2) The maximum number of storeys shown on the Height in Storeys Map may only be achieved where it can be demonstrated that the proposed development:
 - (a) reinforces the neighbourhood character;
 - (b) is consistent with the scale and form of surrounding buildings in heritage conservation areas; and
 - (c) does not detract from the character and significance of the existing building.

3.2.4 Floor-to-floor heights

Floor-to-floor height determines the suitability of space for different uses.

Objectives

- (a) Ensure floor-to-floor heights allow high levels of daylight access and natural ventilation to support both proposed uses and a diversity of potential future uses
- (b) Ensure sufficient floor-to-floor heights are provided that enable car parking areas to be easily repurposed to commercial, retail or residential uses.
- (c) Ensure that structure, services and construction requirements such as waterproofing, insulation and tolerances are allowed for and Apartment Design Guide compliant ceiling heights are provided.
- (d) Provide floor to floor heights which facilitate easy use of spaces by a range of non-residential uses at lower levels of mixed use development.

Provisions

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(1) Floor-to-floor and floor-to-ceiling heights must be in accordance with the minimum heights set out in Table 8 Floor-to-floor heights and floor-to-ceiling heights.

Table 8. Floor-to-floor heights and floor-to-ceiling heights

Use and location	Storey height (floor to floor)
First basement floor in Central Sydney	4.5m
Ground floor commercial, retail, food and beverage and other non-accommodation uses	4.5m
Non-accommodation use above ground floor	3.6m
Building containing accommodation in a mixed use area – ground and first floors (required for adaptability)	3.7m
Dwelling houses	As per the National Construction Code
Accommodation floors in residential flat buildings, or other uses not described in this table	3.2m
Above ground car parking	Consistent with adjoining non-car parking uses to facilitate conversion (and floor levels are to align) or 3.2m where there is no use adjacent
Transfer structure where there is a change in alignment (for example, upper level setback) to allow for ceiling insulation	+0.25m
For Concept Development Applications allow an additional height of:	
Roof, plant and lift overruns.	Buildings up to 8 storeys – 3m Buildings greater than 8 storeys – 4.5m Commercial buildings over 10 storeys – 6m
Green roofs	4.6m to allow lift overruns, shade structures, balustrades etc.

3.2.5 Building alignment and setbacks

The controls in this section apply except where otherwise defined in this DCP.

Definitions:

Front, rear and side setback means the distance between the edge of a building for its full height and the closest site boundary. Setbacks are clear of all building elements for the full height of the building, but allow the following encroachments:

- (a) balconies and bay windows above the ground floor that do not extend into the front setback by more than 1 metre, and do not exceed 25 per cent of the length of the façade;
- (b) entry awnings and porches;

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- (c) shading devices and decorative building elements, including cornices and shelves above the ground floor and do not extend more than 600 millimetres; and
- (d) front fences and walls, entry paths and stairs.

Landscape area means is an area planted with vegetation and contains minimal structures and hard surfaces, including those essential for access to the building.

Public place setback means a landscape area that is to be dedicated to Council or otherwise made publicly accessible.

Objectives

- (a) Ensure new development contributes to the existing or planned character of streets and places by matching the predominant existing, or planned future, setback pattern.
- (b) Ensure compatibility with the street conditions identified for locality areas, heritage conservation areas and special character areas.
- (c) Preserve the landscape setting and curtilage of heritage items viewed from public places.
- (d) Improve visibility and space for people walking at corners for safety and comfort.

Provisions

- (1) Minimum front setbacks are to be:

- (a) consistent with the Building Setback Alignment map;
- (b) in accordance with any active frontage requirements;
- (c) where development includes or is adjacent to a heritage item, or is a contributory or neutral building within a heritage conservation area – the existing front setback must be maintained;
- (d) where development includes a detracting building – the front setback must match the front setback of the closest contributory building or heritage item on the same side of the street within the block;
- (e) where development includes residential uses at a ground level at the street frontage – at least 3 metres, or the average of the adjoining development front setbacks, whichever is greater; or
- (f) for all other development – equal to the predominant front setback on the same side of the street within the block or the average of the adjoining development front setbacks.

- (2) A front setback is to be provided as a landscape area:

- (a) where identified on the Building Setback Alignment Map or Public Domain Setbacks Map; or
- (b) where it is the predominant pattern for front setbacks on the same side of the street within the block.

- (3) Landscape areas must include a range of planting types, including ground cover, mid-level planting and trees of appropriate size, include adequate soil dimensions, depth and volume to support the proposed plantings, and are to be free from above ground services and impervious surfaces except:

- (a) pathways for direct access to properties and building entrances; and
- (b) ramps for access to primary building entrances.

- (4) Side and rear setbacks are to be provided where windows or balconies face side or rear boundaries, as the greater of the following:

- (a) for building heights 0 - 45 metres – 3 metre setback;
- (b) for building heights over 45 metres – 6 metre setback;

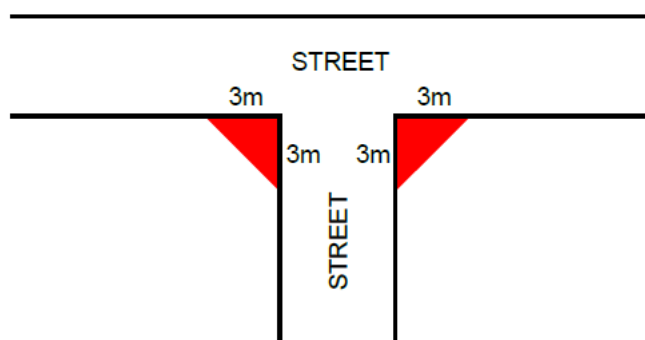
- (c) the predominant side setbacks of existing development on the same side of the street within the street block; and
- (d) the rear setbacks of adjoining development.

Note: Side or rear setbacks may be required by other sections of the DCP such as for development adjoining a heritage item.

(5) For corner sites located at the intersection of two or more streets carrying vehicles or with a signalised pedestrian crossing, a corner setback clear of all obstructions for at least 6 metres in height above ground level is to be provided with a dimension of at least 20% of the length of the shortest street frontage of the site up to a maximum of 3 metres, as shown in Figure 5.

Note: Setbacks adjacent to signalised pedestrian crossings are to be flush with the adjoining footpath and dedicated to Council to provide additional footpath space for pedestrians waiting to cross.

Figure 5. Minimum corner setback



3.2.6 Street frontage heights and upper level setbacks

The controls in this section apply except where otherwise defined in this DCP.

Definitions

Street frontage height means the height of the building façade at or closest to the street boundary, expressed in storeys or metres above ground.

Upper level setback means the horizontal distance between the edge of the street frontage and built form of additional height above the street frontage, expressed in metres.

Objectives

- (a) Establish or maintain the desired future scale of development as seen from the street and other public places.
- (b) Ensure upper level setbacks are sympathetic to heritage context.
- (c) Allow for consistent and appropriate transition in scale between buildings of different heights in close proximity to each other.

Provisions

- (1) Maximum street frontage heights and resulting requirement for upper level setbacks must be in accordance with the *Building Street Frontage Height in Storeys Map*.
- (2) Where no requirement is shown on the *Building Street Frontage Height in Storeys Map* and an adjacent building has a street frontage height two storeys lower than the proposed development, then the maximum street frontage height of the development is to be:
 - (a) for buildings 4 to 7 storeys high – the street frontage height must be one storey less than the proposed total height in storeys.

(b) for buildings of 8 to 13 storeys – the street frontage height must be two storeys less than the proposed total height in storeys.

(3) Upper level setbacks, for levels above the street frontage height, are to be a minimum of 3 metres, except in the following cases where a larger upper level setback may be required:

(a) providing a curtilage to an adjacent heritage item or complying with a conservation management plan of a heritage item;

(b) protecting the form and special characteristics of, or relationship to, a significant building over 50 years old with heritage value on or adjacent to the site;

(c) protecting existing views to a public place or public building; or

(4) Upper level setbacks must be clear of structures and built form elements such as privacy screens, shade structures and partitions, unless they are not visible from the opposite footpath or are set back at least 300 millimetres from the inside face of the street wall.

g. Remove Section 3.2.6 ‘Wind effects’ and replace with the following text:

3.2.7 Wind effects

The built environment has a large role to play in the wind conditions experienced by people in the city. Poorly designed buildings can create windy conditions that make a place uncomfortable or dangerous for people and inhibit the growth of trees. Moderate breezes and air circulation can enhance pedestrian comfort and disperse vehicle emissions and air-conditioning plant exhausts.

A reasonably sized podium will generally mitigate the greatest adverse wind effects from tall buildings. Provision of a podium is particularly important where buildings are not shielded by neighbouring buildings and on east-west running streets where windspeeds are highest.

Objectives

(a) Ensure wind conditions in streets and public places are safe and comfortable for walking.

(b) Encourage wind conditions comfortable for sitting where appropriate.

(c) Mitigate adverse wind effects from new development.

(d) Improve air quality in streets and public places through improved air circulation.

Provisions

(1) Building design is to minimise adverse wind effects on communal open space, public open spaces and private open space (balconies).

(2) In Central Sydney and within 50 metres outside the Central Sydney boundary, a quantitative wind effects report is required for development:

(a) over 55 metres in height, as measured from the lowest ground level to the highest structure;

(b) with a frontage to an east-west street; or

(d) otherwise identified by the consent authority as requiring a quantitative wind effects report.

(3) Outside Central Sydney, a quantitative wind effects report is required for development over 45 metres in height (as measured from the lowest ground level to the highest structure) or as required by the consent authority.

(4) Development subject to a quantitative wind effects report must not exceed the relevant wind standards, or worsen an existing exceedance, for the use of the adjacent public place as shown in Table 9.

Table 9. Relevant wind safety standards and criteria for adjacent public place uses

Adjacent public place use	Standard/criteria
Any public place	Wind Safety Standard - Annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm of 24 m/s
Walking (e.g. footpath)	Wind Comfort Standard for Walking - Hourly mean wind speed, or gust equivalent mean wind speed (whichever is greater) for no more than 292 hours per annum measured between 6am and 10pm of no more than 8 m/s
Standing (e.g. bus stops, retail, active frontages)	Wind Comfort Standards for Standing - Hourly mean wind speed, or gust equivalent mean wind speed (whichever is greater) for no more than 292 hours per annum measured between 6am and 10pm of no more than 6 m/s
Sitting (e.g. outdoor dining, parks) NB: Applies for development subject to a Sun Access Plane or No Additional Overshadowing controls	Wind Comfort Standards for Sitting - Hourly mean wind speed, or gust equivalent mean wind speed (whichever is greater) for no more than 292 hours per annum measured between 6am and 10pm of no more than 4 m/s

Note: 292 hours is 5 per cent of all hours between 6am and 10pm each day over a year.

(5) A quantitative wind effects report must be prepared by a suitably qualified engineer, and contain wind speed data:

- (a) for the existing built form, proposed built form, and any other options tested;
- (b) as tested at the least favourable locations. This may be subject to a peer review to confirm the least favourable locations have been selected;
- (c) as tested in areas such as bus stops, outdoor dining areas, major pedestrian crossings, building entries and other areas used by large numbers of people; and
- (d) subject to the geometry and orientation of the site, from wind testing points in accordance with Figure 6

Far side of the street means points located one fifth of the overall width of the street reservation from the opposite side of the street.

(6) The quantitative wind effects report is to present all wind testing data in a comprehensive table, containing:

- (a) existing, proposed and other building envelope wind conditions,
- (b) the wind comfort and wind safety conditions for each wind testing location, and
- (c) the wind speed that is exceeded for 5 per cent of relevant hours and the peak annual gust speed respectively, and
- (d) drawings of the options tested to scale with dimensions.

(7) Any wind mitigation measures cannot include tree plantings, vertical screens or structures in public places.

(8) The quantitative wind effects report must include and test at least one development option that demonstrates compliance with the wind standards. Consent will not be granted to a development outcome for which the wind report shows non-compliance, or notes potential compliance based on untested mitigation measures.

h. Delete Section 5.1.9 ‘Managing wind impacts’.

i. Insert the following text after 3.2.7 ‘Reflectivity’ and renumber the subsequent sections accordingly.

3.2.9 Development which overshadows dwellings, boarding houses, co-living housing or public open space

Objectives

- (a) Ensure that development provides good solar access.
- (b) Ensure that new development protects solar access for existing dwellings, boarding houses, co-living housing and public open space.

Provisions

(1) Development must show existing and proposed solar access and overshadowing on surrounding dwellings, boarding houses, co-living housing or public open space through plans, elevations and sun’s eye view diagrams illustrating existing and proposed solar access to all dwellings.

(2) Solar access must be shown at sufficient intervals to assess compliance with this section. Where the context is simple provide hourly documentation, where the context is complex provide 15 minute documentation. In areas of great complexity some periods of 5 minute documentation may be required.

(3) Where development overshadows the following existing uses, it must maintain minimum required or existing solar access whichever is less:

- (a) for single dwellings – in accordance with the solar access requirements of section 4.1;
- (b) for boarding houses and co-living housing – in accordance with the solar access requirements of section 4.4.1;
- (c) for development subject to State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development – in accordance with the solar and daylight access and overshadowing objectives, design criteria and design guidance of the Apartment Design Guide;
- (d) for all other dwellings – in accordance with section 4.2.3.1;
- (e) for public open space – in accordance with section 3.1.4.

j. Edit the text in Section 4.1.6 ‘Secondary and laneway dwellings’ as follows, with strikethrough representing deletion and underline representing additions or edits:

4.1.6 Secondary and laneway dwellings

A secondary dwelling is a self-contained dwelling located on the same land title as the principal dwelling. The Sydney LEP 2012 defines and permits secondary dwellings in certain zones and establishes their maximum size.

Objectives

- (a) Ensure secondary dwellings and laneway dwellings activate lanes and address the public domain.
- (b) Maintain a reasonable level of amenity to the principal dwelling, the site, surrounding properties, and any adjoining lane.
- (c) Ensure the scale and type of development is compatible with the width of the lane, the significance and scale of the heritage items and heritage conservation areas.

Provisions

4.1.6.1 General

~~(1) A one storey structure with an attic above is permissible adjacent to a rear lane, provided the height does not exceed 5.4m and amenity to adjacent sites is maintained.~~

(1) A secondary or laneway dwelling adjacent to a rear lane must present to the lane as a one storey structure with an attic above, must not exceed 5.4 metres in height, and maintains amenity to adjacent sites.

(2) On lots smaller than 150sqm, a secondary dwelling is not permitted unless it can achieve a minimum consolidated area of private open space for the principal dwelling of 16sqm with a minimum dimension of 3m.

~~(3) The roof pitch of a rear lane building must not exceed 40°.~~

(3) The roof facing the lane is to be a symmetrical gable with minimum 35 to maximum 40 degree pitch which falls to the lane and interior of the site. Well designed and integrated dormer windows can be incorporated.

(4) The secondary and laneway dwelling on a lot adjoining a rear lane is to be clearly subservient to the principal dwelling. The dwelling should also be designed to be compatible with adjacent buildings facing the lane.

(5) A habitable space may be located below a garage where:

- (a) where the rear lane is at a higher level than the private open space for the principal dwelling
- (b) the floor level of the habitable space is at the same level and contiguous with the private open space for the principal dwelling, as shown in Figure 4.18 *Habitable space located below a garage*.

k. Delete Section 4.2.1 ‘Building Height’.

l. Delete Section 4.2.2 ‘Building setbacks’ and renumber the following sections accordingly.

m. Edit the objective of Section 4.2.3 ‘Amenity’ as follows, with strikethrough representing deletion and underline representing additions or edits:

(a) Ensure that residential amenity is enhanced with landscaping, private and common open space, sun access, outlook, natural ventilation, and natural cross ventilation ~~and acoustic privacy~~.

n. Remove Section 4.1.1 ‘Building height’ and renumber the following sections accordingly.

o. Remove Section 4.2.3.1 ‘Solar access’ and replace with the following text:

4.2.3.1 Solar access

Objectives

- (a) Ensure that development provides good solar access.
- (b) Ensure that new development protects solar access for existing dwellings, boarding houses, co-living housing and public open space.

Provisions

- (1) Development applications are to include plans, elevations and sun’s eye view diagrams that show solar access to proposed and neighbouring dwellings, at sufficient intervals to assess compliance with this section.
- (2) All proposed dwellings, besides single dwellings, apartments subject to State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development, or rooms in boarding houses or co-living housing, must achieve a minimum of 2 hours direct sunlight between 9am and 3pm on 21 June onto at least 1sqm of living room windows and at least 50% of the required minimum area of private open space.
- (3) New development must not create any additional overshadowing to a dwelling, which is not a single dwellings, an apartment subject to State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development, or a room in a boarding house or co-living housing, where that dwelling currently receives less than 2 hours direct sunlight between 9am and 3pm on 21 June onto at least 1sqm of living room windows and at least 50% of the required minimum area of private open space.

Note: Provisions 2 and 3 apply to at least 70% of the dwellings in a development rounded up.

p. Edit the text in Section 4.2.3.2 ‘Lightwells’ as follows, with strikethrough representing deletion and underline representing additions or edits:

4.2.3.2 Lightwells

This section does not apply to single dwellings.

Objectives

- (a) Ensure lightwells are not the only source of light and natural ventilation to habitable spaces.
- (b) Ensure lightwells provide good amenity and mitigate noise impacts.

Provisions

- (1) Daylight may be provided by a lightwell, provided the lightwell:
 - (a) is consistent with the building separation and daylight access requirements of the ~~NSW Residential Flat Design Code 2002~~ Apartment Design Guide;
 - (b) is not the only source of daylight to a habitable room;
 - (c) is fully open to the sky;
 - (d) where shared with other uses such as indoor atria, voids over entry lobbies or indoor planted areas, does not generate undue noise or visual privacy effects; and
 - (e) provides a ~~reasonable~~ good outlook from windows in dwellings and does not have exposed services.

q. Remove Section 4.2.5.4 ‘Residential uses on the ground and first floor’ and replace with the following text:

4.2.5.4 Residential uses on the ground and first floor

Objectives

- (a) Provide visual privacy for ground floor dwellings.
- (b) Provide passive surveillance of streets and lanes.
- (c) Maximise the number of individual entries from streets and lanes.

Provisions

- (1) Ground floor residential uses are to have a minimum 3 metre setback from the site boundary to the glass line enclosing habitable space.
- (2) Ground floor level is to be a maximum of 1 metre above the level of the adjacent street or other public place. On a sloping site step the ground floor levels to maintain an optimal relationship to the street for each dwelling.
- (3) Sills or opaque treatments are required to ground floor windows and doors and are to be a minimum of 0.8 metres high above ground floor level to increase privacy.
- (4) Ground floor dwellings that face the street are to have individual entries from the street or other public place.
- (5) Balustrades to street facing ground floor private open spaces are to be predominantly open, with preference for contemporary steel palisade types.
- (6) Use landscaping to provide opportunities for increased privacy.

r. Edit the text in Section 5.4.3.2 'Height of buildings' provision 1 as follows, with strikethrough representing deletion and underline representing additions or edits:

- (1) Building heights are to be in accordance with:
 - (a) Figure 5.93: Lachlan Precinct – Built Form;
 - (b) Table 5.9, which shows the equivalent height in storeys for commercial buildings where commercial uses only are proposed on a site; ~~and~~
 - (c) ~~Tables 5.10 and 5.11~~ Section 3.2.4, which shows the relationship between height of buildings in storeys and height in metres, including ~~and excluding~~ building services.

Maximum mixed use / residential height in storeys	Equivalent maximum commercial height in storeys
2	2
4	4
5	5
6	5
7	6
8	7
20	17

Table 5.9: Lachlan Precinct Public Open Space

Use	Storey height (floor to floor)	Minimum floor to ceiling height
Ground floor commercial or retail	4.2m minimum Greater floor to floor height may be required to accommodate certain uses e.g. showrooms, gyms	3.6m

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Ground floor residential (adaptable)	3.7m	3.3m
First floor adaptable commercial/residential	3.7m	3.3m
Residential floors above first floor	3.1m	2.7m
Transfer structure at a floor where there is a change in alignment (e.g. an upper level setback)	+0.25m	
Roof, plant, lift overruns etc.	Buildings up to 8 storeys – 3m Buildings greater than 8 storeys – 4.5m	
Green roofs	Additional height to allow balustrades and access lift overruns etc.	

Table 5.10: Storey heights for residential mixed-use buildings

Mixed-use/residential building height (above flood planning level)

Use	Storey height (floor to floor)	Minimum floor to ceiling height
Ground floor commercial or retail	4.2m minimum Greater floor to floor height may be required to accommodate certain uses e.g. showrooms, gyms	3.6m
Ground floor residential (adaptable)	3.7m	3.3m
First floor adaptable commercial/residential	3.7m	3.3m
Residential floors above first floor	3.1m	2.7m
Transfer structure at a floor where there is a change in alignment (e.g. an upper level setback)	+0.25m	
Roof, plant, lift overruns etc.	Buildings up to 8 storeys – 3m Buildings greater than 8 storeys – 4.5m	
Green roofs	Additional height to allow balustrades and access lift overruns etc.	

Table 5.11: Storey heights for commercial buildings

Commercial building height (above flood planning level)

s. Edit provisions 4 and 5 in Section 5.10.4.1 as follows, with strikethrough representing deletion and underline representing additions or edits:

(4) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, development is to provide minimum floor-to-floor heights of:

(a) ~~Ground floor and first floor: 3.7 metres~~

(b) ~~Second floor and above: 3.1 metres~~

in accordance with section 3.2.4.

(5) Where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012, development is to provide minimum floor-to-floor heights of:

- (a) Ground floor: 4.6 metres
- (b) First floor: 3.8 metres
- (c) Second floor and above: ~~(non-residential uses): 3.6 metres~~
- (d) ~~Second floor and above (residential uses): 3.1 metres~~ in accordance with section 3.2.4.

Amendment 7 – Environmental noise

- a. **Delete Section 4.2.3.11 ‘Acoustic Privacy’ and renumber the following sections accordingly.**
- b. **Insert the following text at the ~~end of Section 3.13.3~~ beginning of section 3.18**

~~3.13.4~~ 3.18.1 Environmental noise

Definitions

Noise-sensitive land uses include:

- early education and care facilities;
- education establishments;
- health services facilities;
- places of public worship;
- residential accommodation and serviced apartments; and
- any use defined as noise sensitive in legislation, policies or guidelines.

Noise generating development includes:

- commercial premises;
- early education and care facilities;
- educational establishments;
- industries;
- places of public worship;
- public places where events may be held;
- food and drink premises;
- recreational facilities;
- health services facilities;
- function centres and entertainment facilities;
- animal boarding or training establishments;
- tourist and visitor accommodation;
- artisan food and drink industry; and
- significant construction, demolition or excavation.

A suitably qualified acoustic consultant is a consultant who possesses:

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- qualifications that make them eligible to be a member of the Australian Acoustical Society, Institution of Engineers Australia or the Association of Australian Acoustical Consultants at the grade of member; and
- qualifications that are suitably appropriate to render the consultant capable of providing the level and detail of assessment required by the consent authority.

Objectives

- (a) Ensure that health and amenity is protected through the appropriate, effective and ongoing management, control and mitigation of noise.
- (b) Establish noise protection criteria that are consistent with relevant codes of practice, conditions, policies and guidelines.
- (c) Establish noise protection criteria with reference to natural ventilation requirements for residential uses.

Provisions

(1) For all development besides single dwellings or alterations and additions to existing single dwellings, an Environmental Noise Impact Assessment prepared by a suitably qualified acoustic consultant is required where:

- (a) proposed land uses and activities are noise generating development that may affect adjacent noise-sensitive land uses; and
- (b) any noise-sensitive land use is proposed in a location:
 - i. within 50 metres of a classified road or a road with annual average daily traffic volume over 20,000 (shown in Figure 7);
 - ii. within 50 metres of a railway or light rail track, except development near the elevated railway in Woolloomooloo, where an Environmental Noise Impact Assessment is required only for development that is higher than the elevated railway; or
 - iii. affected by substantial plant noise, commercial noise, entertainment noise, industrial noise, maritime noise or port operations noise; or
 - iv. required by legislation, policies or guidelines.

Note: State Environmental Planning Policy (Transport and Infrastructure) 2021 and the Development Near Rail Corridors and Busy Roads – Interim Guideline contains requirements for development subject to noise from busy roads and rail corridors, including for single dwellings.

(2) The assessment must reference and be consistent with the correct application of relevant guidelines, conditions, standards and codes of practice including City of Sydney policies and guidelines.

Figure 7. Map showing roads identified by Transport for NSW as having an annual average daily traffic volume of more than 20,000, classified roads, and above ground railway lines as at October 2023.



Key

Black – classified roads

Grey – railways and light rail tracks

(3) Where possible noise is to be attenuated at its source. Where this is not possible it must be attenuated at noise sensitive land use receivers. Where noise attenuation measures are proposed at the source they must:

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- (a) have the consent of relevant parties associated with the noise source (including the emitter and receiver where necessary), and be capable of being implemented;
 - (b) have an adequate and effective performance; and
 - (c) last for the life of the development.
- (4) Development that includes any noise-sensitive land uses and is identified in (1) (b) must minimise the impacts of external noise through careful siting and layout of buildings by:
- (a) locating uses that are not noise-sensitive land uses to create a noise barrier to protect noise-sensitive land uses; and
 - (b) positioning spaces that are not noise-sensitive spaces such as internal circulation and bathrooms as a noise barrier to protect noise-sensitive internal spaces.
- (5) Where siting and layout of noise-sensitive development cannot be achieved or would not reduce noise transmission, the following acoustic and ventilation measures are to be provided:
- (a) limiting the number and size of windows on noise affected facades;
 - (b) protecting windows with external elements and orienting openings away from noise sources;
 - (c) providing double or acoustic glazing, and acoustic seals and non-sliding glazing systems to noise affected external facades;
 - (d) including acoustic seals at entry doors to reduce noise transmission from common corridors and outside areas; and
 - (e) including noise insulated natural ventilation plenums where none of the above design solutions are possible or effective.
- (6) The repeatable maximum internal sound levels for noise sensitive land uses other than dwellings subject to provision (1) must be in accordance with relevant policies and guidelines.
- (7) For development involving the delivery of new dwellings subject to provision (1), the repeatable maximum internal sound levels ~~for dwellings which~~ must not exceed the following internal levels:
- (a) where natural ventilation is provided through windows and doors:
 - (i) when windows and doors closed:
 - a. bedrooms – LAeq (1 hour) 35dB (10pm to 7am); and
 - b. bedrooms – LAeq (1 hour) 40dB (7am to 10pm); and
 - c. all other habitable rooms – LAeq (15 hour) 40dB (7am to 10pm) and LAeq (9 hour) 40dB (10pm to 7am) and
 - (ii) when windows and doors are open:
 - a. bedrooms – LAeq (1 hour) 45dB (10pm to 7am); and
 - b. bedrooms – LAeq (1 hour) 50dB (7am to 10pm); and
 - c. all other habitable rooms —LAeq (15 hour) 50dB (7am to 10pm) and LAeq (9 hour) 50dB (10pm to 7am).
 - (b) where natural ventilation is provided through other means (such as a plenum), with the ventilation system open:
 - (i) bedrooms – LAeq (1 hour) 35dB (10pm to 7am); and
 - (ii) bedrooms – LAeq (1 hour) 40dB (7am to 10pm); and
 - (iii) all other habitable rooms – LAeq (15 hour) 40dB (7am to 10pm) and LAeq (9 hour) 40dB (10pm to 7am).

(c) where ventilation is provided by a mechanical system, including the noise from the ventilation system operating:

(i) bedrooms – LAeq (1 hour) 35dB (10pm to 7am); and

(ii) bedrooms – LAeq (1 hour) 40dB (7am to 10pm); and

(iii) for all other habitable rooms – LAeq (15 hour) 40dB (7am to 10pm) and LAeq (9 hour) 40dB (10pm to 7am).

(d) natural ventilation and noise requirements consistent with (a) or (b) must be met concurrently for all apartments.

Note: The above noise levels represent the combined noise from all external sources and any ventilation system noise when operating normally.

Note: Development affected by environmental noise or generating environmental noise under this section (3.18.1) may also be subject to the acoustic requirements of 3.18.3 Entertainment Sound Management. All requirements must be met concurrently.

Delete Section 4.2.5.3 'Development on busy roads and active frontages' and renumber the following sections accordingly.

c. Insert the following text at the end of Section ~~3.13.4~~: 3.18.1

~~3.13.5~~ 3.18.2 Development in noisy environments and streets with active frontages

The following provisions apply to noise-sensitive land uses on sites that are to have an active frontage as shown on the *Active frontages map*, or sites identified in 3.13.4 (1) (b).

Development near busy roads and rail corridors is subject to State Environment Planning Policy (Transport and Infrastructure) 2021 and the NSW Government's Development near Rail Corridors and Busy Roads – Interim Guidelines.

Definitions

Noise-sensitive land uses has the same meaning as in 3.13.4.

Objectives

(a) Enhance street activation in identified areas.

(b) Locate noise-sensitive and non-noise sensitive land uses in their appropriate noise context.

Provisions

(1) Where development fronts roads with more than 40,000 vehicles per day (AADT), it must not include noise-sensitive land uses on the ground floor and first floor.

(2) Where development fronts roads with more than 20,000 vehicles per day (AADT), or is located on the *Active Frontages map*, it must not include noise sensitive land uses on the ground floor fronting the busy road or active street frontage.

(3) Land uses that are not noise-sensitive land uses on the ground floor and first floor must have a minimum internal depth from the street frontage of 10 metres measured from the glass line.

(4) In locations identified in (1) and (2), land uses that are not noise-sensitive land uses must have minimum floor-to-ceiling heights of:

(a) 3.6 metres where located on the ground floor; and

(b) 3.3 metres where located on the first floor or above.

Note: The measure of vehicles per day is All Days AADT (Annual Average Daily Traffic) as calculated in methodology published by Transport for NSW.

Insert Section 3.18.1 Entertainment Sound Management at the end of Section 3.18.2, and renumber all clauses accordingly.

Amendment 8 – Sun protection of Public Parks and Places

- a. **Edit the text in Section 5.1.7 ‘Sun protection of public parks and places’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

5.1.7 Sun protection of public parks and places

Value statement

Two control mechanisms in Sydney LEP 2012 limit heights in and near Central Sydney to protect sunlight into important public parks and places. They are Sun Access Planes (SAP) and No Additional Overshadowing to Certain Public Places Controls (NAO). Despite maximum heights shown on the Sydney LEP 2012 Height of Buildings Map, developments within ~~and near~~ Central Sydney will always need to demonstrate compliance with SAP and NAO controls where required.

SAP and NAO controls both establish dates and time periods to protect spaces. Generally, the times for protection are in the middle of the day when the majority of use occurs and the space is most valued by its users.

A Sun Access Plane is a geometric, three dimensional, planar surface that is set at the same angle as the sun at a specific date and time and sets the upper building height. A number of Sun Access Planes protect a range of Public Places throughout Central Sydney and near Central Sydney.

No Additional Overshadowing controls protect the existing sunlight to Public Places that are already surrounded by tall development. In contrast to Sun Access Planes, No Additional Overshadowing controls preserve sunlight that passes through gaps between buildings and around buildings to reach public spaces.

Direct sunlight access Central Sydney’s special parks and places is important throughout the year. The dates used to generate these controls are set at the most conservative sun angles, which ensures protection throughout the remainder of the year when the sun is higher in the sky.

Dates and times of protection vary for each place according to the type of activities occurring in that place that benefit from sunlight, when those activities are likely to occur, and existing levels of sunlight and overshadowing.

Objectives

- (a) To protect and improve sunlight to important public parks and places throughout the year, and during periods in the day when they are most used by the workforce, visitors and the wider community.
- (b) To protect sun access to publicly accessible land to ensure the healthy growth of trees, grass and other vegetation.
- (c) To ensure that all parks potentially overshadowed by tall buildings in Central Sydney are protected by Sun Access Planes, including parks that may lie outside the Central Sydney boundary.
- (d) To protect sunlight to parks on the eastern edge of the city through the morning and midday period
- (e) To protect sunlight to parks on the western edge of the city from midday through to the afternoon.
- (f) To ensure that sunlight to new and planned future important public parks and places are protected by Sun Access Planes or No Additional Overshadowing Controls as Central Sydney grows.

Provisions

5.1.7.1 Sun Access Planes

(1) Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing Sun Access Planes for 11 major public areas including Royal Botanic Gardens, the Domain, Cook and Phillip Park, Wynyard Park, Land Park, Hyde Park, Belmore Park, Prince Alfred Park, Harmony Park, Macquarie Place, and Martin Place and Gunyama Park. Development must not project above any part of a Sun Access Plane.

(2) Sydney LEP 2012 describes each Sun Access Plane using points, identified by mapping grid co-ordinates and Reduced Levels, and a specified horizontal bearing and vertical angle.

(3) Figures 5.27 to 5.389 indicatively show the maximum height achievable for land affected by Sun Access Planes. To determine the actual height of a Sun Access Plane at any point, the description of the Sun Access Planes in Sydney LEP 2012 prevails over the diagrams in Sydney DCP 2012, in the case of an inconsistency.

Note: when preparing Sun Access Planes care must be taken to adjust for the difference between grid north and solar north.

(4) Table 5.7 shows the period of protection, times and dates for Sun Access Planes, cross referenced with the diagrams referenced in Section 5.1.7.1(3) above.

Table 5.7 Summary of Sun Access Planes provisions

Park or Place	Intended period of protection	Primary SAP date	Primary SAP times	SAP Extension Dates & Times
1 The Royal Botanic Gardens	9am-2pm, all year	21 June	2pm	N/A
2 The Domain	9am-2pm, all year	21 June	2pm	N/A
3 Wynyard Park	12-2pm, all year	21 June	12pm 2pm	23 September 21 December
4 Lang Park	12-2pm, all year	21 June	12pm 2pm	23 September 21 December
5 Hyde Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
6 Belmore Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
7 Prince Alfred Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
8 Harmony Park	10-2pm, all year	21 June	10am 12pm 2pm	23 September 21 December

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9	Macquarie Place	10-12pm, throughout the year excluding winter months	14 April	10am	N/A
10	Martin Place	12-2pm, outside the winter months	14 April	12pm 2pm	23 September (2pm) 21 December (2pm)
<u>11</u>	<u>Gunyama Park</u>	<u>9-3pm, all year</u>	<u>21 June</u>	<u>9pm</u> <u>3pm</u>	<u>N/A</u>

b. Edit the following figures to correct street names





Figure 5.32
Belmore Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

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Figure 5-33
Prince Alfred Park Sun Access Plane A

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.33
Prince Alfred Park Sun Access Plane A

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

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Figure 5.34
Prince Alfred Park Sun Access Plane B

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.34
Prince Alfred Park Sun Access Plane B

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

c. Insert the following figure after Figure 5.38 Martin Place Park Sun Access Plane



5.1.7.2 No Additional Overshadowing

(1) Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing No Additional Overshadowing for 89 major public areas including Macquarie Place (including facades), Martin Place (block containing the GPO including facades), Pitt Street Mall,

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Australia Square Plaza, First Government House Place, Sydney Town Hall Steps, Sydney Square, ~~and~~ Future Town Hall Square and Cook and Phillip Park (West).

(2) Sydney LEP 2012 describes each protected park and place identifying the place name, extent of the place, the No Additional Overshadowing dates and the No Additional Overshadowing times.

(3) Figures 5.39 to 5.46 indicatively show the maximum height achievable for land affected by No Additional Overshadowing controls. To determine the actual height of a No Additional Overshadowing controls at any point, the description of the No Additional Overshadowing in Sydney LEP 2012 prevails over the diagrams in Sydney DCP 2012, in the case of an inconsistency.

(4) Table 5.8 shows the dates and times for No Additional Overshadowing, cross referenced with the diagrams referenced in Section 5.1.7.2(3) above.

(5) To demonstrate compliance with the No Additional Overshadowing controls the following must be submitted in support of a development application:

(a) A survey of the protected place and all intervening structures between the subject development site and the protected park and/or place that could affect the overshadowing of that place;

(b) A 1 minute interval overshadowing analysis depicting existing (one colour) and proposed (another colour) structures each day in the relevant No Additional Overshadowing period at the relevant No Additional Overshadowing times, where:

(i) all proposed building elements are treated as 100% opaque; and

(ii) all shadows have sharp edges where the sun is a light source casting only parallel rays of light.

Table 5.8 Summary of No Additional Overshadowing provisions

Park or Place		NAO dates	NAO times
1	Macquarie Place	14 April – 31 August	10-2pm
2	Martin Place (block containing the GPO)	14 April – 31 August	12-2pm
3	Pitt Street Mall	14 April – 31 August	10-2pm
4	Australia Square Plaza	14 April – 31 August	12-2pm
5	First Government House Place	14 April – 31 August	10-2pm
6	Sydney Town Hall Steps	14 April – 31 August	10.30-4pm
7	Sydney Square	14 April – 31 August	11-4pm
8	Future Town Hall Square	All year	Midday to sunset
9	<u>Cook and Phillip Park (west of Yurong Parkway)</u>	<u>All year</u>	<u>9-2pm</u>

Amendment 8A – Indoor air quality

a. Insert a new section after 3.13.3 with the following text

3.13.4 Indoor air quality in new residential development

Objective

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- (a) ~~Reduce indoor air pollutants associated with the onsite combustion of gas~~ To improve indoor air quality within the built environment and promote health by reducing exposure to air pollutants from gas heating and cooking systems.

Provision

- (1) ~~For development applications lodged after 31 December 2026,~~ gas cooktops, gas ovens or gas internal space heating systems are not permitted in new residential development; instead, electric systems should be installed.

Sustainability

Amendment 9 – Ecologically sustainable development

- a. **Edit the text in the preamble to Section 3.6 ‘Ecologically Sustainable Development’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

~~This section sets out objectives and controls to provide a framework for the application of ecologically sustainable development principles in the design, construction and operation of buildings across the City of Sydney local government area.~~

~~Council encourages the application of ecologically sustainable development principles for all development. Implementing the principles means that the development will be designed and constructed so that it complies with the objectives of this section.~~

~~Where an applicant voluntarily proposes achieving a Green Star or other building tool rating Council will apply a condition of development consent that requires the development to obtain the certified rating that was nominated by the applicant.~~

Objectives

- ~~(a) Apply principles and processes that contribute to ecologically sustainable development (ESD).~~
- ~~(b) Reduce the impacts from development on the environment.~~
- ~~(c) Reduce the use of resources in development and by development over its effective life.~~
- ~~(d) Reduce the cause and impacts of the urban heat island effect.~~
- ~~(e) Increase the resilience of development to the effects of climate change.~~
- ~~(f) Ensure that greenhouse gas emissions will be reduced.~~
- ~~(g) Replace intensive carbon power sources with low carbon and renewable energy.~~
- ~~(h) Reduce the use of potable water.~~
- ~~(i) Ensure that development can adapt to climate change.~~
- ~~(j) Ensure that demolition, construction and operational waste will be reduced.~~
- ~~(k) Increase the use of products from recycled sources.~~
- ~~(l) Improve indoor environmental quality.~~
- ~~(m) Reduce the environmental impact from building materials through reduction, re-use and recycling of materials, resources and building components.~~
- ~~(n) Improve biodiversity.~~

Provisions

This section contains requirements for energy efficiency and water efficiency of certain development. It also includes guidelines for installation of solar panels and wind turbines, and the sustainability of building material choices.

The City encourages all development to pursue the highest possible ecologically sustainable development outcomes by committing to a rating under an independent third party certification tool. High ratings in excess of minimum requirements will result in reduced ongoing operational expenses and improved comfort for residents and users of development. The City will work with all proponents to ensure sustainability initiatives and commitments included in a development application are delivered.

- b. Edit the text in Section 3.6.1 ‘Energy efficiency in non-residential developments’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

3.6.1 Energy efficiency in non-residential developments

Objectives

- (a) Reduce greenhouse gas emissions associated with energy use of buildings in operation.
- (b) Reduce additional demand on the electricity grid, and on fossil fuel powered electricity generation, associated with new and substantially changed existing buildings.
- (c) Support the adoption of technologies, building methods and architectural design that increases energy efficiency, thermal comfort and on-site renewable power generation.
- (d) Ensure new development is resilient to the impacts of climate change, including interruptions to electricity supply and increasing occurrence of heat waves.
- (e) Maximise energy efficiency and ecologically sustainable development outcomes in existing buildings without encouraging demolition or compromising features of heritage significance.

Provisions

- ~~(1) Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, appropriate use of thermal mass and external shading, including vegetation.~~
- ~~(2) Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient lighting such as LED lighting.~~
- (1) In multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for lighting, air-conditioning and power within each tenancy or strata unit. Locations are to be identified on the development plans.
- (2) Electricity sub-metering is to be provided for significant end uses that will consume more than 10,000 kWh/annum.
- ~~(5) Car parking areas are to be designed and constructed so that electric vehicle charging points can be installed at a later time.~~
- ~~(6) Where appropriate and possible, the development of the public domain should include electric vehicle charging points or the capacity for electric vehicle charging points to be installed at a later time.~~
- (3) For the purposes of clause 7.33 ‘Sustainability requirements for certain large commercial development’ in Sydney LEP, development must be designed to meet the relevant performance standards in Table 3.5: ‘Energy performance standards’ in order to optimise energy efficiency and the use of renewable energy generated on-site, and:
 - (a) applications are to include an Energy Assessment Report prepared by a suitably qualified person, who is also a NABERS accredited assessor, demonstrating that the building is capable of achieving the performance standards identified in Table 3.5: Energy performance standards.
 - (b) where development proposes to achieve the energy intensity performance standard (kWh/yr/m²), an assessor from the NABERS Independent Design Review Panel is to formally verify energy modelling.
 - (c) where it is a refurbishment of or addition to a heritage item, a reduction in the performance standards in Table 3.5: Development thresholds and energy performance standards may be considered if it is clearly demonstrated that compliance with the standards cannot be reasonably achieved without unacceptable impact on the heritage item and that energy

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efficiency and use of renewables is optimised. The application for a reduction in the standards must be supported by:

- (i) a Heritage Impact Statement, prepared by an appropriately experienced heritage consultant, and
- (ii) energy modelling prepared by a suitably qualified person.

Table 3.5: Energy performance standards

Proposed land use	Energy performance standards	
	Applications submitted between 1 October 2023 – 31 December 2025	Applications submitted from 1 January 2026 onwards
Office (base building)	- maximum 45 kWh/yr/m² of Gross Floor Area (GFA), or - 5.5 Star NABERS Energy Commitment Agreement (CA) + 25%, or - certified Green Star Buildings rating with a “credit achievement” in Credit 22: Energy Use, or - equivalent	- maximum 45 kWh/yr/m² of GFA, or - 5.5 Star NABERS Energy CA + 25%, or - certified Green Star Buildings rating with a “credit achievement” in Credit 22: Energy Use, or - equivalent and renewable energy procurement equivalent to “net zero emissions from energy used on-site” or a maximum of 45 kWh/yr/m² of GFA
Prescribed shopping centre	- maximum 55 kWh/yr/m² of GFA, or - 4 star NABERS Energy CA, or - certified Green Star Buildings rating achieving the “minimum expectation” in Credit 22: Energy Use, or - equivalent	- maximum 45 kWh/yr/m² of GFA, or - 5 star NABERS Energy CA, or - certified Green Star Buildings rating with “exceptional performance” in Credit 22: Energy Use, or - equivalent and renewable energy procurement equivalent to “net zero emissions from energy used on-site” or a maximum of 45 kWh/yr/m² of GFA
Hotel (whole of building)	- maximum 245 kWh/yr/m² of GFA, or - 4 star NABERS Energy CA, or - certified Green Star Buildings rating achieving the “minimum expectation” in Credit 22: Energy Use, or - equivalent	- maximum 240 kWh/yr/m² of GFA, or - 4 star NABERS Energy CA + 10%, or - certified Green Star Buildings rating with a “credit achievement” in Credit 22: Energy Use, or - equivalent and renewable energy procurement equivalent to “net zero emissions from energy used on-site” or a maximum of 240 kWh/yr/m² of GFA
Mixed use	The above performance standards apply for each proposed use	The above performance standards apply for each proposed use

Note: The performance standards for offices and hotels only apply when they are ‘large commercial development’ as defined in State Environmental Planning Policy (Sustainable Buildings) 2022 and for prescribed shopping centres as defined in Sydney LEP 2012.

(4) For the purposes of clause 7.33 ‘Sustainability requirements for certain large scale commercial development’ in Sydney LEP 2012, large commercial development with a capital investment of \$10 million or more involving alterations to an existing office premises is considered to be designed to optimise energy efficiency and the use of renewable energy generated on-site where:

- (a) development meets the performance standards for new office buildings in Table 3.5, or
(b) where (a) cannot be achieved, development demonstrates:

- i. a NABERS Energy Base Building Commitment Agreement of 5 Star or above, elimination of all base building natural gas appliances, service and supply, and net zero emissions from energy used on-site; or
- ii. a NABERS Energy Base Building Commitment Agreement for a star rating that exceeds the existing NABERS Energy Base Building rating excluding GreenPower of the building for the past 12 months by at least 2 stars, and elimination of all base building natural gas appliances, service and supply.

(5) For the purposes of clause 7.33 (2) (b) in Sydney LEP, and provision ~~(8)~~ (4) (b) (i) above, development is considered to have net zero emissions from energy used on-site where:

(a) Development consumes no more total electricity other than is provided by:

- (i) renewable energy generated on-site, and
- (ii) renewable energy procured from off-site sources for a period of at least 5 years

Fuels used for emergency back-up generation are excluded.

Note: For office premises and retail premises, relevant energy use is the base building. For hotel or motel accommodation, energy use is for the whole building.

Note: Renewable energy procured from off-site sources may be demonstrated by GreenPower certified power plans, power purchase agreements with renewable energy generators or retiring large-scale generation certificates.

Note: Clause 7.33 (2) (b) in Sydney LEP applies to development applications lodged on or after 1 January 2026.

c. Remove Section 3.6.2 ‘Water efficiency in non-residential development’ and replace with the following text:

3.6.2 Water efficiency in non-residential development

Objectives

- (a) Reduce the impacts from development on the environment.
- (b) Reduce the use of resources by development over its effective life.
- (c) Reduce the use of potable water.

Provisions

(1) Development is to meet the relevant minimum water performance standards shown in Table 10 where it exceeds the stated threshold.

Table 10. Water performance standards

Proposed land use	Development threshold	Minimum water performance standards
Office premises	1,000 sqm net lettable area (NLA) or more, and over 12 storeys in height	NABERS Water 4.5 Star third party verified; or Certified Green Star Buildings rating achieving the “minimum expectation” in Credit 25: Water Use;

Proposed land use	Development threshold	Minimum water performance standards
	1,000 sqm net lettable area (NLA) or more, and under 12 storeys in height	NABERS Water 5 Star third party verified; or Certified Green Star Buildings rating achieving the “minimum expectation” in Credit 25: Water Use.
Hotel and motel accommodation	50 rooms or more	3.5 star NABERS Water third party verified; or Certified Green Star Buildings rating achieving the “minimum expectation” in Credit 25: Water Use;
Retail premises (shopping centres and supermarkets)	1,000 sqm gross lettable area – retail (GLAR) or more	3.5 star NABERS Water third party verified; or Certified Green Star Buildings rating achieving the “minimum expectation” in Credit 25: Water Use;
Mixed use	Where one or more of the above thresholds for each proposed use apply	The above performance standards apply for each proposed use

(2) Where NABERS Water performance standards are used, the following information is required to demonstrate compliance:

- (a) summary table of indicative design and technology solutions for all mains potable water end uses, including bathroom, kitchen and laundry fixtures, fire test water, irrigation and HVAC; and
- (b) a hydraulic assessment, prepared by a suitably qualified NABERS accredited assessor, demonstrating the building is capable of achieving the required performance standard.

(3) Where Green Star Buildings performance standards are used, plans are to include details demonstrating how the development is capable of achieving the required performance standard.

(4) Where higher performance standards are proposed in a development application, those higher standards will be included in the conditions of consent for the development.

(4) For development involving a heritage item, if achieving the relevant performance standard is not possible without compromising the heritage significance of the site, a reduced water performance standard may be permissible. To demonstrate this, the following information is required:

- (a) a Heritage Impact Statement, prepared by a suitably qualified and experienced heritage consultant, showing how meeting the relevant water performance standard would compromise the heritage significance of the site; and
- (b) a hydraulic assessment prepared by a suitably qualified and experienced assessor, showing the maximum water performance standard possible that will not compromise any heritage significance of the site, and the water efficiency measures to be employed on the site.

(5) Unless specified in Table 10 Water performance standards, for the following land uses the minimum water efficiency requirements in Table 11 apply:

- (a) commercial premises;
- (b) industries;
- (c) warehouse and distribution centres;
- (d) community facilities;
- (e) entertainment facilities;

- (f) function centres;
- (g) sex services premises;
- (h) tourist and visitor accommodation;
- (i) information and education facilities;
- (j) places of public worship;
- (k) recreational facilities;
- (l) boarding houses; and
- (m) co-living housing.

Plans are to show annotations demonstrating compliance with these requirements.

Table 11. Minimum water efficiency requirements

Fixture/equipment type	Water Efficiency Labelling and Standards (WELS) rating or maximum flow rate (litres per minute)
Toilet cisterns	Dual flush, 4 Star WELS
Showerheads	7.5 LPM
Kitchen sink taps	5 Star WELS
Bathroom sink taps	5 Star WELS
Urinals	5 Star WELS or waterless
Washing machines	4 Star WELS
Dishwashers	5 Star WELS

(6) Water used for irrigation of private and public open space is to be drawn from an 'alternate' or recycled water source, including harvested roof water, suitably treated greywater or wastewater, or recycled water from a decentralised local network.

(7) Separate meters are to be installed for each individual tenancy in commercial or retail buildings over 5,000 sqm in net lettable area.

(8) Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, outdoor irrigation systems and other major consumers of water within the development.

(10) On sites within 50 metres of an existing recycled water source development must provide dual reticulation infrastructure with dedicated non-potable water plumbing and outlets provided for all permitted non-potable uses.

Note: Dual reticulation infrastructure may also be required in accordance with the on-site rainwater capture and use requirements of section 3.7.2 (13) and (14).

(11) Where rainwater tanks and dual reticulation are provided, any existing recycled water network is to be connected as an inlet source to the rainwater tanks, with on-site captured water used first. Where a recycled water network is proposed, the plumbing for an inlet source is to be provided to the property boundary for a future connection.

d. Remove Section 3.6.3 'Photovoltaic solar panels' and replace with the following text:

3.6.3 Photovoltaic solar panels and other solar energy systems

Sydney LEP and State Environmental Planning Policy (Transport and Infrastructure) 2021 both contain exempt development provisions for most solar energy systems. Please see the 'Development application exception for solar panels in heritage conservation areas guideline' available on the City of Sydney website.

Certain installations involving installation on front roofs do require a development application, in which case the provisions of this section apply.

Note: To minimise the risk of future development overshadowing solar energy systems, consult the planning controls that apply to surrounding land when locating systems. Development that complies with height controls is entitled to overshadow solar energy systems on existing buildings.

Definitions

Solar energy system means any of the following systems:

- a photovoltaic electricity generating system,
- a solar hot water system,
- a solar air heating system.

Primary street facing roofs are roof planes (and parts of roof planes) that are visible from the primary street, have a slope of more than 15 degrees and are in front of the main ridge of the roof.

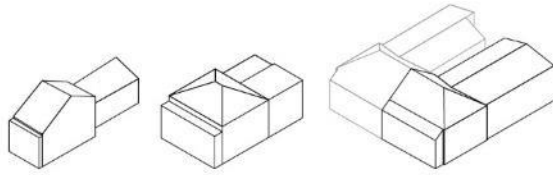
Objectives

- (a) Encourage the installation of well-designed solar energy systems.
- (b) Protect the form and character of roofs that are visible from the street and public domain.
- (c) Ensure solar energy systems are sensitive to the character of the host building and the local area.
- (d) Encourage solar energy systems to have a regular and compact pattern.
- (e) Minimise overshadowing and other impacts from solar energy systems on adjacent properties.

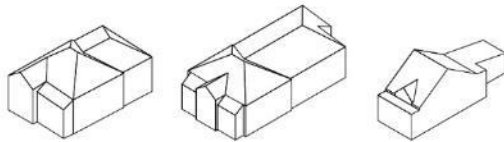
Provisions

- (1) Solar energy systems are not permitted on slate or timber shingled primary street facing roofs.
- (2) Installations on very small primary street facing roofs as described in Figure 8 must include at least four solar panels on the roof plane.
- (3) Where a very small primary street facing roof includes a central dormer window, solar panels are to be arranged symmetrically with the same number of panels on either side, and at least two on each side.
- (4) For heritage listed detached houses and group heritage listed attached houses with roof features on the primary street facing roof included in the statement of heritage significance, solar energy systems are not permitted on the primary street facing roof.
- (5) For contributory buildings in heritage conservation areas, solar energy systems must not be installed on a complex primary street facing roof as described in Figure 8
- (6) For contributory buildings in heritage conservation areas, solar energy systems must not result in removal of significant features such as chimneys, capping or parapet walls.

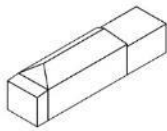
Figure 8. Complex and simple street facing roofs



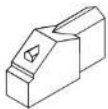
Simple primary street facing roofs



Complex primary street facing roofs



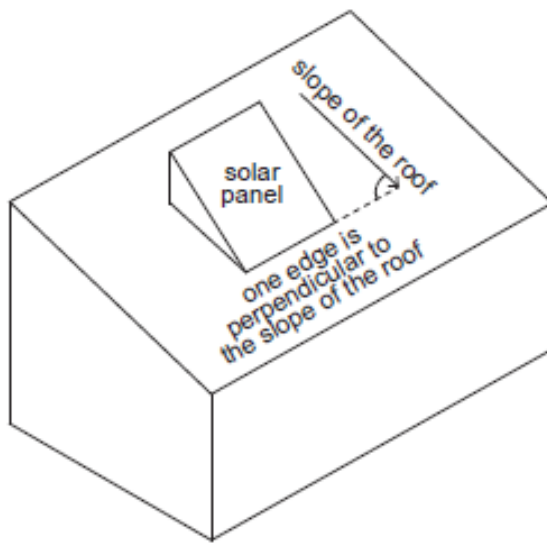
Simple but very small primary street facing roof
– may be permitted if a rectangular grid array of at least 4 solar panels can fit on the front roof plane



Simple primary street facing roof with a front dormer
– may be permitted if solar panels are arranged in a symmetrical pattern (see installation requirements)

- (7) Solar energy systems that involve mirrors or lenses to reflect or concentrate sunlight are not permitted.
- (8) Solar energy systems must be set back at a consistent distance from edges of the roof plane and at least 300 millimetres from the ridge of the roof. Installations are not to extend over any of the edges of the roof plane.
- (9) Solar energy systems must be mounted in the direction of the slope of the roof, with two sides perpendicular to the slope of the roof face, as shown in Figure 9.

Figure 9. Solar panel alignment



(10) For solar energy system installations on primary street facing roofs, parts of side boundary facing roofs visible from the primary street, or are otherwise visible from the primary street:

- (a) Installations must be mounted at the same angle as the roof plane they are installed on (i.e. not propped at a greater angle than the roof)
- (b) Installations are not to protrude more than 250 millimetres above the roof plane.
- (c) Installations must not be located on primary street facing verandahs or dormer roofs.
- (d) Elements other than solar panels and associated fixings and clips must not be visible from adjacent streets and parks. This means conduit and other equipment like water tanks, pipes and inverters must not protrude from under the panels and that mounting rails must be trimmed to the extent of the panels and clips.
- (e) Use of solar panels with a homogenous black or dark grey appearance, without distinctive silver areas connecting individual cells, is encouraged.
- (f) Solar panels divided on either side of roof features such as parapets, dormer windows, skylights and chimneys should be arranged evenly on either side.

(11) Equipment associated with a solar energy system, other than solar panels, is encouraged on side building walls not visible from the street and co-located with the meter box and inverter.

(12) Where associated equipment is visible from the primary street or adjacent parks it must not cover building features such as windows or decorative elements.

(13) Batteries are not be installed on the primary street facing wall. Side walls of a front verandah are acceptable.

(14) Notwithstanding above provisions, roof tile style solar panel systems are permitted on all roof surfaces, so long as the installation is compatible with the heritage significance of the subject building or conservation area.

d. Edit the text in Section 3.6.4 'Wind turbines' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.6.4 Wind turbines

Objectives

- (a) Replace carbon intensive power sources with renewable energy.**

(b) Reduce the impacts of development on adjoining properties, public domain and the environment.

Provisions

(1) Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):

- (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

(2) Wind turbines are:

- (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
- (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
- (c) not to affect the structural integrity of the building;
- (d) not to detract from the significance of a heritage item or a heritage conservation area; and
- (e) to be installed in accordance with manufacturer's specifications.

e. Edit the text in Section 3.6.5 'Materials and building components' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.6.5 Materials and building components

Objectives

(a) Improve indoor environmental quality.

(b) Increase the use of products from recycled sources.

(c) Reduce the environmental impact from and embodied carbon of building materials through substitution, reduction, re-use and recycling of materials, resources and building components.

Provisions

(1) Paints and floor coverings with low levels of volatile organic compounds (VOC) and low formaldehyde wood products are to be used where possible.

(2) Where possible, use building materials, fittings and finishes that:

- (a) have been recycled;
- (b) are made from or incorporate recycled materials; and
- (c) have been certified as sustainable or 'environmentally friendly' by a recognised third party certification scheme.

(3) Design building components, including the structural framing, roofing and facade cladding for longevity, adaptation, disassembly, re-use and recycling.

(4) Reduce the amount of materials used in the construction of a building wherever possible. Examples of potential methods include:

- (a) exposing structures to reduce the use of floor, ceiling and wall cladding and finishes;
- (b) naturally ventilating buildings to reduce ductwork;
- (c) providing waterless urinals to reduce piping and water use;

- (d) using prefabricated components for internal fit outs; and
- (e) providing only one bathroom for every two bedrooms in residential developments; and
- (f) optimising structural design to minimise material use.

(5) Development applications for non-residential development involving over 1,000 square metres of additional gross floor area are to include details of embodied emissions attributable to the development, including:

- (a) the estimated quantities of and total emissions associated with concrete, structural steel, masonry and aluminium fittings required based on the proposed design;
- (c) how the proposed design and construction methods enable the use of lower embodied emissions materials or products; and
- (d) how the proposed design and construction methods reduce the total amount of embodied emissions associated with the development.

f. Edit the objectives of Section 4.1.3.1 ‘Solar access’ as follows, with strikethrough representing deletion and underline representing additions or edits:

Objectives

- (a) Buildings are to be designed and sited to provide solar access to:
 - (i) private open space within the site and of adjoining dwellings;
 - (ii) habitable rooms within the development and in adjoining developments
 - (iii) public open space including bushland reserves; and
 - ~~(iv) solar collectors of adjoining development.~~

g. Delete Section 4.1.3.2 ‘Solar Collectors’ and renumber the following clauses accordingly.

h. Edit the text in Section 4.1.5.2 ‘Roof features’ as follows, with strikethrough representing deletion and underline representing additions or edits:

- (1) On heritage buildings and contributory and neutral buildings in heritage conservation areas:
 - (a) chimneys, and chimney detailing, are to be retained, even where fireplaces are no longer working;
 - (b) significant or original roof features, such as gables and finials, are to be retained; and
 - (c) missing significant or original roof features are to be reinstated when major works to the roof are proposed.
- (2) Solar water heater storage tanks, ventilators, wind generators, air conditioning units and satellite dishes and antennae are not to be located on the principal roof elevations of heritage items or buildings in heritage conservation areas.
- ~~(3) Solar collector panels may be located on roof plane visible from the public domain where they are parallel to the roof plane, there is minimal change to structure or fabric of the roof, removable and do not exceed 25% of the area of the roof plane.~~
- ~~(4) Notwithstanding provision (3), the installation of solar collectors and photovoltaic panels are not acceptable if it results in adverse impacts on the subject building and the streetscape.~~

i. Remove Section 3.2.7 ‘Reflectivity’ and replace with the following text:

3.2.6 External shading and reflectivity

Reflective glazing and façade materials can be helpful in managing thermal comfort and improving building energy efficiency, however glare and concentrated heat transfer from reflective and mirrorlike materials can cause discomfort and safety issues for people nearby. Glare and heat

reflection can be controlled by locating, orienting and shading reflective surfaces, or through careful material selection.

Tinted glass and high performance (heat rejecting) glass reduce visibility of interior activity, which reduces the visual interest of a building. Their use also reduces the ability of development to receive desirable passive heating during colder months. These controls support greater use of clear glass, with appropriate siting, orientation and external shading.

Note: These provisions do not apply to single dwellings, dual occupancies or terraces, with the exception of Provision 4 which does apply.

Objectives

- (a) Ensure new development does not cause hazardous or uncomfortable glare or reflected heat that affects people in public places or to people in neighbouring buildings.
- (b) Reduce urban heat.
- (c) Ensure all forms of residential accommodation provide safe refuge during prolonged heatwaves and power outages and for people without access to air conditioning.
- (d) Minimise internal summer heat loads for non-accommodation development.

Provisions

- (1) Development must not create unsafe glare or heat transfer to main roads, parks over 5,000 sqm or to the operations of Sydney Airport.
- (2) Where development contains glossy surfaces or curved glazing that is likely to cause glare, and is located in proximity to a main road, park or Sydney Airport, a Sunlight Reflectivity Report including required modelling must be provided demonstrating there is no unsafe glare to people in these locations.
- (3) All roof areas (including podiums) that are not covered by green roofs, plantings, tree canopy, solar panels, heat rejection plant, accessible open space or shade structures must have a Solar Reflectivity Index of:
 - (a) For non-glazed surfaces at roof level with an angle of 45 degrees or less: SRI value 78 or more
 - (b) For non-glazed surfaces at roof level with an angle of more than 45 degrees: 39 or more.
- (4) Except for dwelling houses and ground floor facades, window to wall ratios and external shading devices must be provided that ensure that:
 - (a) for residential development (including all forms of accommodation except hotels) – no more than 20% of the area of each façade of each habitable room is glazing exposed to direct sunlight, at any time on 22 December and 1 March; and
 - (b) for development other than (a) – solar exposed glazing is reasonably minimised at each occupied floor, having regard to the performance described in the City of Sydney Passive Sustainable Design Guide.
- (5) Notwithstanding (4), development may demonstrate appropriate shading performance to satisfy (a) or (b) either with full solar modelling or when glazing meets the following criteria separately for each facade (including roof planes) of each internal space:
 - (a) the glazing is orientated more than 145 degrees either side of True North, that is generally facing south; or
 - (b) the width of glazing is 900 millimetres or less, and glazing makes up 20 per cent or less of the facade area (except for the habitable room that must be entirely protected); or
 - (c) the facade has operable adjustable external shading devices that shade the entire glazed area when closed; or

(d) for glazing orientated within 35 degrees of True North - the facade has a permanent, solid, horizontal projection at the head of any glazing that extends for its full width and at least a distance equal to 45% of the height of the glazing; or

(e) for residential development (including all forms of accommodation except hotels) or other development with a value of less than \$50M - 20 per cent or less of the facade area comprises glazing exposed to direct sun, as demonstrated by a “view from sun” diagram using the relevant angles for the orientation of the glazing in Table 12.

Table 12. **Angles for generating a sun's eye view of a facade**

Orientation of glazing (11.25° either side of:)	Azimuth (Angle clockwise from True North)	Altitude (Angle from horizontal)
N	352°	75°
NNW	269°	40°
NW	269°	43°
WNW	256°	23°
W	257°	23°
WSW	283°	35°
SW	272°	40°
SE	88°	40°
ESE	77°	35°
E	103°	24°
ENE	103°	24°
NE	91°	43°
NNE	91°	40°

Note: In (4) and (5), all references to glazing and facade surface area is the area measured between finished floor levels and centrelines of internal walls as measured from internal spaces. Glazing and facade area that covers adjoining internal walls, building services and in-ceiling infrastructure is included.

(6) Generally, light reflectivity from building materials used on facades must not exceed 20% specular visible light reflectance.

j. Delete Section 4.2.3.4 ‘Design features to manage solar access’

Amendment 10 – Water and flood management

a. Remove Section 3.7 ‘Water and Flood Management’ and replace with the following text:

3.7 Water and Flood Management **Policy**

Planning for flooding is essential to ensure community safety and minimise property damage. The flood management provisions of this DCP meet the requirements of the NSW Government's Floodplain Development Manual 2005 and Flood Prone Lands Policy. This includes the incorporation of the recommendations of the City's Floodplain Risk Management Plans prepared in accordance with the Manual. These Plans are published on the City's website and updated regularly to understand the flood risk and to mitigate flooding impacts.

This section of Sydney DCP 2012 is the adopted flood policy for the entire City of Sydney local government area, including areas where Sydney DCP 2012 does not apply (Council resolution 23 June 2025)

Definitions

Annual Exceedance Probability (AEP) means the chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. 1% AEP flood is approximately equal to 1 in 100-year Average Recurrent Interval (ARI) flood event (or simply 100-year flood). It has 1% chance to occur in a given year.

Average Recurrence Interval (ARI) means the long-term average number of years between a flood occurring as big as or larger than, the selected flood event. For example, floods with a discharge as great as, or greater than, the 20-year ARI flood event may occur on average once every 20 years.

Basement Areas means the space of a building which is partially or entirely below the adjacent finished ground level and enclosed from four sides. Basement Areas are areas where the means of drainage of accumulated water from the lowest point in the basement to the street drainage system is not possible.

Critical Facilities means hospitals and ancillary services, communication centres, emergency services organisation, major transport facilities, sewerage system plant, electricity generating works, any installations containing critical infrastructure control equipment, and any operational centres for use in a flood.

Design Flood (or designated flood or flood standard) means a flood of specified magnitude that is adopted for land use planning or any other flood risk mitigation purposes. Selections should be based on an understanding of flood behaviour and the associated flood risk, and take account of social, economic and environmental considerations. There may be several design floods for an individual area depending on the requirement.

Enclosed Car Park means a ground level hard stand area located off-street that is constrained or fenced along some or all of its perimeter and may or not be open to the sky and is designed for the temporary storage of motor vehicles.

Flood means a relatively high stream flow that overtops the natural or artificial banks in any part of a stream, channel, river, estuary, lake or dam, and/or Local Overland Flooding associated with major drainage as defined by the Flood Risk Management Manual before entering a watercourse, and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunamis.

Floodplain means the area of land which is subject to inundation by floods up to and including the probable maximum flood (PMF) event.

Flood prone land means land that is subject to mainstream or local overland flow flood risk.

Flood Planning Area (FPA) means the area of land below the flood planning level (FPL) and thus subject to flood related development controls.

Flood planning level (FPL) means the combinations of flood levels and freeboards selected for floodplain risk management purposes, as determined in flood studies and floodplain risk management studies and plans.

Floodplain Risk Management Plan (FRMP) means a plan prepared for one or more floodplains in accordance with the requirements of the Flood Risk Management Manual or its predecessor.

Freeboard means a factor of safety expressed as the height above the design flood level. Freeboard provides a factor of safety to compensate for uncertainties in the estimation of flood levels across the floodplain, such as wave action; localised hydraulic behaviour and impacts that are specific event related, such as levee and embankment settlement; cumulative impacts of fill in floodplains and other effects such as changes in rainfall patterns as a result of climate change.

Hazardous Substances means solids, liquids, or gases that can harm people, other living organisms, property, or the environment. These may include materials that are radioactive, flammable, explosive, corrosive, oxidizing, asphyxiating, bio-hazardous, toxic, pathogenic, or allergenic. Also included are physical conditions such as compressed gases and liquids or hot materials, including all goods containing such materials or chemicals, or may have other characteristics that render them hazardous in specific circumstances.

Local Overland Flooding or *Local Overland Flow Path* occurs where the maximum cross-sectional depth of minor flooding in the local overland flow path through and adjacent to the site is less than 0.3 metres for the 1% AEP.

Mainstream Flooding means inundation of normally dry land occurring when water overflows the natural or artificial banks of a drainage channel, piped trunk drainage system, stream, river, estuary, lake or dam. Mainstream flooding occurs where the Local Overland Flow Path criteria cannot be satisfied.

Open Car Park means a ground level hard stand area located off-street that has an unconstrained or unfenced perimeter and is designed for the temporary storage of motor vehicles.

Probable Maximum Flood (PMF) means the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

3.7.1 Floodplain management

3.7.1.1 Flood risk assessment

Objectives

- (a) Mitigate flooding risk from new development.
- (b) Ensure forecast effects of climate change are considered in mitigating flood risk over the life of development.

Provisions

- (1) A property identified in planning certificates as being subject to flood related development controls is required to prepare and submit a site-specific flood risk assessment as part of a development application.
- (2) A site-specific flood risk assessment must be prepared using the appropriate approved final flood model for the relevant catchment (available upon request to Council) or, subject to agreement by Council, an alternative proposed model.
- (3) The flood risk assessment must be prepared by a suitably qualified and experienced professional in accordance the following guidelines:
 - (a) Flood Risk Management Manual [2023 and all associated guidelines](#);
 - (b) Australian Rainfall and Runoff 2019;
 - (c) Australian Disaster Resilience Handbook 7 Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia (AIDR 2017);
 - (d) NSW Coastal Planning Guideline: Adapting to Sea Level Rise;
 - (e) NSW Coastal Risk Management Guide: Incorporating Sea Level Rise Benchmarks in Coastal Risk Assessments; and

~~(f) NSW Flood Risk Management Guide: Incorporating Sea Level Rise Benchmarks in flood Risk Assessments.~~

~~(f) Shelter in place guideline for flash flooding (NSW Department of Planning, Housing and Infrastructure 2025)~~

- (4) The flood risk assessment must be based on flood modelling that uses appropriate hydrological and hydraulic techniques.
- (5) The flood risk assessment must incorporate appropriate boundary conditions.
- (6) The flood risk assessment must address the following considerations:
 - (a) existing flood behaviour around the site;
 - (b) recommendations for design techniques that ensure compliance with this DCP;
 - (c) where the development affects existing flood behaviour, the impact of the development on flood behaviour and flood risks to nearby properties;
 - (d) projections of increased sea levels due to climate change relevant to the expected lifespan of the building, being:
 - (i) by 2050 – 40 centimetres above the 2009 Mean Sea Level, and
 - (ii) by 2100 – 90 centimetres above the 2009 Mean Sea Level.
 - (e) impacts of projected increases in rainfall intensities due to climate change on risk of flooding and regional or catchment trunk drainage relevant to the expected lifespan of the building, being:
 - (i) by 2050 – 10 per cent above a 1% AEP event
 - (ii) by 2100 – 20 per cent above a 1% AEP event
 - (f) residual risk to life above the FPL, with reference to PMF flood hazard at the site.
- (7) The flood risk assessment must include the following information:
 - (a) a site survey plan with an appropriate contour interval that show the pre-development and post-development relative flood levels to Australian Height Datum;
 - (b) the design and position of existing and proposed buildings;
 - (c) existing and proposed finished floor levels together with their habitation status to Australian Height Datum;
 - (d) pre-development and post-development flooding scenarios demonstrating no adverse impacts to flood behaviour as a result of the development;
 - (e) a detailed topographical survey that defines flow paths, storage areas and hydraulic controls;
 - ~~(f) flood depth and velocity;~~
 - (g) water surface contours;
 - ~~(g) velocity vectors;~~
 - ~~(h) velocity and depth product contours;~~
 - ~~(h) flood hazard;~~
 - ~~(i) flood function;~~
 - (j) ~~delineation of~~ flood risk precincts; and
 - (k) flood profiles for the full range of events for total development including all structures and works (such as revegetation and physical enhancements).

Note: Additional information may be required to undertake a full assessment.

(8) The flood risk assessment is to assume the drainage inlet blockage factors prescribed in the Sydney Streets Technical Specification. Culverts and bridges with an open area less than six metres (measured on the diagonal) are to assume a 50% blockage factor.

3.7.1.2 Flood planning levels

Objectives

- (a) Minimise risk to life from flooding due to development on flood prone land.
- (b) Minimise risk of flood damage to property and infrastructure due to development on flood prone land.
- (c) Encourage the creation of active frontages to buildings that are resilient to flood impacts and maximise streetscape amenity.

Provisions

- (1) Development must provide floor levels at entries that comply with the minimum flood planning levels specified in Table 13.

Table 13. Relevant flood planning levels by development type and flooding type

Development Description		Type of flooding	Flood planning level
Commercial Premises	Business premises	Mainstream or Local Overland Flooding	Minimum 1% AEP flood level Flood compatible materials below 1% AEP or below 1% AEP plus 0.5 m, where 1% AEP flood depth is greater than 0.25m
	Office Premises or places where valuables are stored	Mainstream or Local Overland Flooding	Minimum 1% AEP flood level Flood compatible materials below 1% AEP plus 0.5 m, where 1% AEP flood depth is greater than 0.25m
	Retail Premises	Mainstream or Local Overland Flooding	Minimum 1% AEP flood level Flood compatible materials below 1% AEP plus 0.5 m, where 1% AEP flood depth is greater than 0.25m Notwithstanding the above, without increasing risk to life, a reasonable balance between flood protection and urban design outcomes for the street must be demonstrated.
		Mainstream Flooding	1% AEP flood level + 0.5m

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Development Description		Type of flooding	Flood planning level
	Tourist and visitor accommodation – habitable rooms	Local Overland Flooding	Two times the depth of flow with a minimum of 0.3m above the surface level at entry points
	Minor additions up to 40 sqm ground floor space (see Note)	Mainstream or Local Overland Flooding	Existing habitable floor area.
Critical Facilities	Critical Facility Floor Levels	Mainstream or Local Overland Flooding	1% AEP flood level + 0.5m or the PMF, whichever is higher
	Access to and from critical facility within development site	Mainstream or Local Overland Flooding	1% AEP flood level
Education Premises	Educational establishments and centre-based childcare facilities	Mainstream Flooding.	1% AEP flood level +0.5m
		Local Overland Flooding	Two times the depth of flow with a minimum of 0.3m above the surface level at entry point.
Health Services Premises	Health Services facility (except hospitals, see Critical Facility)	Mainstream Flooding	1% AEP flood level +0.5m
		Local Overland Flooding	Two times the depth of flow with a minimum of 0.3m above the surface level at entry point.
Industrial Premises	General Industrial activities	Mainstream or Local Overland Flooding	1% AEP flood level. Flood compatible materials below 1% AEP plus 0.5 m, where 1% AEP flood depth is greater than 0.25m
	Office Premises or places where valuables are stored	Mainstream or Local Overland Flooding	1% AEP flood level. Flood compatible materials below 1% AEP plus 0.5m, where 1% AEP flood depth is greater than 0.25m
Residential accommodation	Habitable rooms in a building used as a place of residence.	Mainstream Flooding	1% AEP flood level + 0.5m
		Local Overland Flooding	Two times the depth of flow in 1% AEP flood with a minimum of 0.3m

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Development Description		Type of flooding	Flood planning level
			above the surface level at entry point
	Non-habitable rooms such as a laundry or garage (excluding below-ground car parks)	Mainstream or Local Overland Flooding	1% AEP flood level
	Housing for Seniors or people with disabilities (Habitable rooms)	Mainstream or Local Overland Flooding	1% AEP flood level + 0.5m or the PMF, whichever is the higher
Basement Areas	Basement Area Car park – No more than two car spaces	Mainstream Flooding	1% AEP flood level + 0.5m
		Local Overland Flooding	Two times the depth of flow with a minimum of 0.3m above the surface level at entry point
	Basement Area Car park – more than two car spaces	Mainstream or Local Overland Flooding	1% AEP flood level + 0.5m or the PMF (whichever is higher)
	Non-car park uses in basement areas	Mainstream or Local Overland Flooding	1% AEP flood level + 0.5m or the PMF (whichever is higher)
Above ground car parking	Open Car Park	Mainstream or Local Overland Flooding	5% AEP flood level
	Enclosed Car Park and garages	Mainstream or Local Overland Flooding	1% AEP flood level
Hazardous Storage Establishments or Hazardous storage areas in other developments	Storage of Hazardous Substances	Mainstream or Local Overland Flooding	Floor level at 1% AEP flood level Storage at 1% AEP flood level + 0.5m or the PMF, whichever is higher. Flood compatible materials below 1% AEP plus 0.5m, where 1% AEP flood depth is greater than 0.25m or placed within an area protected up to the FPL by bunds or ground levels that prevent flood water entry.

Note: Where more than one flood planning level applies, the higher requirement prevails.

Note: For below ground development, including basements and car parks, the flood planning level control means the minimum level at each access point and any openings where flooding ingress could occur.

Note: Refer to the definitions of Mainstream Flooding and Local Overland Flooding at the beginning of this section.

- (2) New development should generally not result in floor levels of habitable rooms below the PMF level.
- (3) Where a flood risk assessment identifies possible over floor inundation of habitable rooms at the PMF level, the following must be provided:
- (a) a path of clear access from the lowest habitable floor to a refuge area above the PMF level;
 - (b) a site flood emergency response plan including provisions for the affected area
 - (c) for the affected area, flood compatible materials in accordance with section 3.7.1.3 'Design to reduce risk and hazard', and certification from a suitably qualified engineer that the structure can withstand flooding at PMF level.
- (4) Provisions 2 and 3 do not apply to alterations and additions to existing development.

3.7.1.3 Design to reduce risk and hazard

This section applies to development located in a floodplain and subject to a flood risk assessment.

Objectives

- (a) Reduce risk of property damage and loss of life from flooding.
- (b) Reduce extent of damage and support resilience and recovery from flooding events.

Provisions

Building materials

- (1) Flood Compatible Materials as described in Schedule 12 of this DCP are to be used in new building works where required in Table 13 'Relevant flood planning levels by development type and flooding type'.
- (2) Flood Compatible Materials not listed in Schedule 12 may be employed subject to certification of the suitability of the material by the manufacturer.

Electrical and mechanical services

- (3) Electricity supply and metering equipment is to be located above the designated flood planning level.
- (4) Electrical supply must be able to be fully isolated at the main switchboard.
- (5) All wiring, switches and connections are to be located above the flood planning level unless they are designed for continuous underwater immersion.
- (6) Building sections below the flood planning level are to be provided with separate light and power circuits.
- (7) Earth leakage circuit-breakers (core balance relays) or residual current devices are to be installed.
- (8) Only submersible type splices are to be used on circuits below the flood planning level.
- (9) All electricity conduits are to be designed to be self-draining.
- (10) The circuitry in the building shall be designed to ensure that there is no risk to life in flood events up to and including the PMF.

Heating and air conditioning systems

- (11) Heating and air conditioning systems are to be installed in areas and spaces above the flood planning level.
- (12) Heating systems using gas or oil as a fuel are to have a manually operated valve located in the fuel supply line to enable fuel cut-off.
- (13) The heating equipment and related fuel storage tanks are to be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line.
- (14) Fuel tanks are to be vented above the flood planning level.

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- (15) All ductwork below the flood planning level is to be provided with openings for drainage and cleaning and include a closure assembly operated from above the flood planning level when ductwork passes through a water-tight wall or floor.

Active or moving flood control devices or systems, including flood doors and barriers

- (16) Flood control devices or systems are not permissible except where:
- (a) all other passive structural flood mitigation options, including design, have been explored and documented and council is satisfied that none of the options can be implemented;
 - (b) where other options cannot be implemented and it is required to satisfy a mandatory planning and/or construction code requirement, so the development may proceed; and
 - (c) the area requiring the protection from a device or system is to be minimised through design, for example, changes to internal layout, reduced parking or floor levels.
- (17) Flood controls devices or systems will not be approved for the primary purpose of protecting parking areas.
- (18) Flood control devices or systems must be designed to withstand flood-related forces including hydrostatic load and dynamic load and impacts in a probable maximum flood event.
- (19) Flood control devices or systems must be certified by an appropriately experienced engineer registered on the National Engineers Register (NER).
- (20) Flood control devices or systems are required to be integrated into relevant openings of a building to descend from above or ascend from below to exclude floodwater.
- (21) Automatic closure of flood control devices or systems is required, together with an anti-opening mechanism to prevent them from being opened in a flood event.
- (22) Appropriate safety measures are required to support the operation of the flood control devices or systems, including, but not limited to:
- (23) an independent back-up power supply, to be used in the event of a power failure;
 - (24) audible and visual alarm systems to warn of the operation of the flood doors and barriers. The alarm system must be linked to the building management system which indicates the status of the failsafe operation and back-up supply power;
 - (25) flood sensors linked to the alarm system to provide information on the status of the operation of the flood control devices or systems; and
 - (26) passenger lift programming is to ensure that the lift is deactivated when flood doors and barriers are activated.
- (27) A Plan of Management is required to accompany an application that includes flood control devices or systems. The plan must be assessed and approved concurrently with the application.
- (28) The Plan of Management is to:
- a. provide comprehensive details about the flood control devices or systems, including, but not limited to, all safety measures as required by this DCP;
 - b. the site and locality details in relation to the risk of flooding, including appropriate maps;
 - c. location and operation of flood sensors
 - d. emergency plan for egress in the event of a flood event which includes:
 - i. a map directing users of the building to a suitable location;
 - ii. describe the alarm systems, details and location of flood sensors; and
 - iii. operation of lifts if they are located in a flood affected area of the building;
 - e. a plan for the how the flood control device or system is to be appropriately maintained and managed over the life of the development;
- (29) If approved a condition of consent will require compliance with the approved Plan of Management.

Shelter in place

(30) Any shelter in place approach is to be consistent with NSW Shelter-in-Place Guideline (2025) and the Flood Risk Management Toolkit for Development (2023) and is to address site suitability.

implementation in the site's emergency management response and building design in accordance with the Shelter in Place Guideline.

3.7.1.4 Ancillary Development

Objectives

- (a) Prevent flood impacts to adjacent development and public space from filling, extending building footprints or fencing.
- (b) Ensure fences do not obstruct free flow of flood waters, threaten the stability of structures or become a safety risk in a flooding event.
- (c) Ensure filling of land does not negatively impact on the floodplain.

Provisions

- (1) Fencing located at or below the flood planning level must not modify the overland flow of flood waters, contribute to flooding risk or risk of damage to surrounding land.
- (2) Filling of flood prone land must not result in increased flood risk elsewhere, as demonstrated by a flood risk assessment.

3.7.1.5 Minor additions

Objective

- (a) Enable low impact development with minimal flood risk and flooding impacts to occur.

Provisions

- (1) Minor building additions that will have minimal impact on the floodplain and will not present an unmanageable risk to life may be permissible below the flood planning level, where:
 - (a) the minor addition is to an attached dwelling and is for no more than 40 square metres of habitable floor area and at or above the same level as the existing adjoining approved floor level for Habitable Floor Area; or
 - (b) the minor addition is to a commercial or industrial building and is for no more than 100 square metres or 20% (whichever the less) of the gross floor area of the existing building at no lower than the same level as the existing adjoining approved floor level.
- (2) Only one such minor addition is permissible per principal development.
- (3) The City may request additional information as required to ensure flood risks are acceptable.
- (4) Where a minor addition is to be approved in accordance with this section then:
 - (a) reasonable practical improvements are to be included as part of any redevelopment or refurbishment proposal to reduce the risk and impact of flooding in accordance with the risk and hazard precautions outlined in section 3.7.1.3 Design to reduce risk and hazard; and
 - (b) a restrictive covenant on the property title will be applied, requiring compliance with the relevant floodplain management plan.

3.7.1.6 Temporary development

Objective

- (a) Enable temporary development with minimal flooding risk to occur.

Provisions

- (1) Temporary development that does not comply with the flood planning level for the site may be approved by Council under the following circumstances:
 - (a) The development will occupy the site for no more than 12 months;

- (b) A risk assessment demonstrates that the risk and hazard to occupants is low;
- (c) A risk assessment demonstrates development does not increase risk and hazard to other adjacent development;
- (d) The development comprises temporary or demountable structures; and
- (e) The development does not involve residential accommodation.

3.7.1.7 Heritage management

Objectives

- (a) Manage flooding risk on sites containing a heritage item.
- (b) Enable development on heritage sites with minimal flooding risk to occur.

Provisions

(1) Development of heritage significant places at or below the Flood Planning Level that are listed heritage items, heritage conservation areas, draft heritage items, draft heritage conservation areas and places assessed as culturally significant may be exempt from the flood planning controls in this section. To support an exemption, a heritage flood assessment prepared by a suitably qualified engineer and heritage expert must be provided with the following information:

- (a) an expert assessment demonstrating that compliance with flood planning controls is incompatible with protecting the heritage significance of the site;
- (b) details of the maximum practical level of flood protection that can be achieved within the development while protecting the heritage significance of the site;
- (c) a management and maintenance plan for design features and material elements of heritage significance which may be subject to flood damage, including consideration of long term damage to building fabric and structural integrity;
- (d) proposed upgrades to the existing building elements and services, as outlined in Section 3.7.1.3, to reduce the risk and hazard of flooding; and
- (e) measures that will be implemented for sites subject to flooding events more frequent than the 5% AEP flood.

3.7.2 Drainage and stormwater management

Objectives

- (a) Ensure new development minimises the impact of stormwater and flooding on other existing or planned development and the public domain both during and after a flood event.
- (b) Ensure stormwater is managed to minimise flooding.

Provisions

- (1) For sites less than 1,000 square metres in size, drainage discharges are to comply with the Sydney Streets Technical Specification.
- (2) For sites greater than 1,000 square metres in size, a Local Drainage Management Plan is required to be prepared by a suitably qualified engineer with experience in drainage design.
- (3) The Local Drainage Management Plan must meet the following requirements:
 - (a) the hydrology of the locality and its relationship to the drainage system;
 - (b) the distribution of soil types and the scope for on-site infiltration;
 - (c) any expected rise in ground water level due to development;
 - (d) the role of the principal landscape components on the site for water conservation and on-site detention;

- (e) the scope for on-site stormwater detention and retention, including collection of water for re-use;
 - (f) how any detrimental impacts on the existing natural hydrology and water quality are proposed to be minimised;
 - (g) how pedestrian safety is to be ensured; and
 - (h) integration of drainage management responses and open space areas.
- (4) Drainage systems are to be designed so:
- (a) stormwater flows up to the 5% annual exceedance probability event are conveyed by a minor drainage system; and
 - (b) stormwater flows above the 5% annual exceedance probability event are conveyed by a major drainage system.
- (5) Development must demonstrate how the major drainage system addresses any site-specific conditions and connects to the downstream drainage system.
- (6) Development must demonstrate upstream and downstream natural flow paths are maintained to existing conditions.
- (7) Major drainage systems are to be designed so that ensures that public safety is not compromised.
- (8) Minor drainage flows from the development site are to be designed to comply with the Sydney Streets Technical Specification.
- (9) Where the proposed development is located on a floodplain, high level overflows are permitted for roof drainage systems where the overflow is set above the 1% annual exceedance probability level.
- (10) Discharge to the kerb and gutter is to be in accordance with the Sydney Streets Technical Specification.
- (11) Connection to existing stormwater infrastructure is not to reduce the capacity of that infrastructure by more than 10%, otherwise an on-site stormwater detention or retention system is to be provided.
- (12) The post development run-off from impermeable surfaces (such as roofs, driveways and paved areas) is to be managed by stormwater source measures which:
- (a) contain frequent low-magnitude flows;
 - (b) maintain the natural balance between run-off and infiltration;
 - (c) remove some pollutants prior to discharge into receiving waters;
 - (d) prevent nuisance flows from affecting adjacent properties; and
 - (e) enable appropriate use of rainwater and stormwater.
- (13) Developments with a site area greater than 1,000 square metres must achieve the total site roof runoff reduction amounts shown in Table 14 'Rainfall runoff reduction requirements'.
- (14) Development can meet the roof runoff reduction targets by capturing rainwater falling on at least 95 per cent of the roof area, installing the minimum recommended rain water tank sizes shown in Table 14 'Rainfall runoff reduction requirements'
- (15) Where rainwater tanks are provided, dual reticulation infrastructure must be provided at a level commensurate with the expected volume of captured rainwater.

Note: Notwithstanding (15), full dual reticulation and plumbing to all permitted non-potable water uses may be required on sites proximate to an existing or proposed recycled water network in accordance with section 3.6.2 (10).

Table 14. Rainfall runoff reduction requirements

Development type	Average annual roof runoff reduction target	Minimum recommended rain water tank size
Office premises, business premises	70 per cent	5,000 litres per 100 square meters of roof area
Hotel and motel accommodation	70 per cent	200 litres per room
Co-living and boarding houses	70 per cent	1,000 litres per private room
Multi-unit residential and serviced apartments	60 per cent	500 litres per dwelling
Retail premises	30 per cent	4,000 litres per 100 square metres of roof area
Industrial	20 per cent	1,000 litres per 100 square metres of roof area
Other land uses	The closest relevant above land use	

(16) Development can also meet the roof runoff reduction target by providing a stormwater runoff reduction assessment prepared by a suitably qualified engineer with experience in water sensitive urban design, with the following inclusions:

- (a) calculation of site area, roof area and forecast rainwater runoff;
- (b) calculation of the non-potable water demands of the development using industry standard data;
- (c) calculation of the required rainwater tank size, including modelling of multiple tank sizes; and
- (d) assessment based on an industry standard water balance model (such as MUSIC) using continuous simulation with rainfall data for a minimum 10 year period.

(17) Stormwater detention devices are to be designed to ensure that the overflow and flow path have sufficient capacity during all design rainfall events, discharge to the public stormwater system without affecting adjoining properties, and are free of obstructions, such as fences.

(18) Where infiltration and bio-retention devices are proposed, they are to be designed to capture and provide temporary storage for stormwater.

(19) Car parking areas and access aisles are to be designed, surfaced and graded to reduce runoff, allow stormwater to be controlled within the site, and provide for natural infiltration of stormwater runoff through landscaping.

3.7.3 Stormwater quality

This section only applies to development involving ground level impermeable surfaces greater than 500sqm in contiguous area, or when the requirements for roof runoff reduction requirements in section 3.7.3 'Drainage and stormwater management' are unable to be met.

Objectives

- (a) Ensure an integrated approach to water management across the City by using water sensitive urban design principles.

- (b) Encourage sustainable water management practices that also protect and support flora and fauna.
- (c) Ensure stormwater is managed reduce the effects of entrained pollution on receiving waterways.
- (d) Ensure development on flood prone land does not adversely impact upon the aesthetic, recreational and ecological values of waterways.

Provisions

- (1) For sites greater than 1,000 square metres in size a stormwater quality assessment must be undertaken to demonstrate the development will achieve pollutant load standards indicated below:
 - (a) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;
 - (b) reduce the baseline annual pollutant load for total suspended solids by 85%; and other
 - (c) reduce the baseline annual pollutant load for total phosphorous by 65%; and
 - (d) reduce the baseline annual pollutant load for total nitrogen by 45%.
- (2) The stormwater quality assessment is to be prepared by a suitably qualified engineer with experience in water sensitive urban design (WSUD) and include:
 - (a) modelling of pollutant load standards. The model outputs are to be compatible with the City's reporting requirements;
 - (b) the design of WSUD measures used to achieve the post-development pollutant load standards; and
 - (c) maintenance schedules of any proposed WSUD measure that require maintenance or full replacement throughout the life of the development. The schedules shall also include the recycling methodology of any wastes that may be generated. The City may require that these measures be incorporated into a positive covenant.
- (3) Development on a site with an area less than 1,000 square metres is to be designed so that the flow of pollutants from the site due to stormwater is reduced.
- (4) Service stations, motor showrooms, vehicle repair stations and vehicle body repair workshops are to capture all stormwater up to the 3-month Average Recurrence Interval event within the site to reduce the risk of stormwater pollution caused by spilled contaminants. The critical duration storm for the property and the 24-hour duration storm should be analysed. Drainage and waste disposal are to be conducted to the levels specified by the NSW Environmental Protection Authority.

b. Insert the following text at the end of Schedule 13:

Schedule 14 - Flood Compatible Materials

Section 3.7 Water and Flood Management includes requirements for development on flood prone land. According to 3.7.1.2 Table 13 flood compatible building materials must be used up to a certain height where built form is proposed on flood prone land.

This schedule details appropriate flood compatible materials to be used in these circumstances.

Component	Flood Compatible Material
Flooring and sub-floor	Concrete slab-on-ground monolith construction Suspended reinforced concrete slab Flood compatible floor coverings

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Wall Structure	Solid brickwork, blockwork, reinforced concrete or mass concrete, galvanised steel.
Wall and Ceiling Linings	Fibrous-cement board Cement rendered Brick, face or glazed Clay tile glazed in waterproof mortar Concrete Concrete block Steel with water resistant linings applications Stone, natural solid or veneer, waterproof grout Glass blocks Glass Plastic sheeting or wall with waterproof adhesive
Roof Structure	Reinforced concrete construction Galvanised metal construction
Doors	Solid panel with water proof adhesives Flush door with marine ply filled with closed cell foam Painted metal construction Aluminium or galvanised steel frame
Insulation	Closed cell solid insulation Plastic/polystyrene boards
Windows	Aluminium frame with stainless steel rollers or similar corrosion and water-resistant material
Nails, bolts, hinges and fittings	Brass, nylon or stainless steel Removable pin hinges Hot dipped galvanised steel wire nail or similar

Design excellence

Amendment 11 – Competitive design processes and development control plans

b. Edit the text in the preamble of Section 3.3 ‘Design Excellence and Competitive Design Processes’ as follows, with strikethrough representing deletion and underline representing additions or edits:

This section contains objectives and provisions to guide design excellence and fine grain urban form in significant development. All buildings contribute to the urban and public domain character of a city. It is important that design excellence is a fundamental consideration in the assessment of development applications.

In recognition of the additional cost of a competitive design process, a successful design competition that achieves design excellence can be awarded additional building height and ~~or~~ floor space of up to 10%. ~~or one floor whichever is the greater.~~

To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Central Sydney Tower Cluster Areas, a building demonstrating design excellence through an architectural design competition can be awarded up to 50% additional floor space.

The following DCP provisions complement Part 6, Division 4 Design Excellence under the Sydney LEP 2012 and must be read in conjunction with the City of Sydney Competitive Design Policy and the Model Competitive Processes Brief.

The City of Sydney contains a number of urban renewal areas and large development sites. Within these areas it is important that development achieves high design quality standards and design variety. The following objectives and provisions aim to achieve design excellence through the application of competitive design processes.

Refer also to Section 3.1.6 Sites greater than 5,000 sqm, Section 3.3.8 Site specific development controls plans and concept development applications.

c. Edit the text in Section 3.3.1 ‘Competitive design process’ provision 1 as follows, with strikethrough representing deletion and underline representing additions or edits:

(1) In accordance with Clause 6.21D(1) of the Sydney LEP 2012 any of the following development is subject to a competitive design process:

(a) buildings greater than 55m in Central Sydney and greater than ~~25~~ 35 metres outside of Central Sydney;

(b) development having a capital investment value of more than \$100,000,000;

(c) development in respect of which a development control plan is required to be prepared under Clause 7.20 of the Sydney LEP 2012.

~~(d) development for which the application has chosen such a process.~~

d. Edit the text in Section 3.3.2 ‘Design excellence strategy’ as follows, with strikethrough representing deletion and underline representing additions or edits:

(1) The Design Excellence Strategy is to define:

(a) the location and extent of each competitive design process, where each competitive design process is to be limited to a single development site or street block;

~~(b) the number and type of competitive design process(es) to be undertaken (‘open’ or ‘invited’)
an open or invited architectural design competition or competitive design alternatives.
Competitive design alternatives is not available for buildings seeking to demonstrate design
excellence in a Tower Cluster Area;~~

(c) the number of designers involved in the process(es);

(d) how fine grain and contextually varied architectural design is to be achieved across large sites;

(e) whether the competitive design process is pursuing additional floor space or building height;

(e) options for distributing any additional floor space or height which may be granted by the consent authority for a building demonstrating design excellence ~~through a competitive design process, as defined under 6.21A of Sydney LEP.~~

~~(f) the target benchmarks for ecologically sustainable development.~~

~~(1A) (2) In addition to clause (1), buildings seeking to demonstrate design excellence For~~
development undertaking a competitive design process in a Tower Cluster Area, the Design Excellence Strategy is to:

(a) demonstrate compliance with the Tower Cluster Area provisions in the City of Sydney Competitive Design Policy; and

(b) demonstrate the analysis required for Tower Cluster Area sites under section 3.3.8 Site Specific development control plans and concept development applications has been addressed ~~in the application.~~

e. Remove Section 3.3.5 ‘Awarding additional floor space’ and replace with the following text:

3.3.5 Calculating additional floor space

Sometimes a competitive design process applies to a part of a building or development site. For example, this may occur when a development proposes additions to an existing building, or when a site is developed in stages.

Where a competitive design process is for less than the total floor space of a development site, or does not cover all the floor space subject to a development application, the additional floor space that may be awarded under Part 6, Division 4 ‘Design Excellence’ of Sydney LEP must be calculated proportionally in accordance with this section.

Definitions

Additional floor space is the amount of floor space that may be awarded by the consent authority under Part 6, Division 4 ‘Design Excellence’ of Sydney LEP for a building demonstrating design excellence, expressed in square metres.

Competition floor space is the total amount of floor space that is the subject of a competitive design process expressed in square metres. It already includes any additional floor space that might be awarded as a result of the competitive design process.

Any amount of floor space that is not subject to significant design and development as part of the competitive design process is not included, even if it is included in the development application.

Eligible award is either 10% under Clause 6.21D or 50% under Clause 6.21E of Sydney LEP.

Objectives

(a) Ensure the amount of additional floor space awarded is in proportion to the floor space subject to the competitive design process.

Provisions

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- (1) Only floor space subject to significant design and development as part of a competitive design process can contribute to calculating additional floor space under Part 6, Division 4 'Design Excellence' of Sydney LEP.
- (2) A development may be eligible for additional floor space not exceeding the amount calculated in accordance with the following formula:

$$A = C \times \frac{E}{1 + E}$$

Where:

A = additional floor space

C = competition floor space

E = eligible award, expressed as a decimal

An example for calculating additional floor space for development proposing additions to an existing building is provided below:

Floor space subject to the DA: 15,000 square metres

Floor space not subject to significant design and development as part of the competitive design process: 5,000 square metres

Competition floor space: 10,000 square metres

Eligible award: 10%

Additional floor space: $10,000 \times \frac{0.1}{1+0.1} = 909.09$ square metres

f. Edit Section 3.3.6 'Distribution of additional floor space' provision 1 as follows, with strikethrough representing deletion and underline representing additions or edits:

3.3.6 Distribution of additional floor space and additional building height

(1) In distributing any additional floor space and building height within the site area covered by the competitive design process, the following considerations must be appropriately addressed:

- (a) Site and context analysis;
- (b) Public domain layout, including levels, uses, access and circulation, dedications and hierarchy of spaces;
- (c) Built form massing and dimensioned envelopes;
- (d) Overshadowing analysis;
- (e) Stormwater management strategy;
- (f) Traffic management and servicing strategy, parking numbers and location;
- (g) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure); and
- (h) Heritage impact statement.

(2) In addition to provisions 3.3.6(1)(a)-(h), for Tower Cluster Area sites subject to Clause 6.21E of Sydney LEP 2012, when distributing any additional floor space within the site area covered by the architectural design competition process, the following considerations must be appropriately addressed:

- (a) Where variations to Minimum Street Setbacks, Minimum Side and Rear Setbacks, Building Form Separations and Tapering controls under Sydney DCP 2012 are proposed, a Procedure B: Wind and Daylight Equivalence report is to be prepared in accordance with Schedule 12 of Sydney DCP.

To allow multiple options to be explored during the design competition applicants are required to test at least three massing options as part of the Concept Plan (see 3.3.8). For regular shaped sites where the base case envelope results in large, functional, and regular shaped floor plates, the base case envelope may be considered as one of the three massing options.

Note: where variations to Sydney DCP 2012 Minimum Street Setbacks, Minimum Side and Rear Setbacks, Building Form Separations and Tapering controls are sought the proponent is to demonstrate that variations comply with equivalency variation tests in relation to wind impacts and daylight/sky view factor. Importantly equivalency results still require urban design and streetscape analysis to determine their acceptability.

(b) A quantitative wind effects report is to be prepared by a suitably qualified wind specialist testing the base case building massing envelope and alternative massing envelopes. The report is to detail findings and compliance of wind tunnel testing conducted in accordance with Sydney DCP 2012 controls including Schedule 12, where appropriate. The report is to identify all locations and elements requiring wind management.

Note: Wind tunnel testing is a mandatory requirement. This wind tunnel testing will also apply where setback and separation variations to Sydney DCP 2012 are proposed.

(c) Provision of appropriate architectural roof feature and constructions zones.

Note: Construction methodology for envelopes within ~~30~~25 metres vertically of an airspace protection surface (excluding the Obstacle Limitation Surface) must be provided demonstrating no temporary penetrations of surfaces are required for cranes and other construction equipment. This requirement may be varied with the support of Sydney Airport in which case the minimum roof zone must be at least 10 metres.

A detailed site survey and demonstrated compliance via an envelope analysis of airspace protection charts detailed below is required. <http://www.sydneyairport.com.au/corporate/>
Airspace protection charts are available at the Sydney Airport website.

(d) Proposed new buildings (or altered buildings) must be capable of achieving best practice National Australian Built Environment Rating System (NABERS) performance that exceeds established minimum requirements of Sydney DCP 2012, as demonstrated through Energy Commitment Agreements.

g. Edit the text in Section 3.3.8 'Site specific development control plans and concept development applications' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.3.8 Site specific development control plans and concept development applications

A site-specific development control plan or a concept development application is required under Clause 7.20 of Sydney LEP 2012 for certain categories of development. The development control plan must address the issues set out in Clauses 7.20(4) and Division 4 Design Excellence of Sydney LEP 2012.

(1) The following documentation is to be provided as part of a site specific development control plan application:

- (a) Site, context and development options analysis;
- (b) Public domain ~~layout~~ concept plan including levels, uses, access and circulation and dedications;
- (c) Built form massing and dimensioned envelopes;
- (d) Distribution of uses and floor space areas;
- (e) Overshadowing analysis;
- (f) Stormwater management strategy;
- (g) Traffic management and servicing strategy and parking numbers and location;

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(h) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure and minimum sustainability ratings and performance outcomes);

(i) Heritage impact statement;

(j) Design excellence strategy in accordance with Section 3.3.2 'Design excellence strategy';

(k) Landscape ~~concept plan~~ strategy and principles, including area and location of deep soil areas;

(l) Public art strategy; ~~and a~~

(m) Staging plan;

(n) Arborist report;

(o) Land and groundwater contamination assessment; and

(p) An ecological assessment in accordance with Section 3.5.1.

(2) The site, context and development options analysis is to document at least three different and realistic site development options and is to provide an analysis of each option.

~~(2A)~~ (3) For Tower Cluster Area sites subject to Clause 6.21E of Sydney LEP 2012; ~~this option analysis is to incorporate:~~

(a) The site, context and development options analysis (required under provision 2) is to:

(i) demonstrate compliance with the City of Sydney Competitive Design Policy;

~~(b)~~ (ii) establish a compliant base case building massing envelope in accordance with 5.1.1 Built Form Controls and 5.1.2 Development outlook and demonstrating amenity compliance;

~~(c)~~ (iii) document a minimum 3 alternative massing envelopes that comply with Schedule 12; and

~~(d)~~ (iv) provide detailed environmental impact tests that compare the base case building massing envelope and all alternative massing envelopes, including:

(i) a. overshadowing of protected public spaces;

(ii) b. public view protection planes;

(iii) c. Sydney Airport Prescribed Airspace;

(iv) d. Special Character Area, street frontage heights, setbacks, tower heights and contextual analysis;

(v) e. compliance with tower massing and tapering requirements of any relevant development control plan or guide;

(vi) f. wind tunnel testing and compliance;

(vii) g. wind and daylight equivalence form testing; and

(viii) h. underground infrastructure.

~~(e)~~ (b) for the purpose of providing an indicative FSR for each massing envelope assume:

(i) a ~~15~~ minimum 10 metre architectural roof feature zone for sites where the maximum height of the building is determined by Sun Access Planes, No Overshadowing Controls or Public View Protection Planes (or an amount as demonstrated by best practice and a reference design);

Note: The roof/construction zone may also be used for the purpose of mechanical plant levels but not include any floor space.

(ii) a ~~30~~ 25 metre architectural roof feature/construction zone where the maximum height of the building is determined by Sydney Airports Prescribed Airspace (excluding the Obstacle Limitation Surface) (or an amount as demonstrated by best practice and a reference design);

(iii) 5 metres clear floor to floor for ground and first floors or more if required for good contextual fit, with the podium levels including ~~and~~ allowances for new pedestrian links and public domain improvements supported by urban design analysis;

(iv) 3.8 metres floor to floor for typical commercial floors ~~and structural transfer zones at steps in the building massing;~~

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~~(v) 3.3 metres floor to floor for typical hotel floors and structural transfer zones at steps in the building massing;~~

~~(vi) provide additional floor to floor height for structure at steps in the building massing;~~

~~(vii) provide 1.5 metre roof/balustrade areas above steps in the building massing;~~

~~(vi)(viii) a full floor plant level at least for every 20 occupied levels at minimum 6 metres floor to floor should be provided for plant and equipment with no floor space each occupied level must be no further than 10 floors from a full floor plant level that is minimum 6 metres high, floor to floor, and plant levels must not include any floor space for the purpose of calculating the proposed FSR;~~

~~(vii)(ix) a minimum proportion of the entire design envelope for architectural articulation and external façade depth and external sun shading (not occupied by floor space) of 8.0% plus 0.5% for each 10m in height above 120m up to a maximum value of 16% articulation;~~

Note: the proportion (percentage) is established according to the maximum building height, this proportion is then applied to the whole envelope.

Note: ~~for the purposes of calculating FSR, architectural articulation must be calculated at every occupied level of the proposed tower.~~ For the purposes of calculating FSR, the architectural articulation zone must be calculated separately at every level of the proposed tower not as an overall average, i.e. higher levels of articulation of roof and plant levels does not compensate for lower articulation of occupied floors for the purpose of the calculation.

~~(viii) (x) minimum 16 per cent floor space exclusions allocated to building core and other internal non-floor space elements; and~~

~~(ix) (xi) vehicle access, servicing, services, balconies, voids or other areas are not counted as floor space and should be determined from demonstrated best practice and a reference design.~~

Note: the FSR assumptions in this provision are only for the purpose of establishing a generally acceptable indicative FSR accounting for general site constraints and commercial building efficiencies. The individual parts (i)-(ix)(xi) are not to be treated as development standards or controls for assessing detailed building designs.

~~(f) (c) †~~ The base case building massing envelope, the alternative massing envelopes and indicative FSRs will are to form part of the architectural design competition brief.

~~(g) (d) The~~ consent authority may amend the indicative FSRs based on the assessment of the Concept Plan application concept development application.

~~(3) A design excellence strategy is to be provided that defines:~~

~~(a) the location and extent of each competitive design process, where each competitive design process limited to a single development site or street block.~~

~~(b) the type of competitive design processes to be undertaken: an architectural design competition, open or invited;~~

~~(c) the number of designers involved in the processes;~~

~~(d) how fine grain and contextually varied architectural design is to be achieved across large sites; and~~

~~(e) options for distributing any additional floor space area which may be granted by the consent authority for demonstrating design excellence through a competitive design process.~~

~~(3A) (4)~~ For Tower Cluster Area sites subject to Clause 6.21E of Sydney LEP 2012, if appropriate, the Concept DA or Site Specific DCP will be determined with an envelope capable of achieving the indicative maximum FSR.

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The approved Design Excellence Strategy, the base case building massing envelope, the alternative massing envelopes and indicative FSRs will inform the Architectural Design Competition brief.

Final FSR will be applied for in the detailed design DA and assessed and determined by the consent authority at this time.

~~(4)~~ (5) A detailed Public Art Strategy, prepared by a suitably qualified person and consistent with the City of Sydney Guidelines for Public Art in Private Development is to be submitted with a Concept DA or Site Specific DCP.

Central Sydney

Amendment 12 – Central Sydney

- a. **Edit the text and figures in Section 5.1.1 ‘Built form controls’ as follows, with strikethrough representing deletion and underline representing additions or edits with map updates indicated by the cloud:**

5.1.1 Built form controls

Built form controls include:

- Street Frontage Heights;
- street, side and rear setbacks;
- separations; and
- massing and tapering.

The controls outline the desired future form of Central Sydney and provide the tests to which the consent authority must be satisfied in order to demonstrate compliance with the relevant requirements of Sydney LEP 2012, including Clause 6.16.

Value statement

The predominant built form typology of Central Sydney is a podium building with tall building element set back above. A group of podiums form a street wall when viewed from a Public Place. This configuration manages impacts on the amenity of the public domain and surrounding development in a number of ways:

- A tall building that is set back from its site boundaries that sits on a building podium creates space around it that provides light and air into the street.
- A building podium maintains definition of the street at a reasonable pedestrian scale whilst managing climatic effects of tall buildings - including downdrafts, wind funnelling, reduced daylight and overshadowing.
- Street wall buildings create areas of special character throughout Central Sydney as a result of variations in their scale and articulation.
- Heritage items create space between tall buildings that allow more sunlight, daylight and air circulation to the street.

Issues of scale, daylight, wind and character arising from tall buildings can be managed by controlling:

- Street Frontage Heights;
- setbacks;
- building form separations; and
- Building Envelope Areas and dimensions.

These requirements are specifically designed to minimise the impact of tall buildings on the amenity in the public domain. Controls for amenity within developments are contained in other sections of this DCP (see Section 4 Development types and Section 5.1.2 Development outlook and demonstrating amenity compliance) and SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

Definitions

In this section:

Building Envelope Area is the area including all internal and external built elements and enclosed voids between that floor level and the next floor level measured in plan.

Podium means the base of a tall building that is built close to or along the site boundary or boundaries. It defines the Public Place and is distinct from the part of the tall building above it, which is set back from the boundary or boundaries.

Public Place has the same meaning as in the Local Government Act and includes streets, lanes (i.e. narrow streets) and public open space.

Podium Height means the Street Frontage Height also applied at side and rear boundaries (note, street, side and rear setbacks do not apply to buildings less than 55 metres in height).

Street Frontage Height means the vertical height above ground level of that part of the building closest to a Public Place. Street Frontage Height is the development control that sets the desired street wall or podium height.

Street Setback Above Street Frontage Height means the setback from the site boundary of that part of the building closest to a public place and applies for any part of the building or building element above the Street Frontage Height (including for example architectural elements like horizontal or vertical fins).

Objectives

- (a) To maintain daylight and sunlight in streets, lanes and Public Places.
- (b) To manage the wind impacts of development on streets, lanes and other Public Places so that they are safe and comfortable for people.
- (c) To allow comfortable air movement to disperse pollution and cool streets, lanes and Public Places.
- (d) To ensure that occupants of tall buildings have access to daylight and outlook by providing appropriate separation from surrounding buildings.
- (e) To establish Street Frontage Heights in Central Sydney that are appropriate to a site's context and location.
- (f) To ensure small sites that are unable to provide setbacks do not develop as tall buildings above the Street Frontage Height.
- (g) To ensure that each tall building is designed to be seen as a unified composition from all sides – that they are designed to be seen “in the round”.
- (h) To promote streets and laneways as important Public Places.
- (i) To avoid the appearance of contiguous ‘wall of towers’, where groups of tall buildings appear as one solid mass.

Provisions

5.1.1.1 Street frontage height and street setbacks

Value statement

Street frontage heights

Buildings that are built to the street alignment with a height to street width ratio of at least 1:1 provide a sense of enclosure to the street. In Central Sydney, street widths average under 20m, so in general an appropriate minimum street frontage height for buildings is 20m.

Buildings taller than 45m at the street alignment are greater than 2.25 times the street width, and create an overbearing sense of enclosure. The street frontage height of most existing buildings in Central Sydney ranges between 20 and 45m.

For historical planning reasons many existing buildings in Central Sydney have a height or street frontage height of 45m high.

Buildings with street frontage heights between 20 and 45m reinforce the characteristic built form of Central Sydney. The maximum street frontage height that may be permitted anywhere in Central Sydney is 45m.

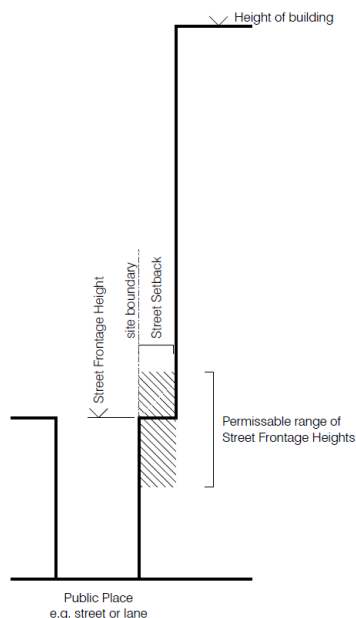
Street Setbacks Above Street Frontage Height

Buildings over 45m high that are built to or close to the street alignment can reduce daylight to streets; overshadow streets and lower levels of buildings; create unpleasant wind conditions; create an overwhelming sense of enclosure; and affect growing conditions for street trees.

Setting back higher elements of buildings preserves reasonable levels of daylight at street level and helps minimise wind problems to create a comfortable street environment.

A 10m setback doubles the amount of sky seen on an average 20m street in Central Sydney and significantly reduces wind impacts.

Figure 5.2 The street frontage height of development outside of special character areas should range between 20m and 45m



Objectives

(a) To achieve comfortable street environments for pedestrians with high levels of daylight, appropriate scale, sense of enclosure and wind mitigation.

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(b) ~~Encourage~~ To allow appropriate flexibility in building design while reinforcing the character of Central Sydney and ensuring built form is compatible with heritage items and the desired streetscape character. that provides a good contextual fit with the setting and character of neighbouring buildings, including alignments and datums, and compatibility of built form between new development and heritage items and Special Character Areas.

(c) To recognise the variety and patterns of street wall heights throughout Central Sydney.

(d) To ensure that buildings address and define laneways consistent with their special character.

(e) To provide setbacks above the Street Frontage Height that promote good separation between tall buildings, across streets, maintain views to the sky and create a sense of openness in the street.

(f) To allow appropriate flexibility for setbacks above Street Frontage Height and Setbacks Above Street Frontage Height but only where better performance in relation to wind mitigation and daylight access to Public Places can be demonstrated.

(g) To protect long, low angle views of open sky and landmark features.

Provisions

(1) The Street Frontage Height and Street Setbacks Above Street Frontage Height of a building must be in accordance with Table 5.1 – Permissible range of Street Frontage Heights and Table 5.2 Minimum Street Setbacks Above Street Frontage Height, except for buildings in Special Character Areas that must be in accordance with the Minimum Street Frontage Heights for Special Character Areas in Table 5.3 and the Minimum Street Setbacks Above Street Frontage Height and Maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16 in Section 5.1.1.2.

Note: Section 5.1.1.1(2) Street Setback Above Street Frontage Height variation provisions do not apply to Heritage Items or in Special Character Areas, unless noted on Special Character Area maps.

Note: The permissible range of Street Frontage Heights also apply to the side and rear boundaries of a site, being the podium, for buildings over 55m.

Table 5.1 Permissible range of Street Frontage Heights

Permissible range of Street Frontage Heights			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	20-35m* Or 20-45m for street block corner sites less than 1000 sqm	20-35m*	20-25m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	20-45m	20-45m	20-25m*
Heritage items outside Special Character Areas			Existing height	Existing height	Existing height

* Up to 45m subject to Section 5.1.1.1(2) or (3)

(2) Notwithstanding Section 5.1.1.1(1) and Table 5.1:

(a) buildings that contain more than 40% residential accommodation including serviced apartment floor space, may have a Street Frontage Height of up to 45m where all floors between the height shown in the table and 45m are used for commercial premises and/or publicly owned facilities or establishments and the street frontage height is compatible with the context; or

(b) buildings with a total height up to 55m may have a Street Frontage Height greater than the value in Table 5.1, up to 45m, if the proposal is a better fit, more contextual, local and of its place.

Table 5.2 Minimum Street Setbacks Above Street Frontage Height

Minimum Street Setbacks Above Street Frontage Height			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	8m or 6m where adjoining sites Street Setbacks Above Street Frontage Height are less than 6m	8m*	8m*
		Frontage adjacent to a Public Place with a width up to 8m wide (e.g. lanes)	2m	8m*	8m*
	Heritage items outside Special Character Areas		10m to Public Places greater than 8m wide (streets) 2-10m on Public Places up to 8m wide (lanes) determined by heritage values and context.		
	<u>Non-heritage items within Special Character Areas</u>	<u>Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)</u>	<u>2-10m on Public Places up to 8m wide (lanes determined by heritage values and context.</u>		

*may be varied subject to 5.1.1.1(3)

~~(3) Where noted in Clause(1) Table 5.2 Minimum Street Setbacks and on the Special Character Area maps, variation to Street Frontage Height (excluding sites in Special Character Areas) and Street Setbacks may be permitted to building massing that provides:~~

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- ~~(a) encroachment(s) 2m forward of the minimum Street Setback within the middle third of the frontage to a Public Place and provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback; or~~
- ~~(b) equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance); and~~
- ~~(c) a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context.~~

~~Procedures for demonstrating compliance with 5.1.1.1(3)(a) and (b) are set out in Schedule 12.~~

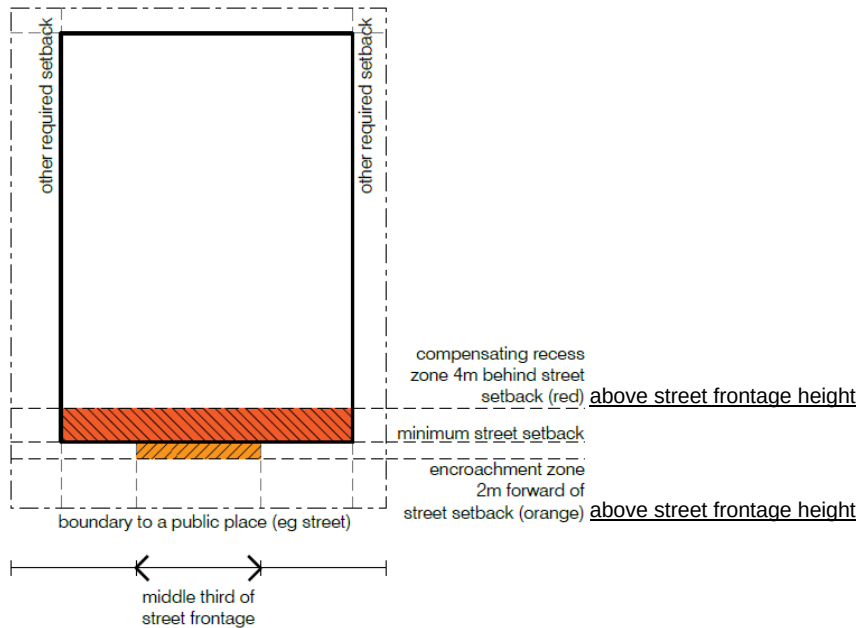
(3) Where noted in Table 5.1: Permissible range of Street Frontage Heights, Table 5.2: Minimum Street Setbacks Above Street Frontage Height, and on the Special Character Area maps, variation to Street Frontage Height and Street Setbacks Above Street Frontage Height may be permitted for development seeking additional height and/or floor space under SLEP 2012 Clause 6.21E Tower Cluster Areas if it demonstrates:

- (a) a high-quality urban design outcome, through the preparation of a detailed urban design and options analysis showing how the proposed massing and connections:
 - (i) Are a good contextual fit with the surrounding environment, by referencing the built form of neighbouring buildings (including building alignments and datums at ground, street wall and upper levels) and the existing pattern of Public Places,
 - (ii) Enhance local character and identity with reference to form and curtilage of heritage, the definition of Public Places and local views and vistas,
 - (iii) Make a positive contribution to the urban context where change has been managed carefully and establishes a high benchmark for the design of future development; and
- (b) that encroachment(s) 2m forward of the minimum Street Setback Above Street Frontage Height within the middle third of the frontage to a Public Place are matched by the provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback Above Street Frontage Height; or
- (c) that it has equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights, Street Setbacks Above Street Frontage Height, Side and Rear Setbacks, Building Form Separations, and Building Envelope Area (i.e. variation to massing is governed by achieving equal or better performance).

Procedures for demonstrating compliance with 5.1.1.1(3)(b) and (c) are set out in Schedule 12.

(4) Notwithstanding Section 5.1.1, greater Street Setbacks Above Street Frontage Height may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.2 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

Figure 5.3 Setbacks provide building design flexibility – Minimum Street Setbacks Above Street Frontage Height may be varied in accordance with Section 5.1.1.1(3) and the procedures for demonstrating compliance at Schedule 12



5.1.1.2 Street frontage heights and street setbacks above street frontage height in Special Character Areas

Value statement

Central Sydney contains a number of areas with special and distinctive character (Special Character Areas) that are important to the identity and character of Central Sydney. The boundaries of Special Character Areas are shown in Figure 2.1.

These areas include a number of distinctive qualities: a character unmatched elsewhere in Central Sydney; a concentration of heritage items and quality streetscapes, and; a focus of public life with high cultural significance. They often include a highly distinctive element in the public domain, are structured around a significant park or other Public Place, and are deliberately planned in such a way so as to enhance public view corridors.

Sydney LEP 2012 identifies a number of Special Character Areas that significantly contribute to the quality of the public domain and the distinctiveness of Central Sydney. Development in Special Character Areas can reinforce and enhance the existing character by responding to Special Character Area Street Frontage Heights and setbacks and the locality statements and principles for each Special Character Area in Section 2.

Objectives

- (a) To ensure appropriate height transitions between development, heritage items and buildings in Special Character Areas as required by Clause 4.3 of Sydney LEP 2012.
- (b) To enhance the distinctive attributes and qualities of the built form, streetscapes and Public Places of the Special Character Areas.
- (c) To ensure development is compatible with distinctive character and significance of each Special Character Area.
- (d) To enhance the heritage significance of heritage items and their settings.
- (e) To enhance existing public views and public vistas to heritage items and places of historic and aesthetic significance.
- (f) To ensure development has regard to the fabric and qualities of heritage items within Special Character Areas in respect of scale, form, modulation, articulation, proportion, street alignment, materials and finishes.

(g) To ensure vertical additions to heritage items and variations to setbacks above the street frontage height are only permitted where they do not reduce the significance or character of any Special Character Area.

(h) To enhance the level of sunlight and daylight access to streets, lanes, parks and other public domain spaces.

(i) To provide clear guidance about permitted heights and setbacks in Special Character Areas by way of detailed Special Character Area Maps.

Provisions

(1) The Street Frontage Height and Street Setbacks Above Street Frontage Height of development in a Special Character Area must be in accordance with:

- (a) Street Setbacks as shown in the Special Character Area maps at Figures 5.4 to 5.16;
- (b) the minimum Street Frontage Height controls provided in Table 5.3; and
- (c) the maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16.

Note: development adjacent to heritage items must also address the requirements of Section 5.1.3.1.

(2) The minimum Street Frontage Height of development within a Special Character Area not specified in Table 5.3 must comply with the permissible range of Street Frontage Heights set out in Table 5.1.

Table 5.3 Minimum street frontage heights for Special Character Areas

Special character area	Map reference	Minimum street frontage height
Bridge Street Macquarie Place Bulletin Place	A	15m
Chifley Square	B	35m
Circular Quay	C	25m
College Street Hyde Park	D	The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, excluding the Great Synagogue at 187A Elizabeth Street which cannot be used as a minimum.
Farrer Place	E	35m
Haymarket Chinatown	F	15m or the street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, whichever is smaller.

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Macquarie Street	G	The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street. Note: Refer to the conservation management plan controls for sites on the eastern side of Macquarie Street, Sydney
Martin Place	H	45m
Pitt Street Mall	I	35m for sites north of King Street; and 25m for sites south of King Street
Railway Square/Central Station	J	No minimum
Sydney Square	L	20m
Town Hall and St. Andrews		
Wynyard Park	M	45m
Lang Park		
York Street	N	20m
Clarence Street		
Kent Street		

Figure 5.4 Bridge Street / Macquarie Place / Bulletin Place Special Character Area

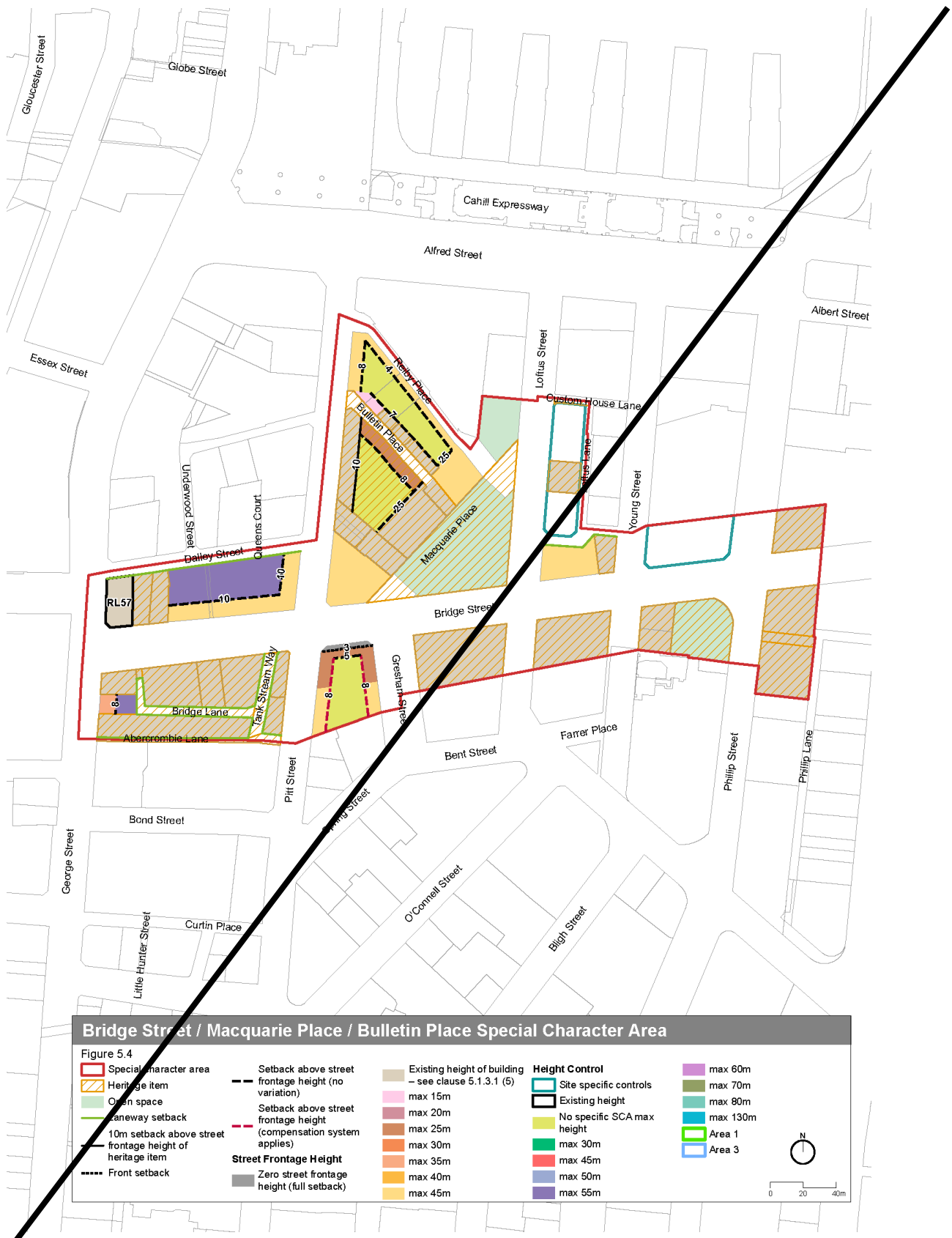


Figure 5.4 Bridge Street / Macquarie Place / Bulletin Place Special Character Area

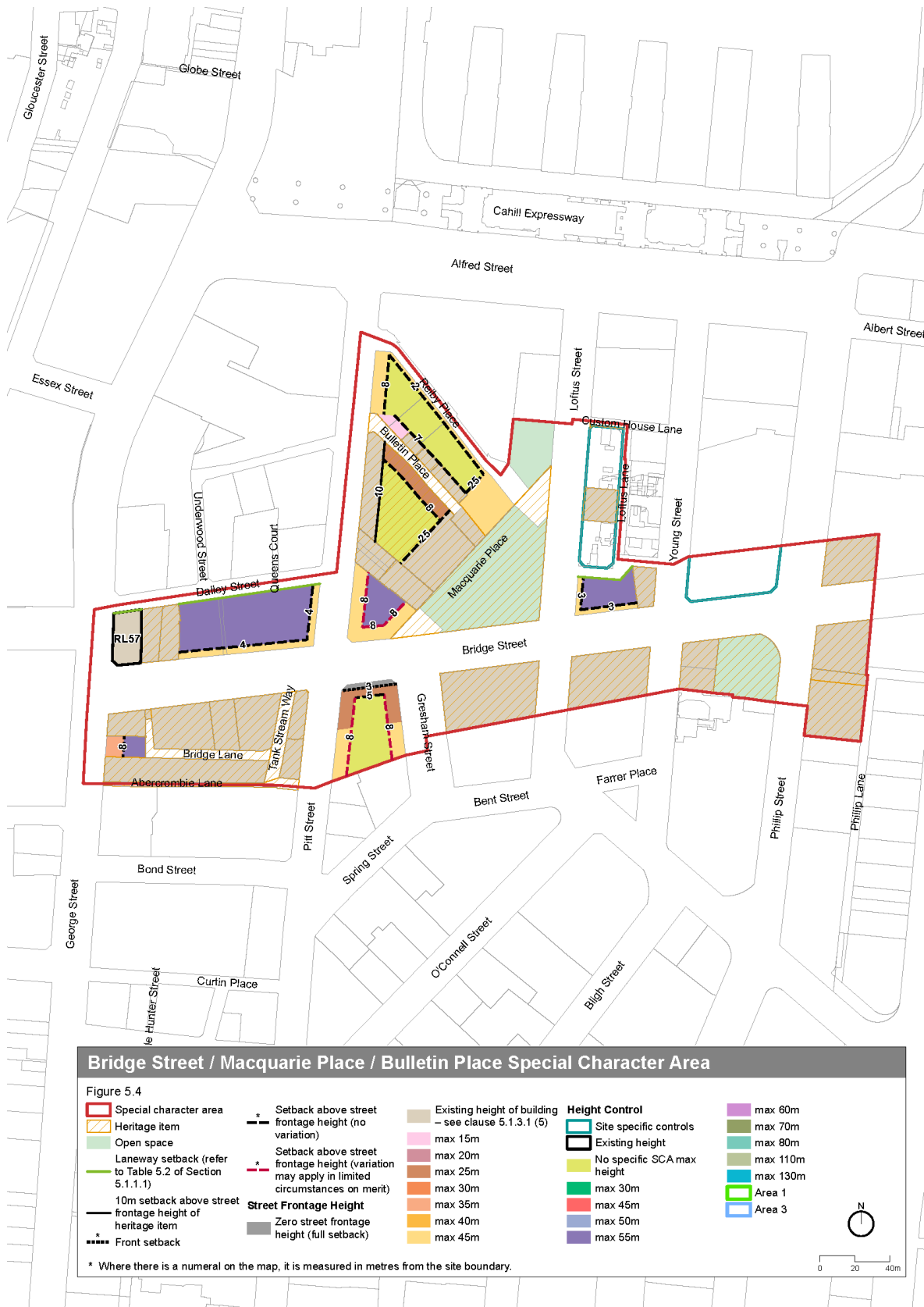


Figure 5.5 Chifley Square Special Character Area

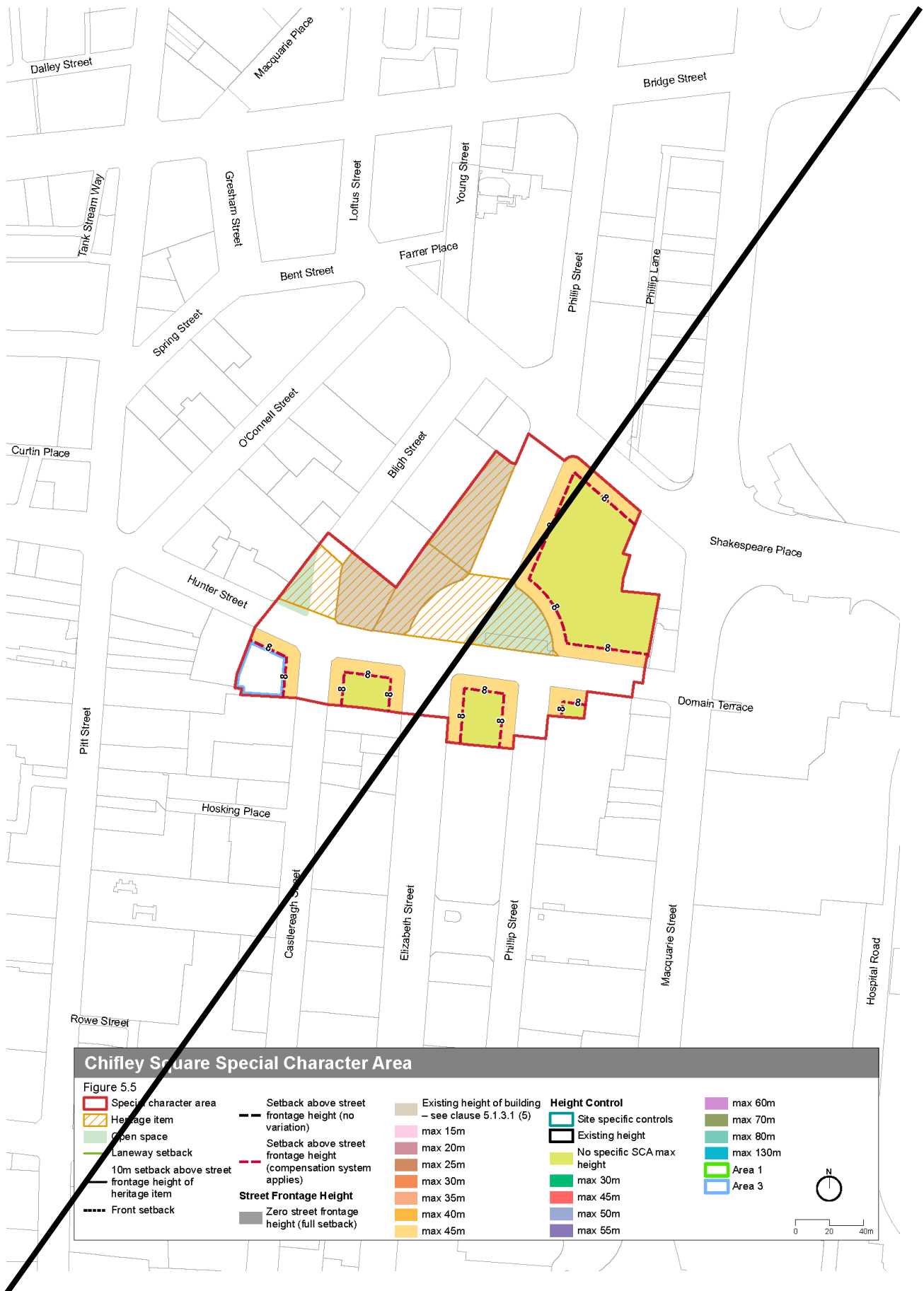


Figure 5.5 Chifley Square Special Character Area

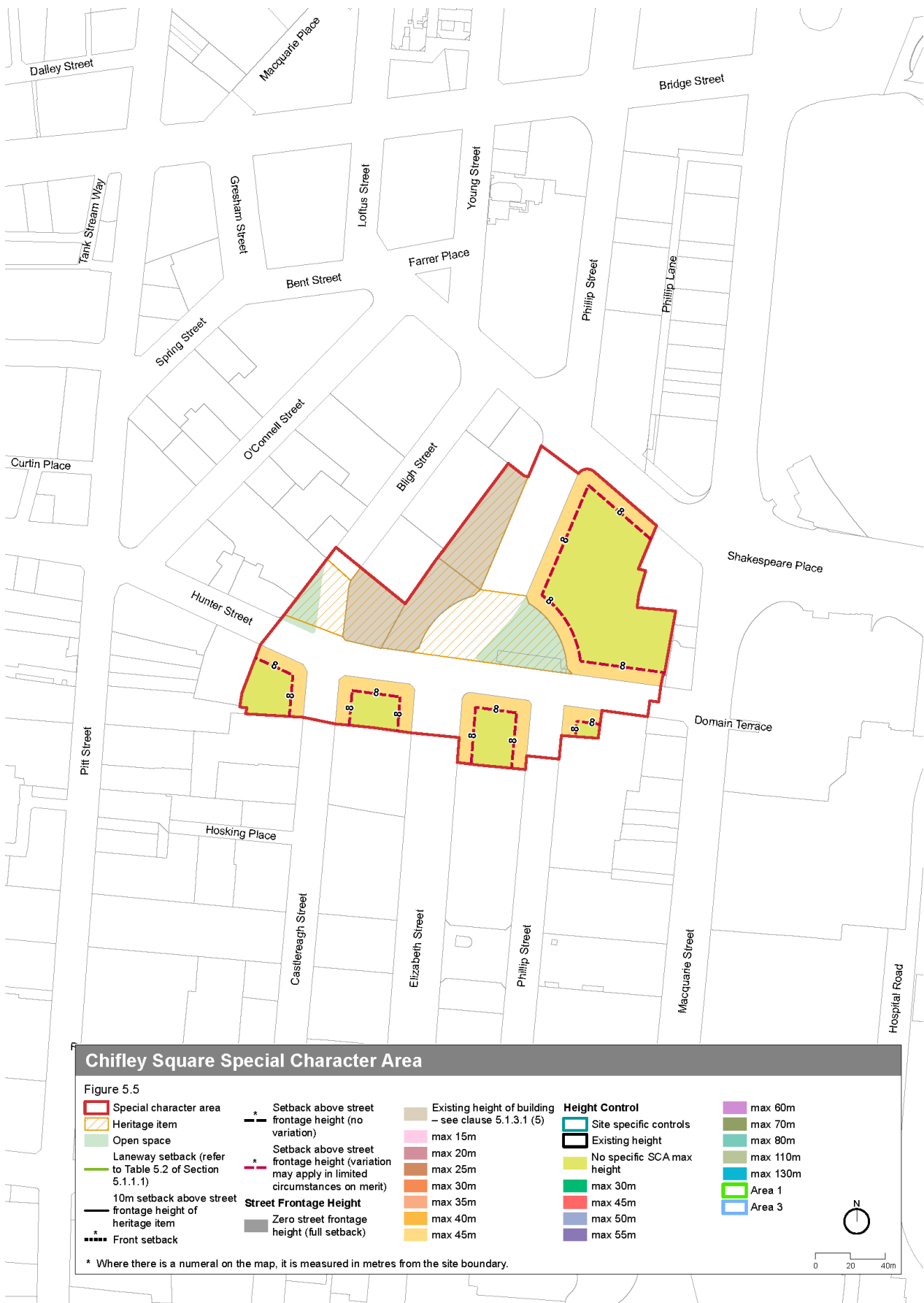


Figure 5.6 Circular Quay Special Character Area

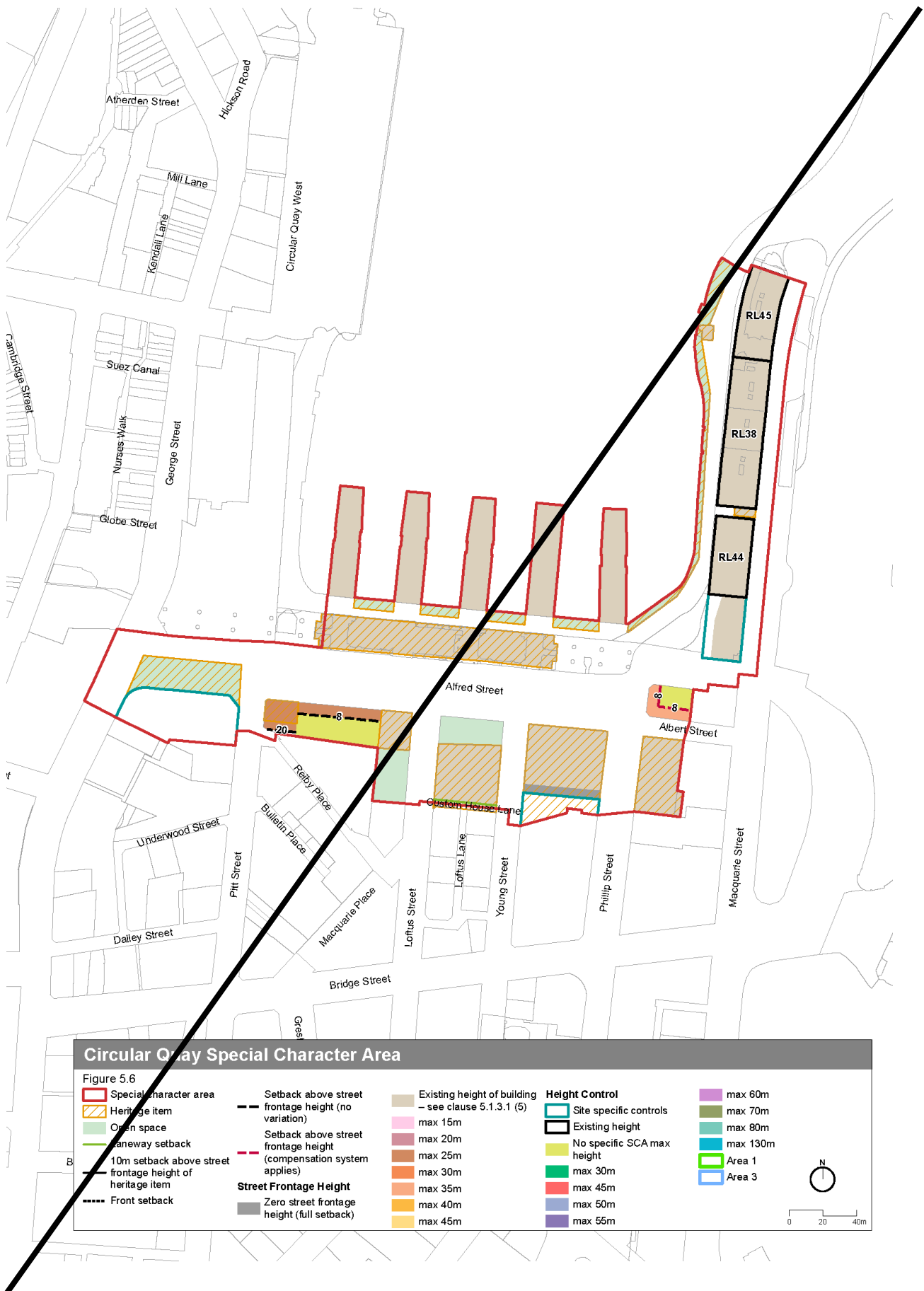
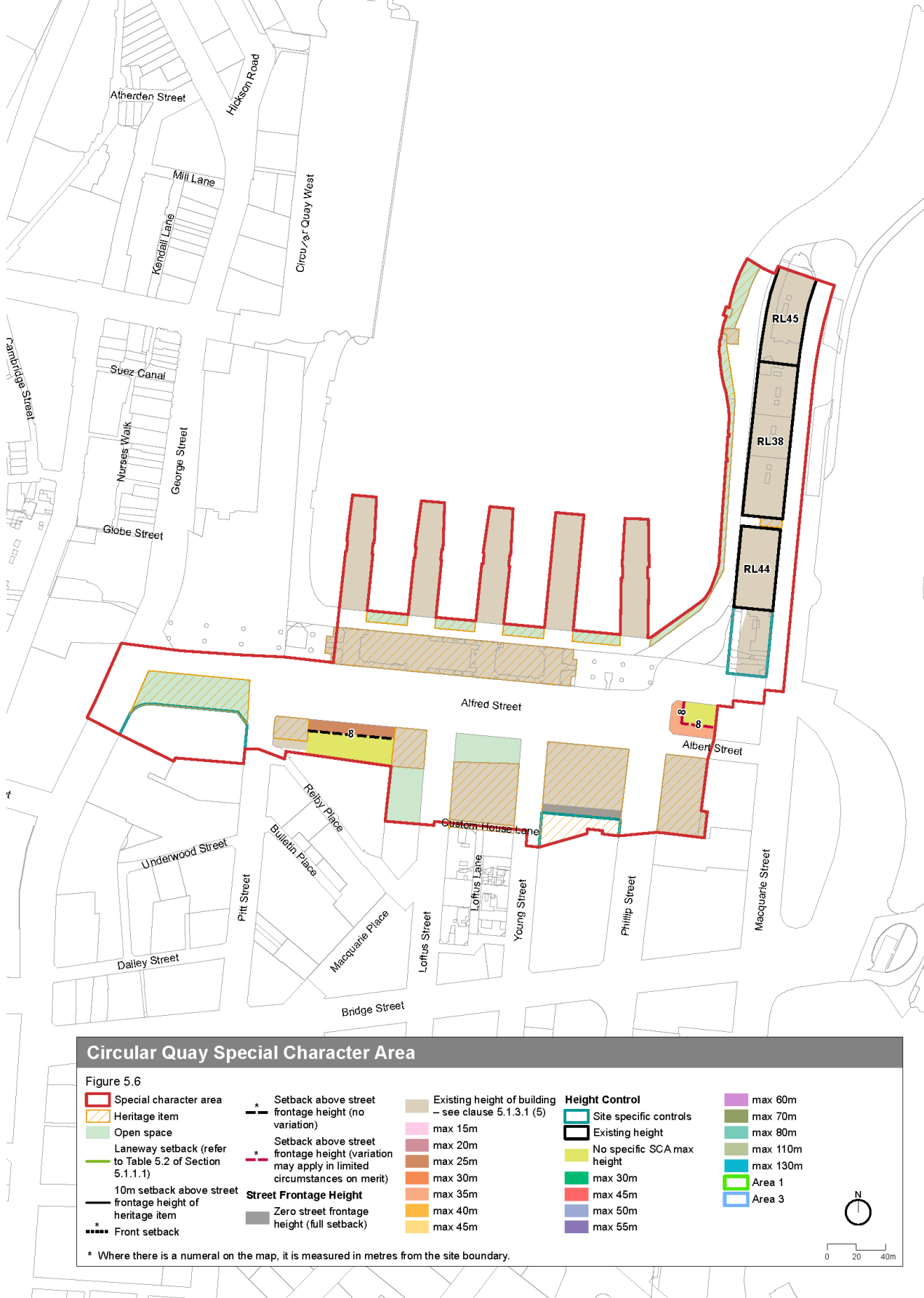


Figure 5.6 Circular Quay Special Character Area



~~Figure 5.7 College Street / Hyde Park Special Character Area~~

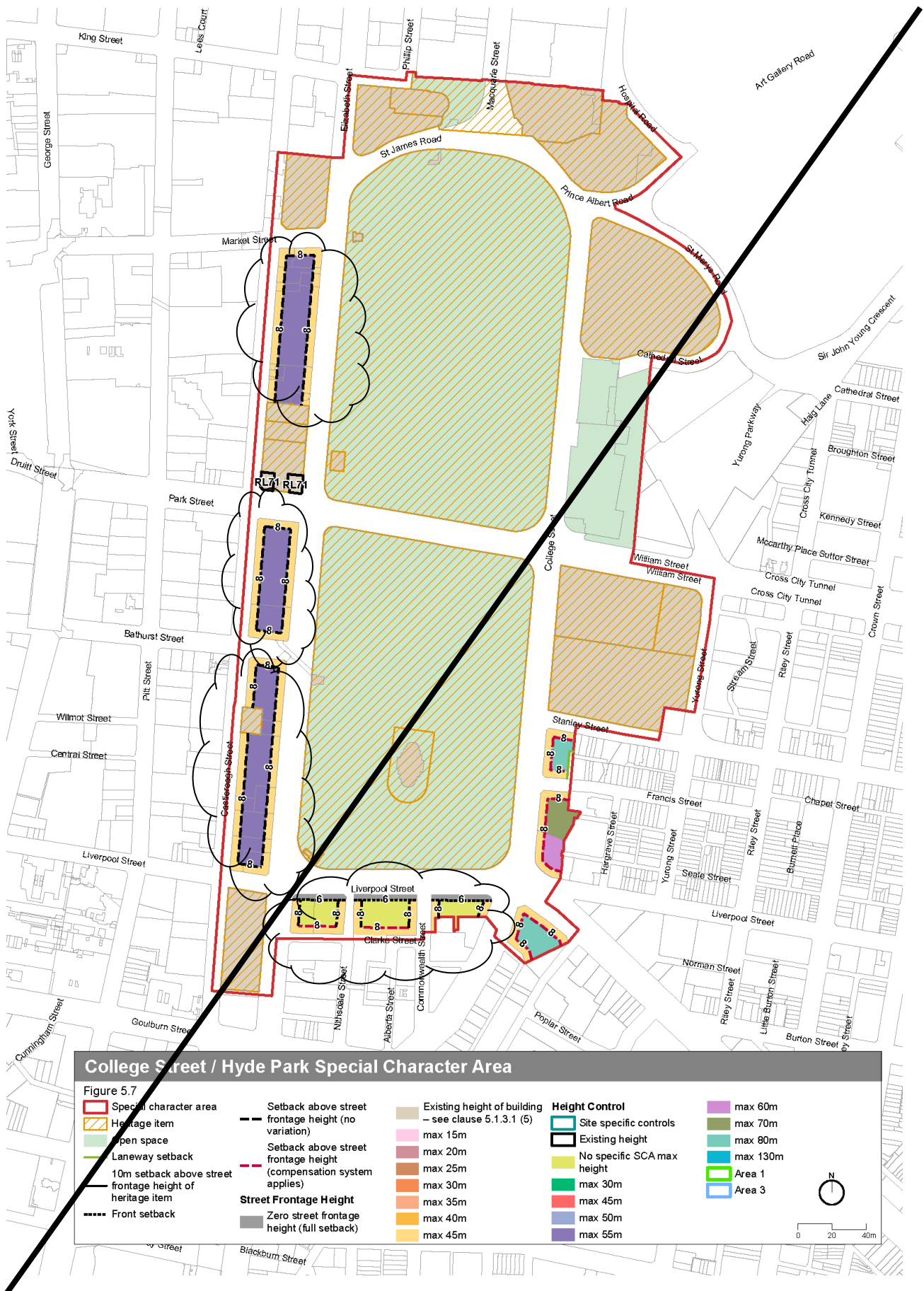


Figure 5.7 College Street / Hyde Park Special Character Area

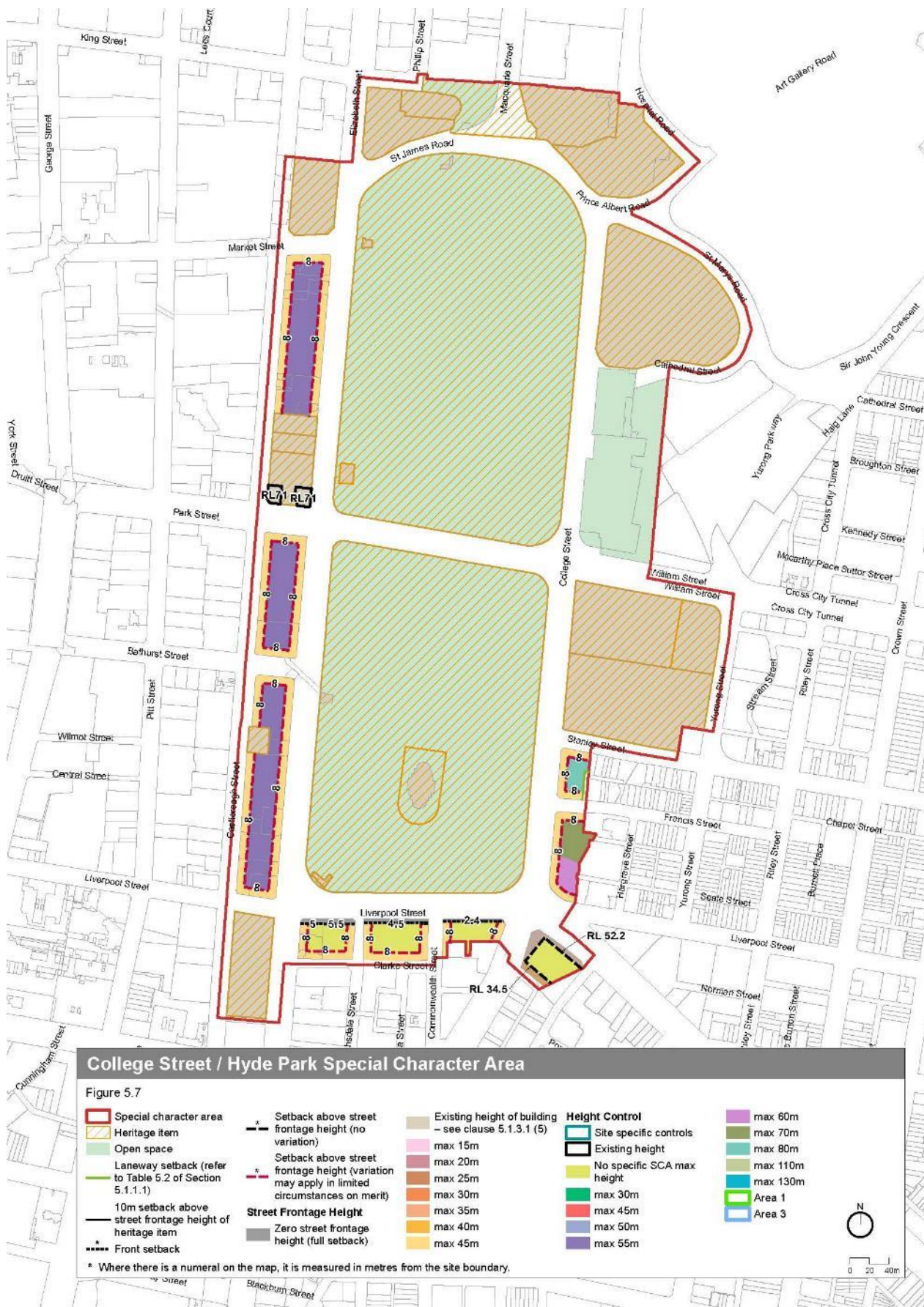


Figure 5.8 Farrer Place Special Character Area

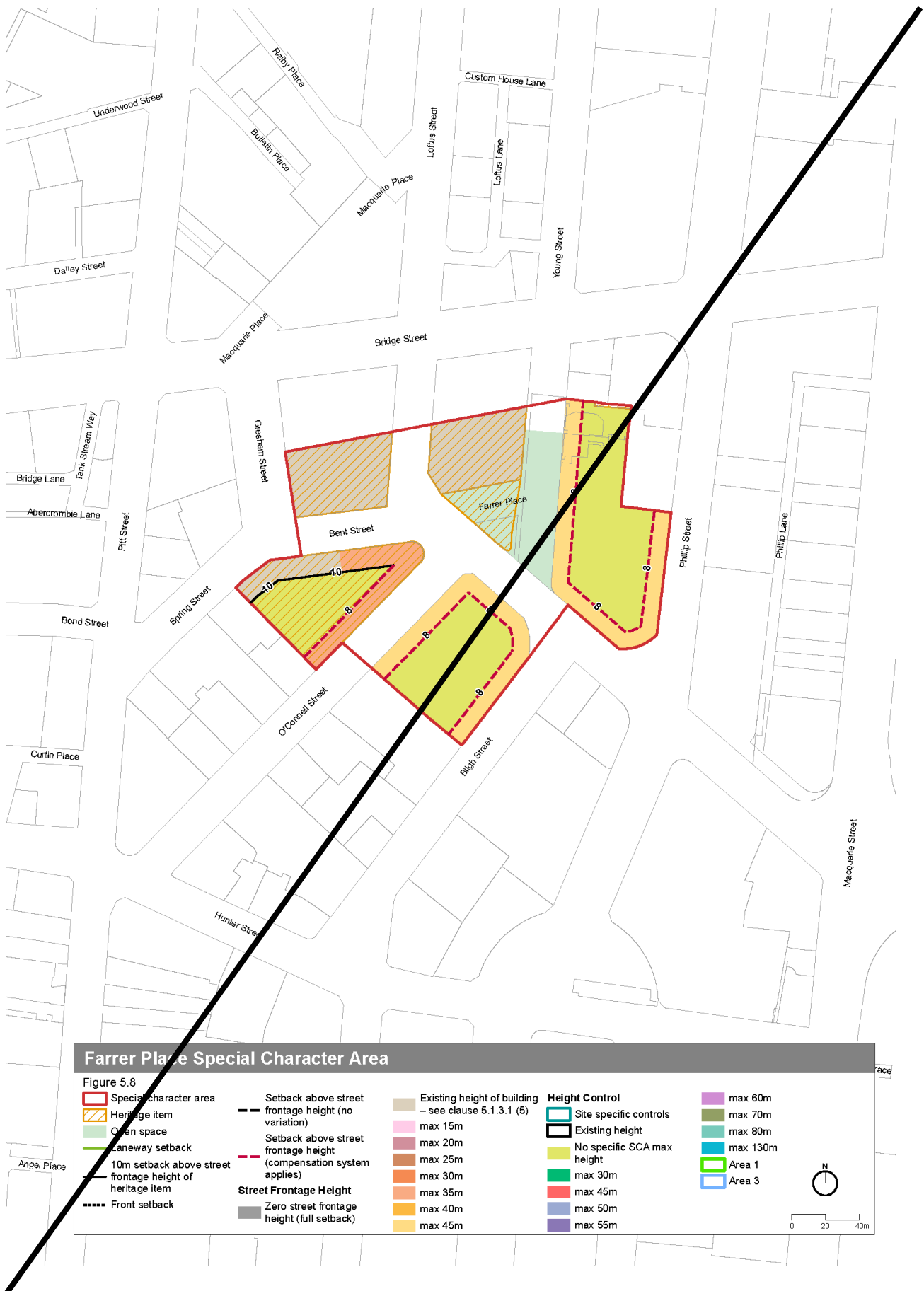


Figure 5.8 Farrer Place Special Character Area

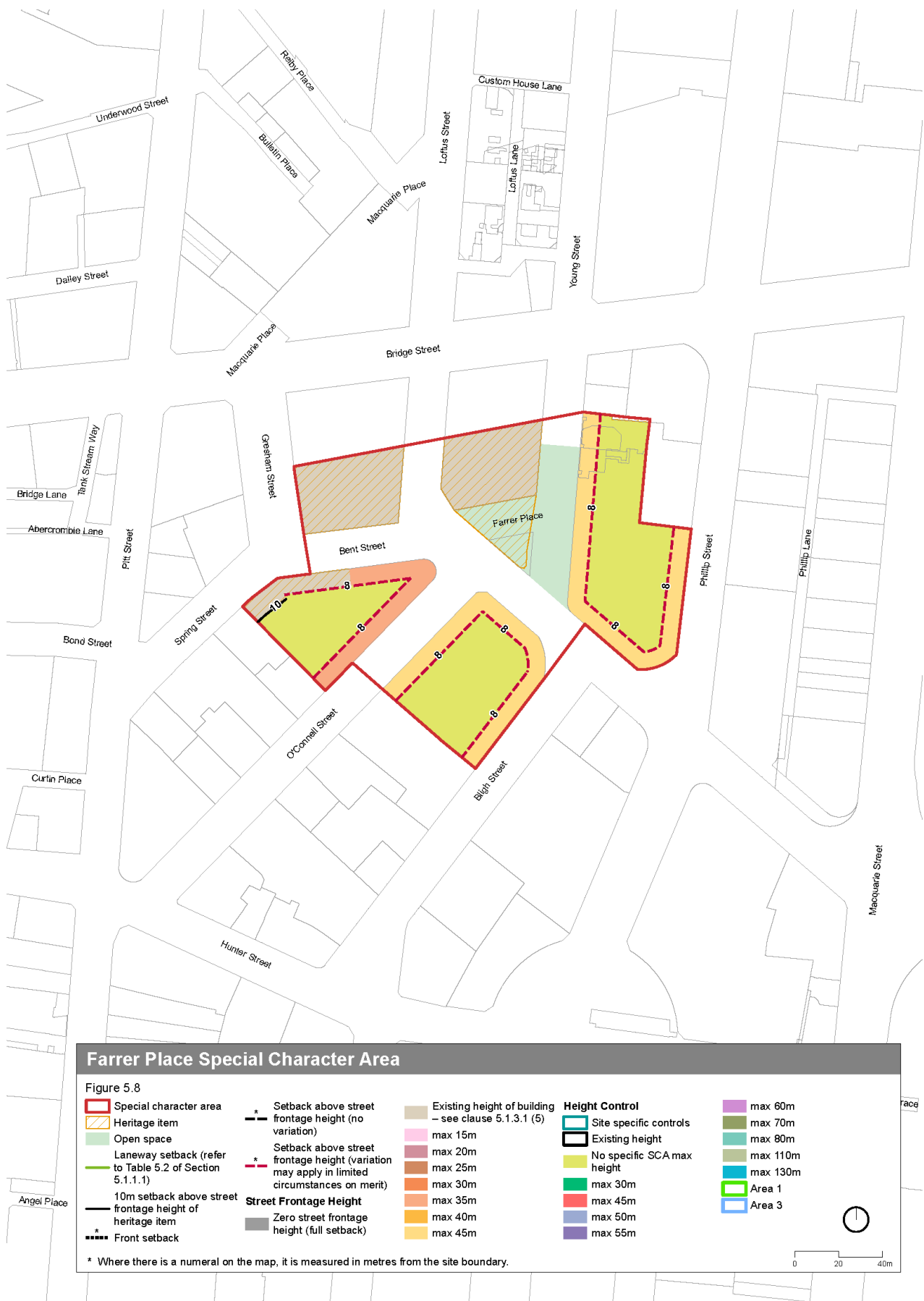


Figure 5.9 Haymarket / Chinatown Special Character Area

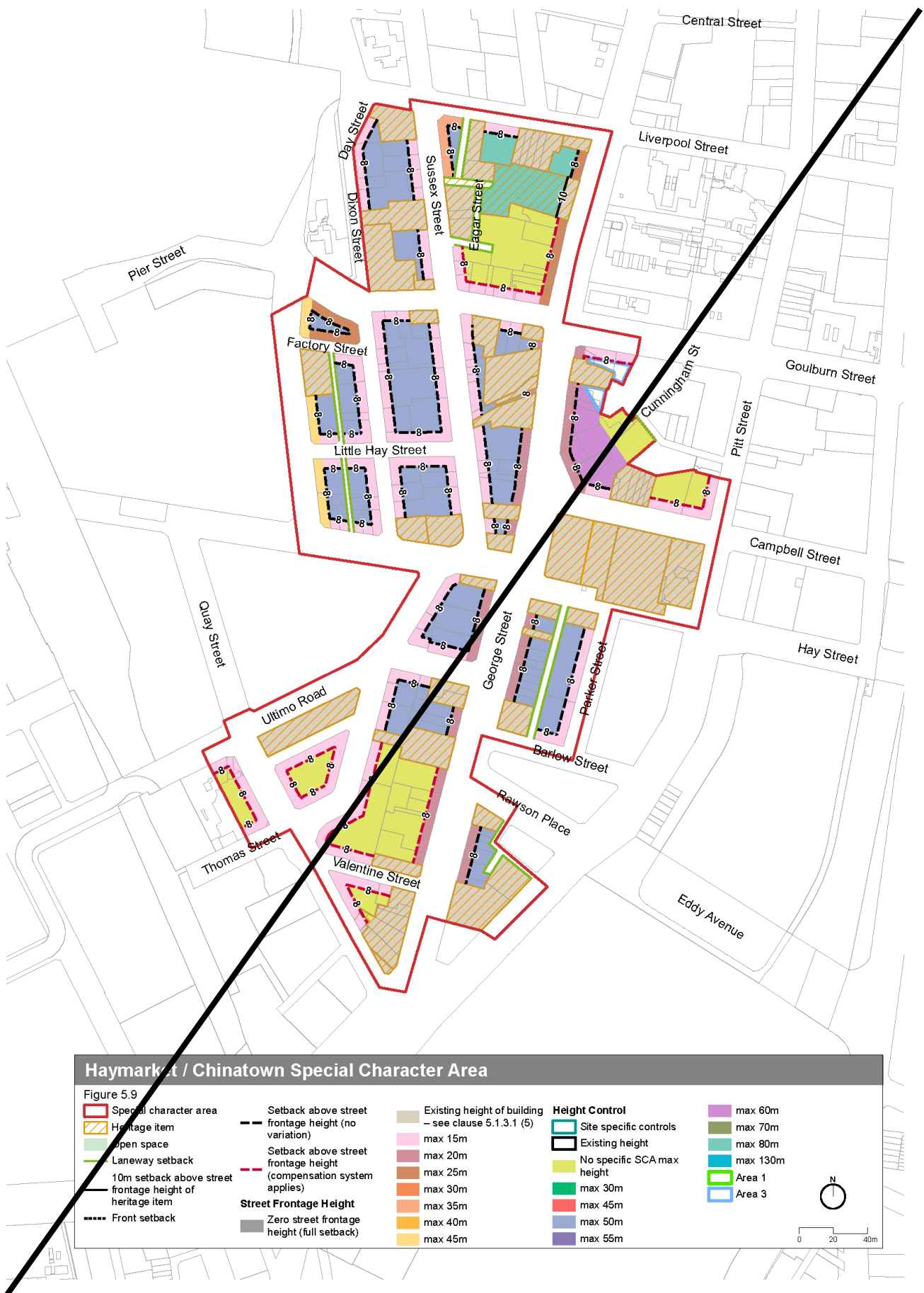
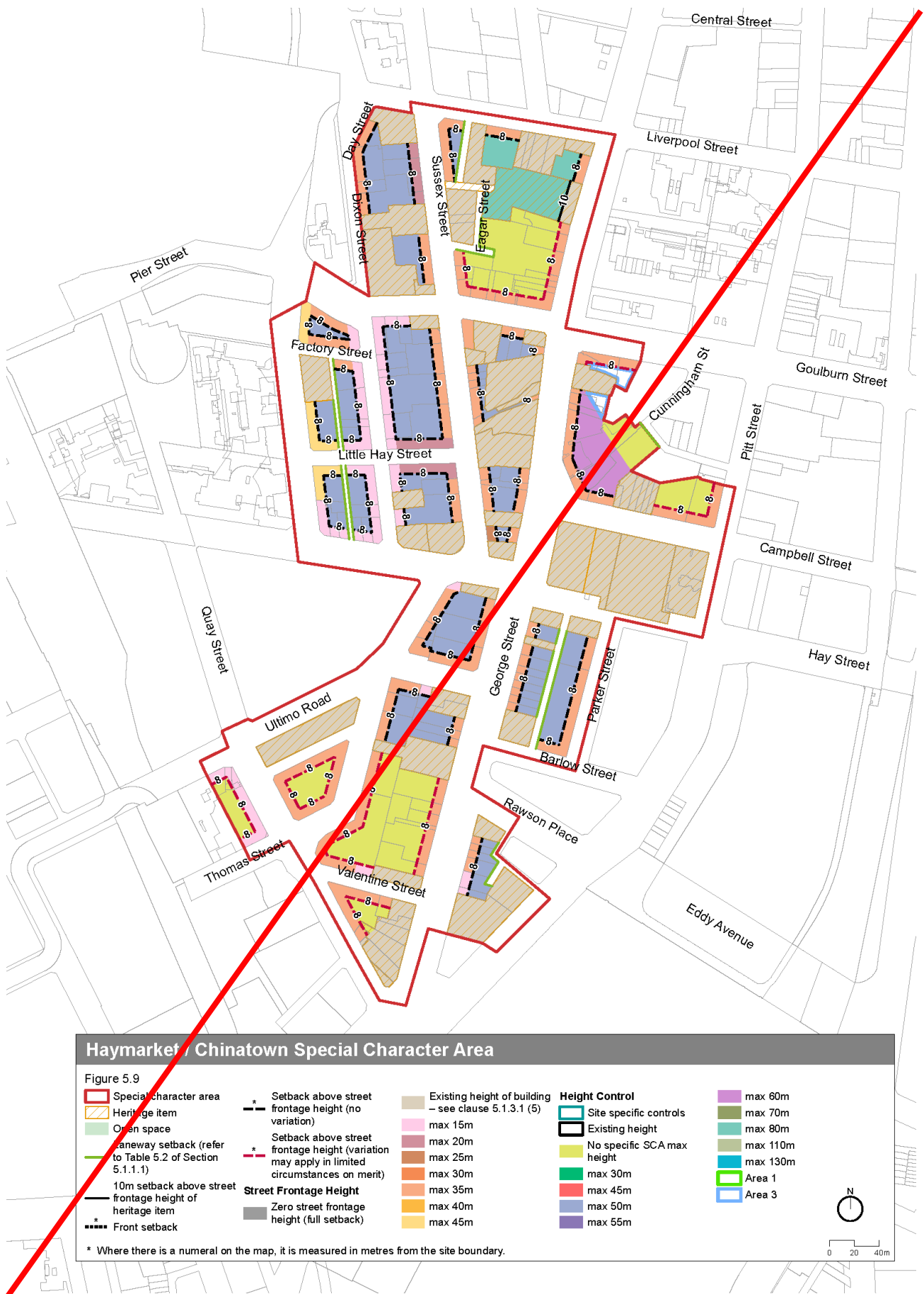


Figure 5.9 Haymarket / Chinatown Special Character Area



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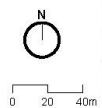


Haymarket / Chinatown Special Character Area

Figure 5.9

- | | | | | |
|---|---|--|---|--|
| <ul style="list-style-type: none"> Special character area Heritage item Open space Laneway setback (refer to Table 5.2 of Section 5.1.1.1) 10m setback above street frontage height of heritage item Front setback | <ul style="list-style-type: none"> Setback above street frontage height (no variation) Setback above street frontage height (variation may apply in limited circumstances on merit) <p>Street Frontage Height</p> <ul style="list-style-type: none"> Zero street frontage height (full setback) | <ul style="list-style-type: none"> Existing height of building - see clause 5.1.3.1 (5) max 15m max 20m max 25m max 30m max 35m max 40m | <ul style="list-style-type: none"> max 45m <p>Height Control</p> <ul style="list-style-type: none"> Site specific controls Existing height No specific SCA max height max 30m max 45m max 50m | <ul style="list-style-type: none"> max 55m max 60m max 70m max 80m max 110m max 130m Area 1 Area 3 |
|---|---|--|---|--|

* Where there is a numeral on the map, it is measured in metres from the site boundary.



~~Figure 5.10 Macquarie Street Special Character Area~~

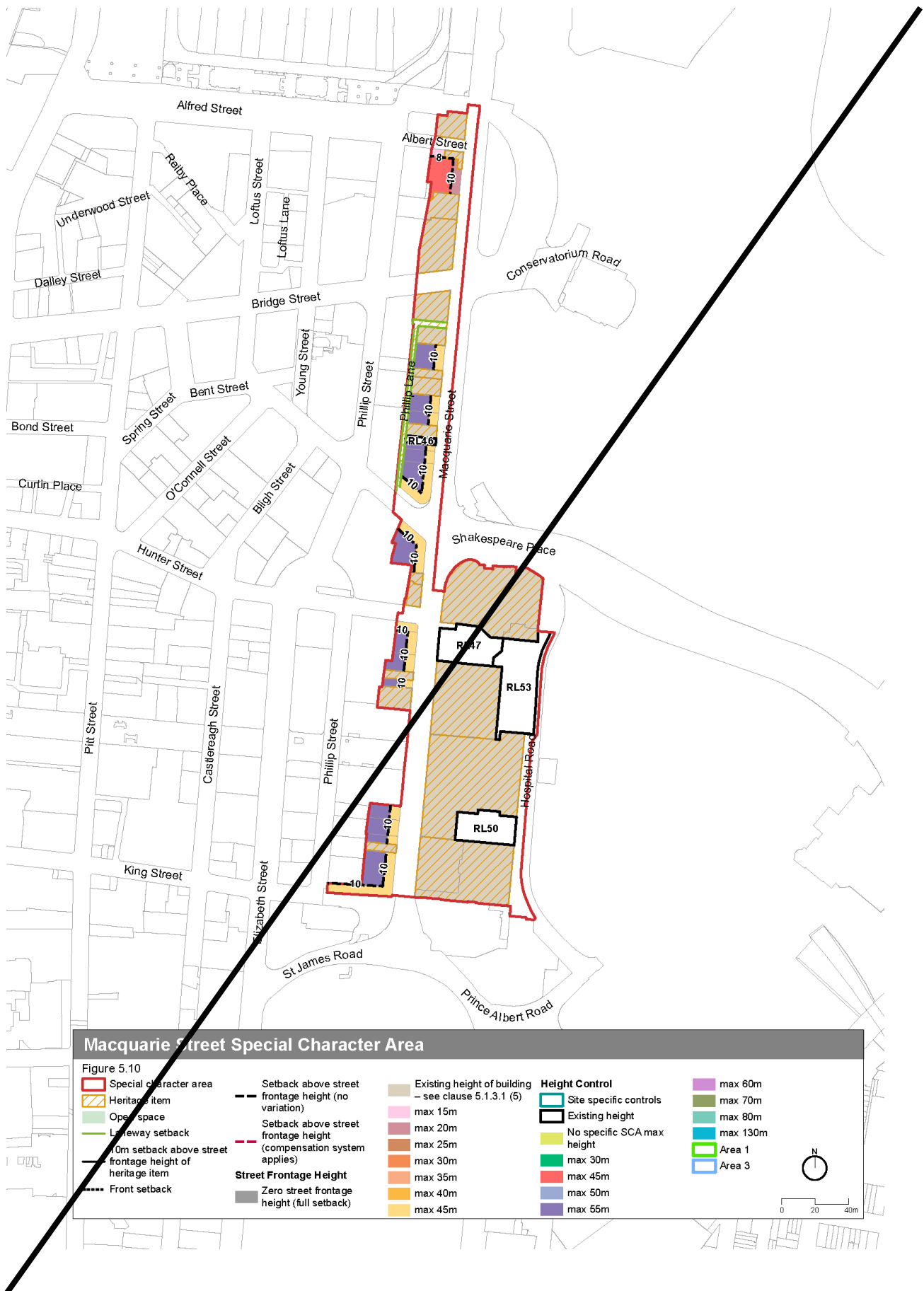
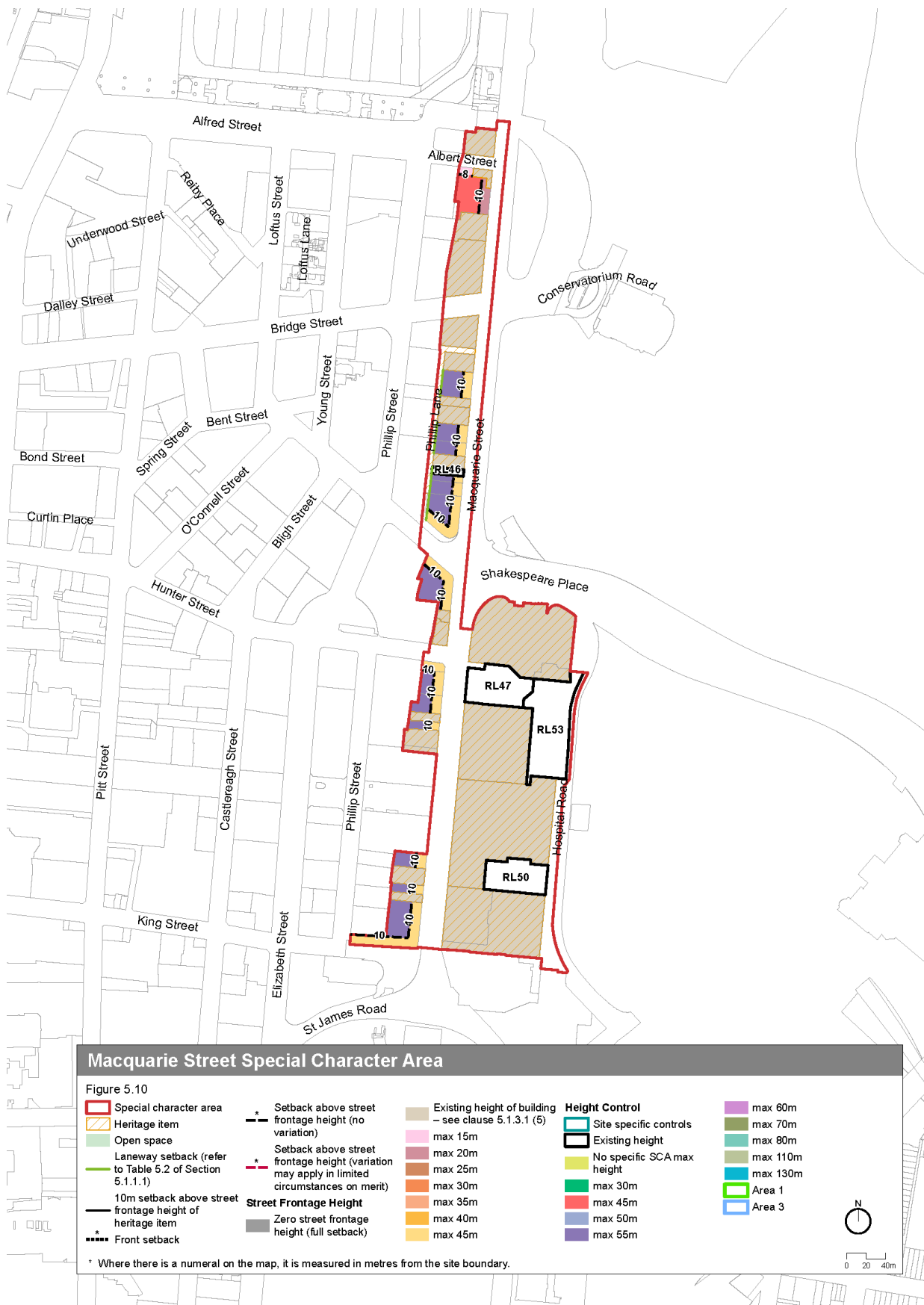


Figure 5.10 Macquarie Street Special Character Area



~~Figure 5.11 Martin Place Special Character Area~~



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Figure 5.11 Martin Place Special Character Area

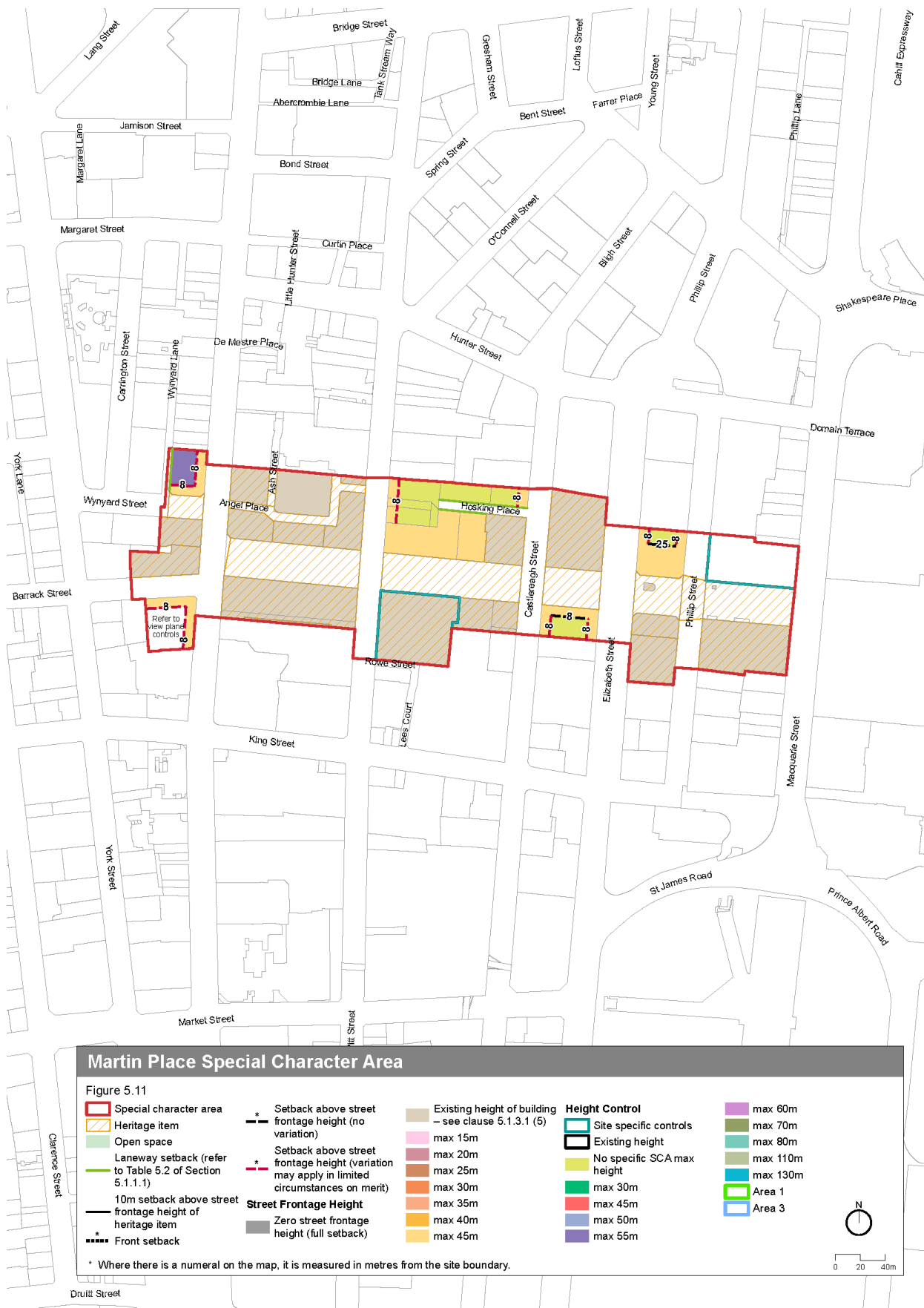


Figure 5.12 Pitt Street Mall Special Character Area



Figure 5.12 Pitt Street Mall Special Character Area



Figure 5.13 Railway Square / Central Station Special Character Area

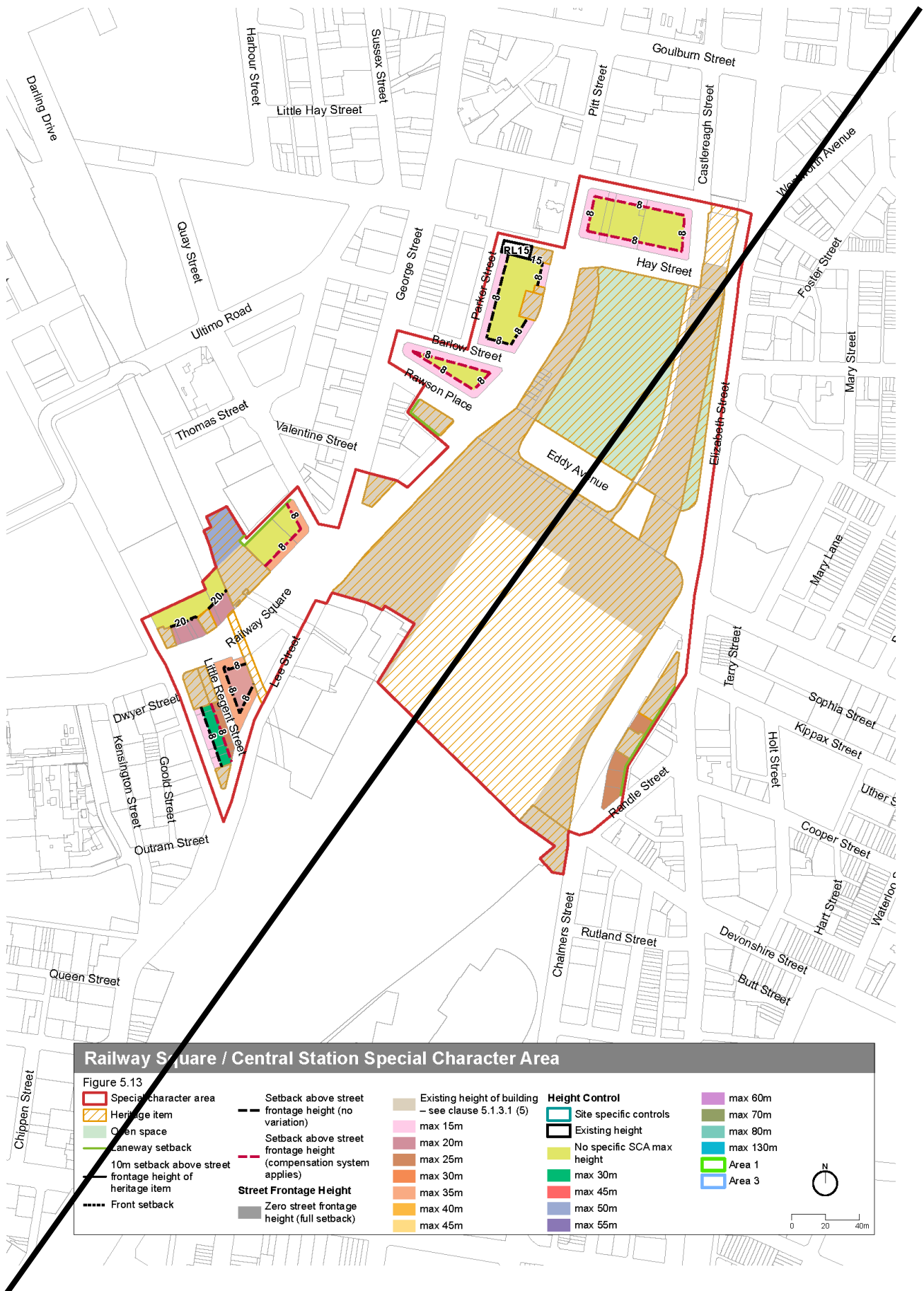


Figure 5.13 Railway Square / Central Station Special Character Area

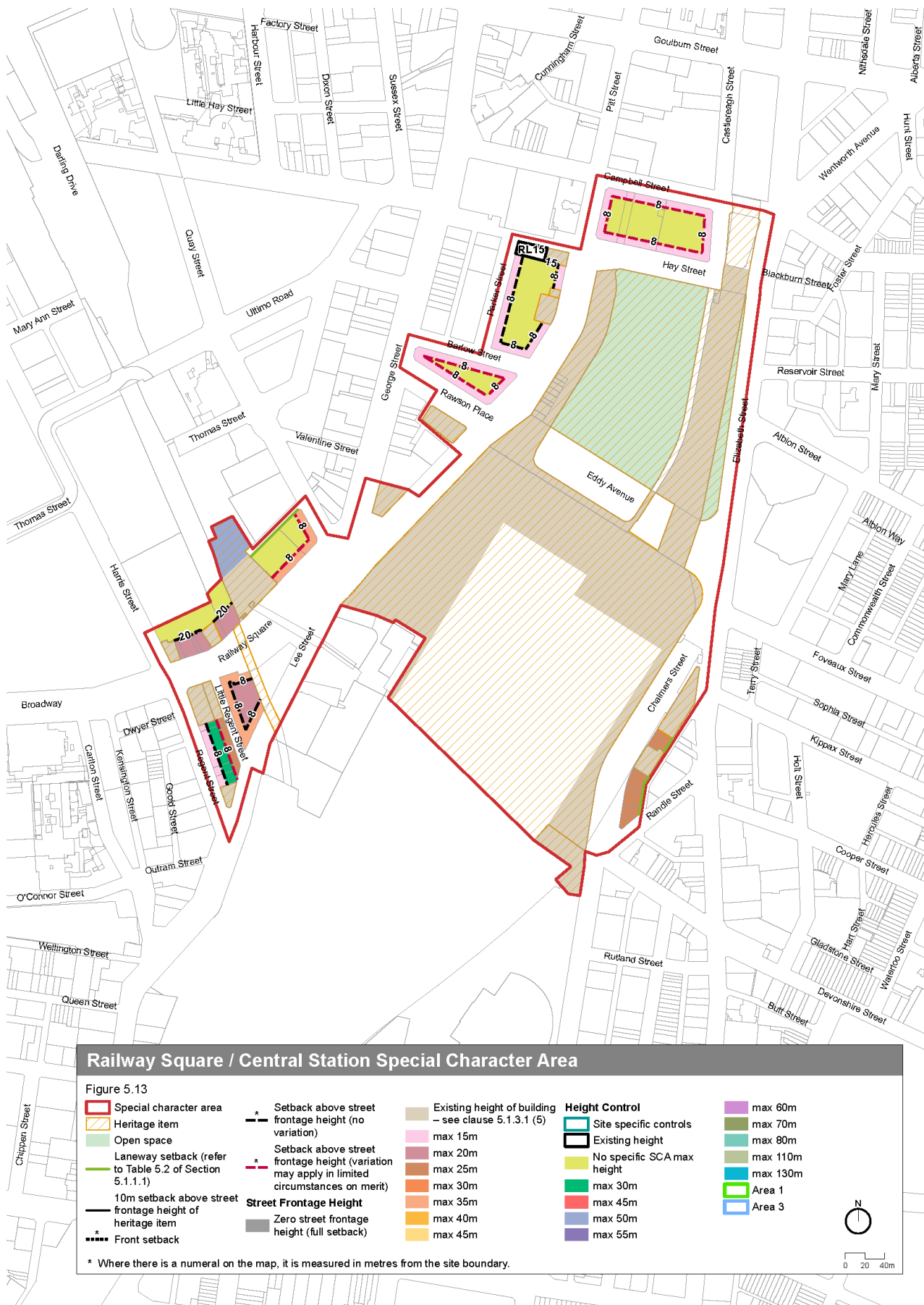


Figure 5.14 Sydney Square / Town Hall & St Andrews Special Character Area



Figure 5.14 Sydney Square / Town Hall & St Andrews Special Character Area

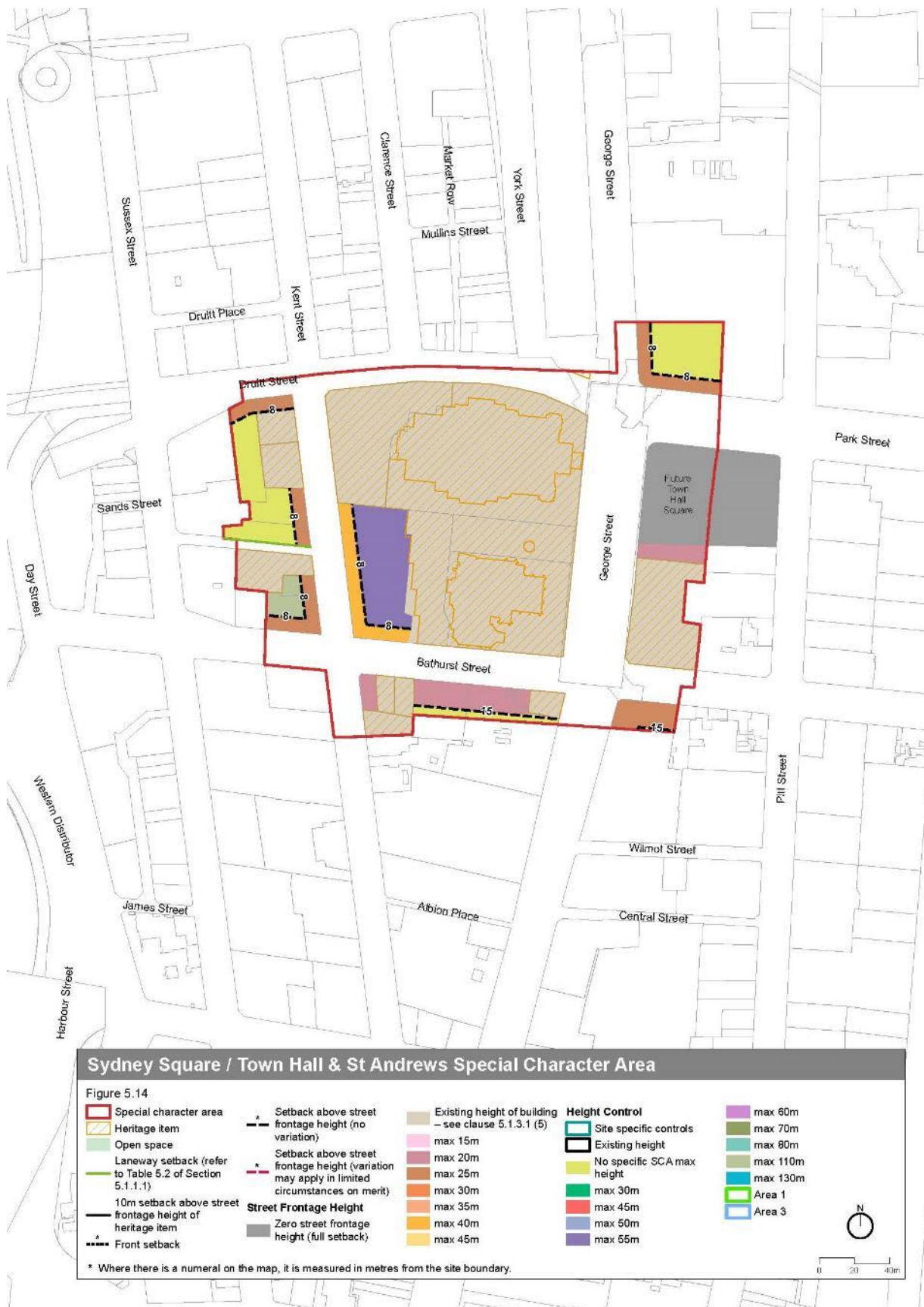


Figure 5.15 Wynyard Park / Lang Park Special Character Area



Figure 5.15 Wynyard Park / Lang Park Special Character Area

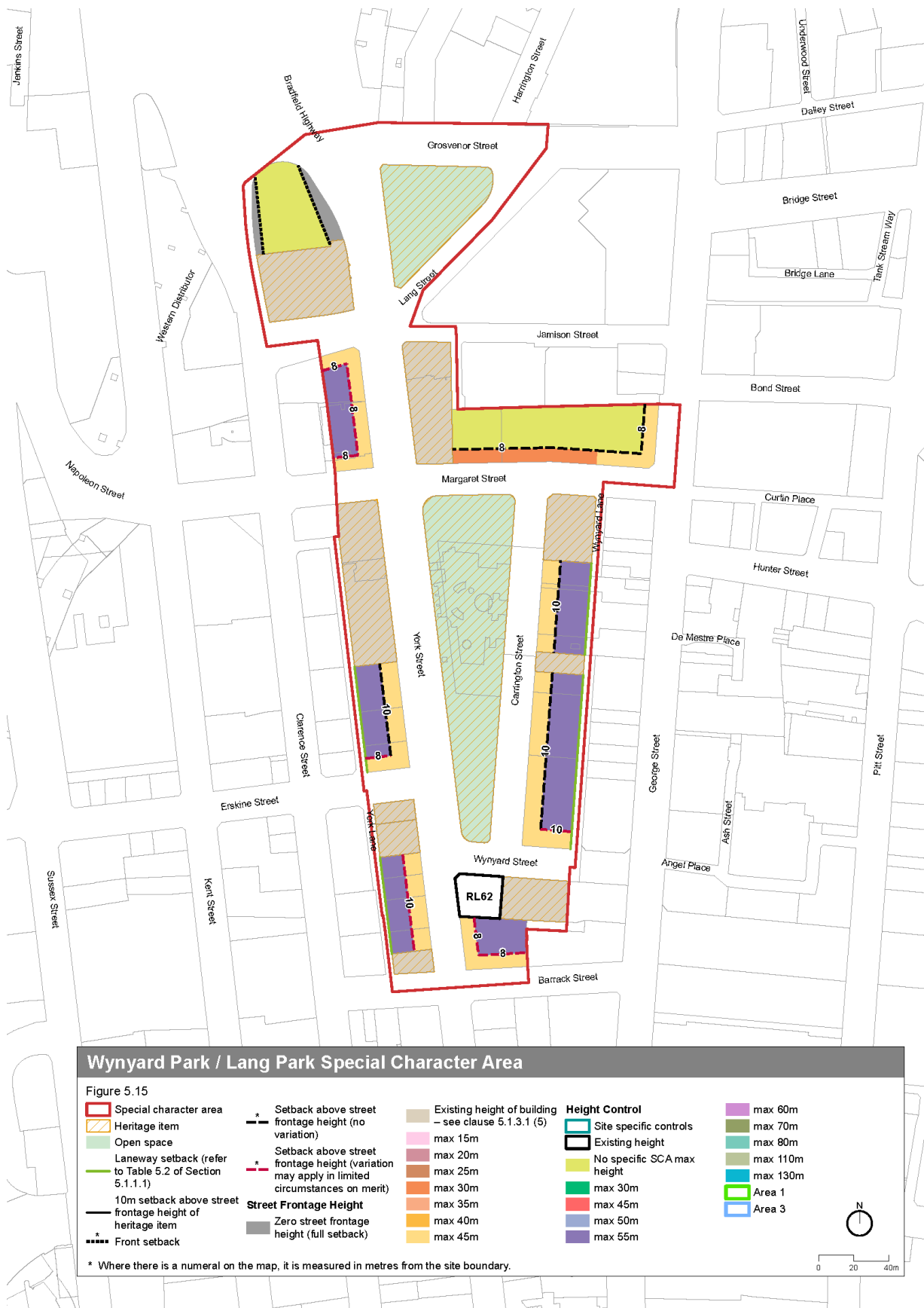
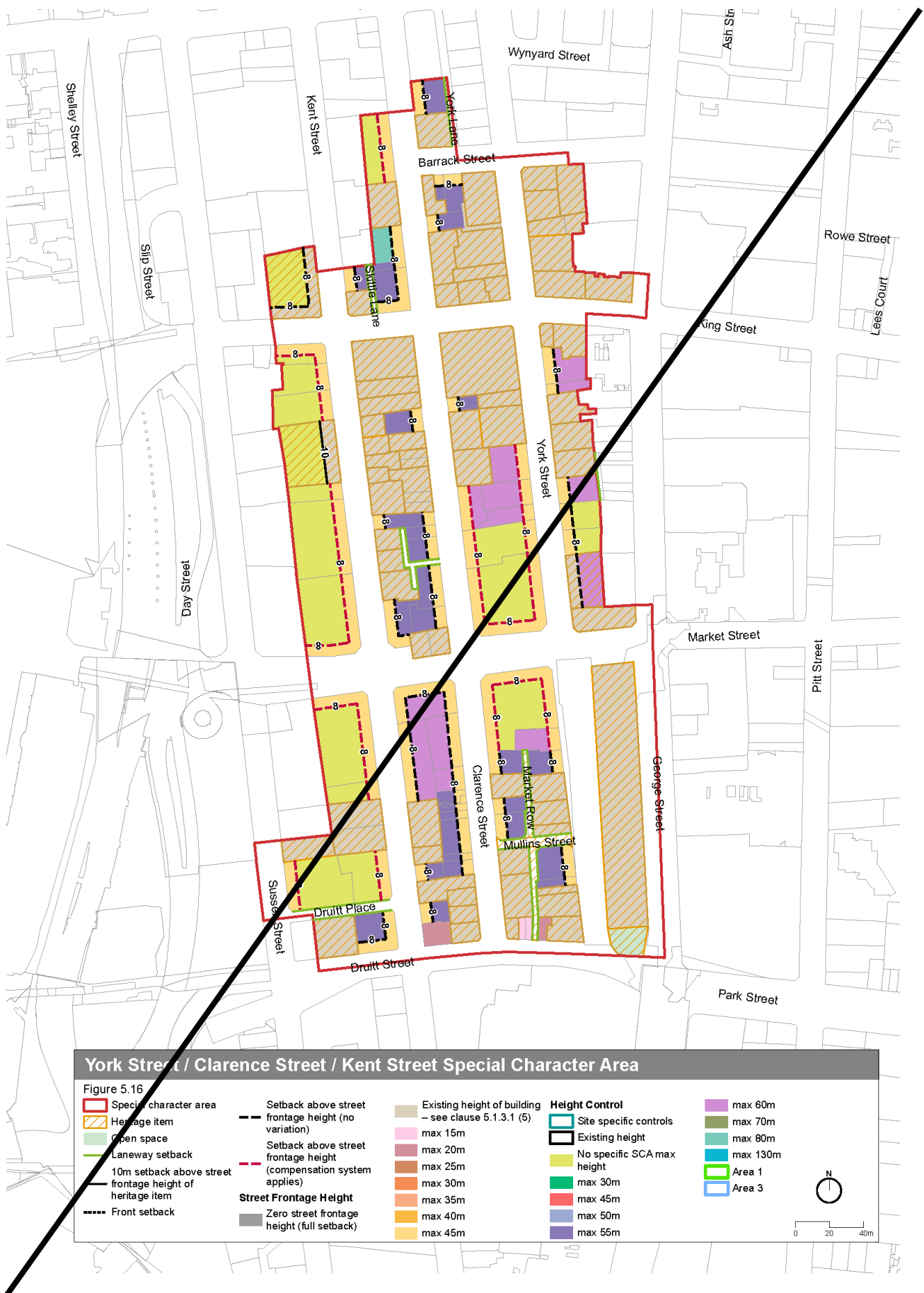


Figure 5.16 York Street / Clarence Street / Kent Street Special Character Area





5.1.1.3 Side and rear setbacks and building form separations

Value statement

Side and Rear Setbacks and Building Form Separations allow ventilation, daylight access and help reduce adverse wind effects.

Side and Rear Setbacks and Building Form Separations required by this section of the DCP have been established by giving consideration to building height.

Tall buildings should appear 'in the round' so that each face of a building is substantially visible from immediately adjacent Public Places.

The Side and Rear Setbacks and Building Form Separations set out in this section are intended to manage the impact of development on surrounding public domain. Setbacks required for amenity within a development are set out in Section 5.1.2.

Objectives

- (a) To enhance the quality of the Public Places in terms of wind mitigation, ventilation and daylight access.
- (b) To ensure tower elements of tall buildings are appropriately setback from side and rear boundaries to:
 - (i) provide definition to building podiums;
 - (ii) ensure that tower elements appear 'in the round', and;
 - (iii) to allow sufficient light and air into surrounding Public Places.
- (c) To avoid the appearance of a contiguous 'wall of towers', where groups of tall buildings appear as one unbroken mass.
- (d) To promote separate buildings that create a layered visual effect when viewed from a distance.
- (e) To allow appropriate flexibility in building design that provides a good contextual fit with the setting and character of neighbouring buildings, including alignments and datums, and compatibility of built form between new development and heritage items and Special Character Areas.
- (f) To allow appropriate flexibility for Side and Rear Setbacks and Building Form Separations but only where better performance in relation to wind mitigation and daylight access to Public Places can be demonstrated.

Provisions

- (1) Side and Rear Setbacks and Building Form Separation controls apply to development massing above Street Frontage Height.
- (2) The Side and Rear Setbacks and Building Form Separations of development must be in accordance with Table 5.4 – Minimum side and rear setbacks and building form separations, including development in Special Character Areas.
- (3) The greatest setbacks and separation required by Table 5.4 must be applied consistently from the Street Frontage Height to the top of the building.
- (4) Side and Rear Setbacks must be provided entirely within the boundaries of the site and the minimum setback is to be applied consistently from the top of the building down to the Podium Height.

Figure 5.17 Minimum Side or Rear Setbacks above Street Frontage Height applied consistently to the top of the building

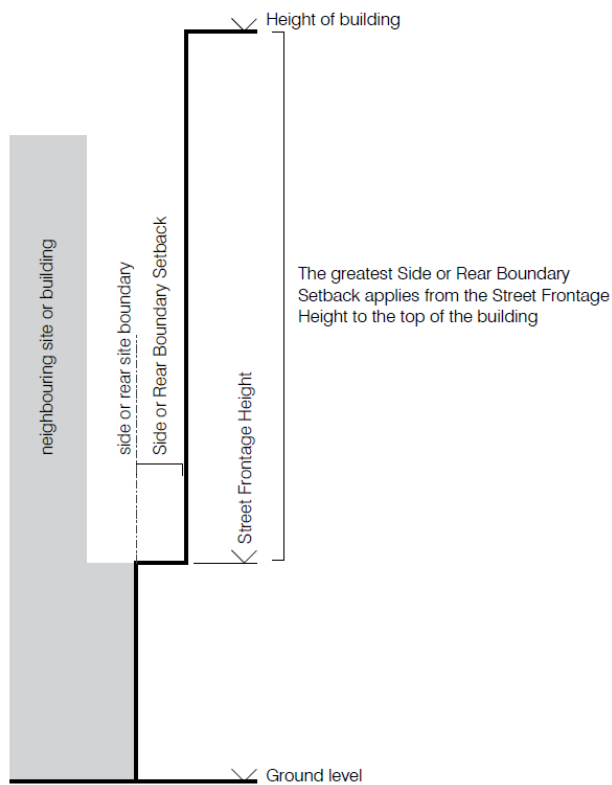


Figure 5.18 Minimum Side or Rear Setbacks above Street Frontage Height applied consistently to the top of the building not varying in cross section

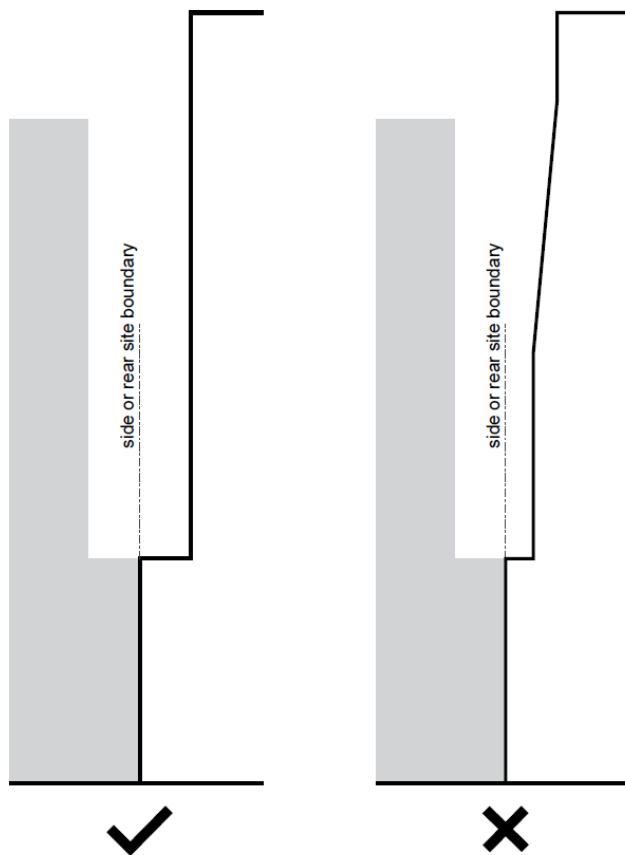
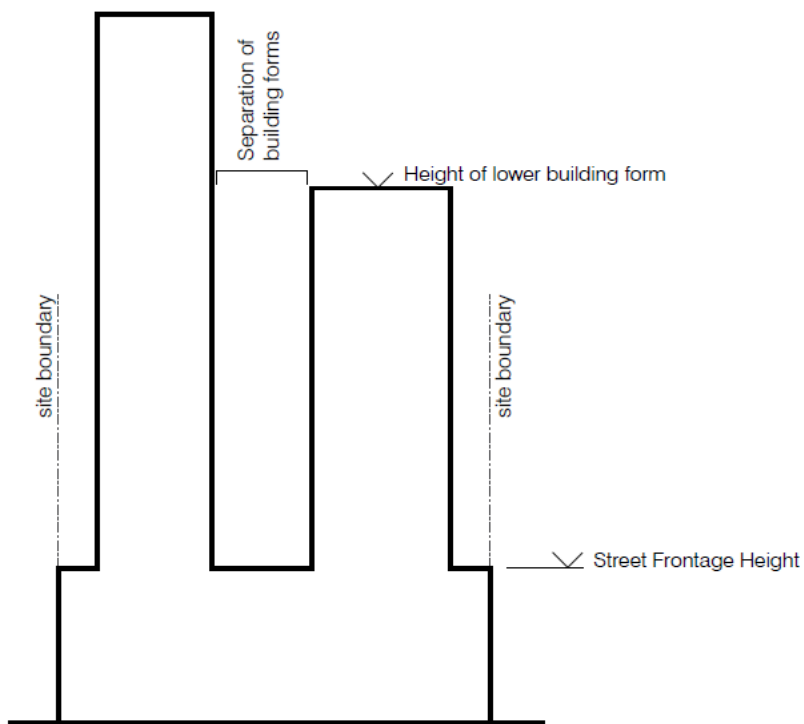


Figure 5.19 Separation required between building forms on the same site



Note: Building 'Form' Separations is used as a description as technically in post instances the development will constitute one 'building'.

(5) Notwithstanding (4) above, Side and Rear Setbacks may need to vary in plan where the top of the building has been designed with varied heights.

Figure 5.20 Side and Rear Setbacks vary in plan as the height of the top of building varies

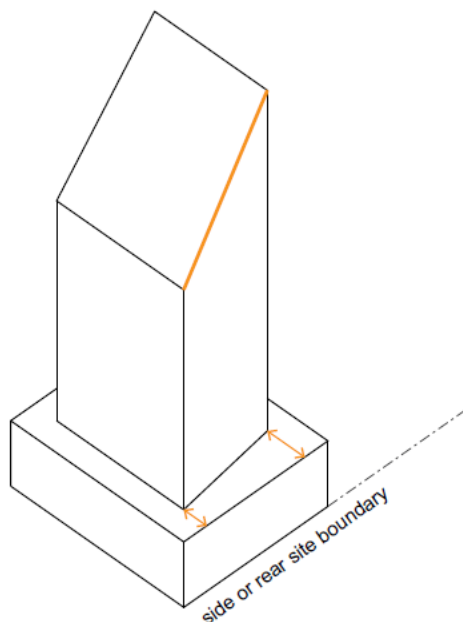


Table 5.4 Minimum side and rear setbacks and building form separations

Proposed total height of building

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Minimum side and rear setbacks and building form separations	Up to 55m	Greater than 55m up to 120m	Greater than 120m up to 240m	Greater than 240m
Side and rear setback above street frontage height	0m	4m	3.33% of the proposed total height of the building	8m
Building form separations on the same site	0m	8m	6.66% of the proposed total height of the building	16m

Note: For separation on the same site use the lower building form height to determine the required separation.

~~(6) Variation to Side and Rear Setbacks and Building Form Separations may be permitted where:~~

- ~~(a) equivalent or improved wind comfort, wind safety and daylight levels are achieved in adjacent Public Places, relative to the base case building massing as required under Schedule 12 (i.e. variation to massing is governed by achieving equal or better performance), and~~
- ~~(b) a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis, which demonstrates how the proposed massing is compatible with the context.~~

~~Procedures for demonstrating compliance with 5.1.1.3(4) are set out in Schedule 12.~~

(6) Variation to Side and Rear Setbacks and Building Form Separations may be permitted for development seeking additional height and/or floor space under SLEP 2012 Clause 6.21E Tower Cluster Areas if it demonstrates:

(a) a high-quality urban design outcome, through the preparation of a detailed urban design and options analysis showing how the proposed massing and connections:

- (i) Are a good contextual fit with the surrounding environment, by referencing the built form of neighbouring buildings (including building alignments and datums at ground, street wall and upper levels) and the existing pattern of Public Places,
- (ii) Enhance local character and identity with reference to form and curtilage of heritage, the definition of Public Places and local views and vistas,
- (iii) Make a positive contribution to the urban context where change has been managed carefully and establishes a high benchmark for the design of future development; and

(b) that it has equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights, Street Setbacks Above Street Frontage Height, Side and Rear Setbacks, Building Form Separations, and Building Envelope Area (i.e. variation to massing is governed by achieving equal or better performance).

Procedures for demonstrating compliance with 5.1.1.3 (6)(b) are set out in Schedule 12.

(7) Notwithstanding (6) above, facades that contain windows must be set back from side and rear site boundaries by a minimum of 2m (the setback must extend to the top of the building) to allow maintenance of the façade from a building maintenance unit fully within the site boundary unless an easement exists for maintenance access over the adjoining land or the façade is accessible from a public place.

(8) Notwithstanding 5.1.1.3 Side and Rear Setbacks and Separations, greater setbacks and separation may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.2 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

5.1.1.4 Built form massing, tapering and maximum dimensions

Value statement

The impact of tall buildings on the amenity of the public domain increases as building height increases. It is appropriate to manage building dimensions and massing of tall buildings to ensure that these types of buildings are not overwhelming in scale and impact on the amenity of the public domain.

Objectives

- (a) Ensure that tall buildings are slender and do not appear as walls or as overly massive from any direction.
- (b) Ensure residential accommodation, serviced apartment and self-contained hotel developments present as slender buildings.
- (c) Ensure that buildings are slimmest at their peaks so that in the overall city form buildings become less bulky at their upper limits.
- (d) To allow appropriate flexibility in building design that provides a good contextual fit with the setting and character of neighbouring buildings, including alignments and datums, and compatibility of built form between new development and heritage items and Special Character Areas.
- (e) To allow appropriate flexibility for Built Form Massing and Tapering but only where better performance in relation to wind mitigation and daylight access to Public Places can be demonstrated.

This section may require increased setbacks when read in conjunction with other provisions in the DCP.

Provisions

- (1) Above Street Frontage Height the maximum horizontal dimension of a building including all external elements (for example architectural elements like horizontal or vertical fins) measured in any direction (including diagonally across the building – see Figure 5.21) is not to exceed:
 - (a) 50m for residential accommodation and serviced apartment developments; and
 - (b) 100m for all other developments.
- (2) For residential accommodation, serviced apartments or self-contained hotels with a height above 55m, the size of any floor plate above the Street Frontage Height must not exceed 1,000 square metres floor space area (as per the Gross Floor Area definition).
- (3) Above the Street Frontage Height, the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks or other required massing exclusions:
 - (a) 100% up to 120m above ground;
 - (b) 90% above 120m up to 240m above ground; and
 - (c) 80% above 240m above ground.

Note: In some circumstances where the top of the building envelope is sloped or steps this form may assist in meeting the above requirement that the cross sectional area of the building reduces as the building's height increases.

(4) For the purposes of calculating Building Envelope Area:

Building Envelope Area is the area including all internal and external built elements and enclosed voids between that floor level and the next floor level measured in plan.

~~Note: Where a heritage item or part thereof is within a required setback that area is only subtracted once.~~

~~Note: Where compliance with Sections 5.1.1.1(2) and 5.1.1.3(5) has been demonstrated in relation to a varied setback, and the resultant Building Envelope Area fails to comply with Section 5.1.1.4(3), the variation to Section 5.1.1.4(3) may be permitted.~~

~~Note: Variation to 5.1.1.4 (1) to (3) may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to the base case building massing as required under Schedule 12, with complying Side and Rear Setbacks and building tapering and maximum dimensions (i.e. variation to massing is governed by achieving equal or better performance) and that it is also demonstrated that a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context.~~

Note: Where a heritage item or part thereof is within a required setback that area is only subtracted once.

(5) Variation to Building Envelope Area (Provision 3) may be permitted for development seeking additional height and/or floor space under Clause 6.21E Tower Cluster Areas if it demonstrates:

(a) a high-quality urban design outcome, through the preparation of a detailed urban design and options analysis showing how the proposed massing and connections:

(i) Are a good contextual fit with the surrounding environment, by referencing the built form of neighbouring buildings (including building alignments and datums at ground, street wall and upper levels) and the existing pattern of Public Places.

(ii) Enhance local character and identity with reference to form and curtilage of heritage, the definition of Public Places and local views and vistas.

(iii) Make a positive contribution to the urban context where change has been managed carefully and establishes a high benchmark for the design of future development; and

(b) that it has equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights, Street Setbacks Above Street Frontage Height, Side and Rear Setbacks, Building Form Separations, and Building Envelope Area (i.e. variation to massing is governed by achieving equal or better performance).

Procedures for demonstrating compliance with 5.1.1.4 (5)(b) are set out in Schedule 12.

Figure 5.21 Maximum horizontal dimension of a building above Street Frontage Height

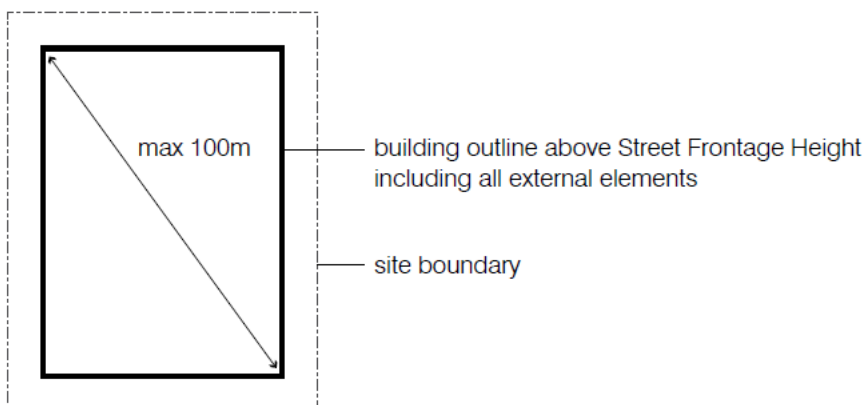
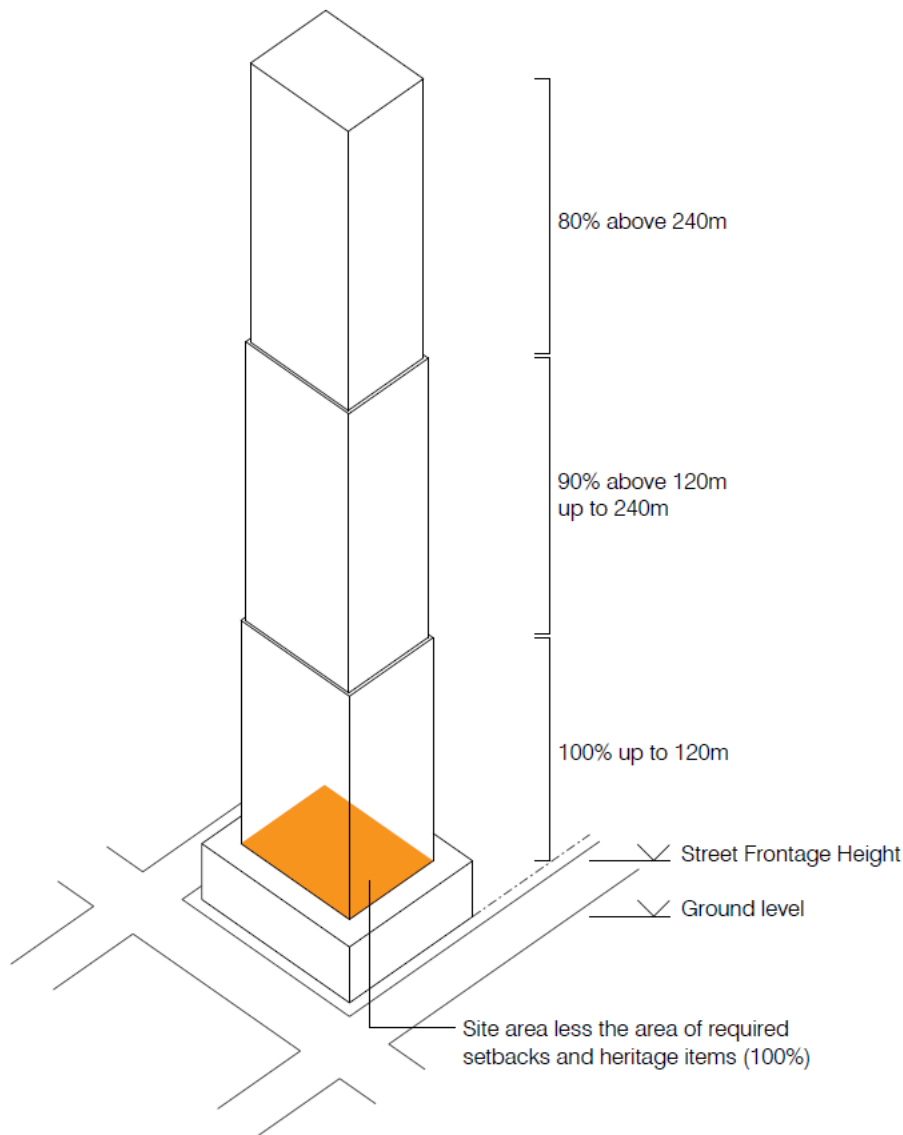


Figure 5.22 Maximum Building Envelope Area above Street Frontage Height



- b. Edit the text and figures in Section 5.1.2 ‘Development outlook and demonstrating amenity compliance’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

5.1.2 Development outlook and demonstrating amenity compliance

Value statement

Sydney LEP 2012 and Sydney DCP 2012 purposefully seek to protect and enhance public amenity such as daylight and sunlight to Public Places and public views that are of benefit to the whole community.

In Central Sydney’s dynamic and dense development environment certainty for the protection of private amenities such as sunlight and views cannot be guaranteed. The maintenance of sunlight access and private views to existing development should not unduly restrict the economic performance and economic growth of Central Sydney, where proposed development has demonstrated compliance with Sydney LEP 2012, in relation to height and FSR, and Sydney DCP 2012 Section 5.1.1 Built form controls. This is especially the case for proposed employment related developments that impact on existing residential and serviced apartment developments.

Development outlook

All developments should provide for adequate setbacks within their developments sites so as to guarantee their own minimum outlook, as opposed to a view.

Demonstrating amenity compliance

Where residential accommodation and serviced apartment developments are proposed, solar and daylight access for future occupants must be measured assuming the full redevelopment of neighbouring sites in the vicinity. This provides a stronger foundation for the amenity of future occupants to be guaranteed.

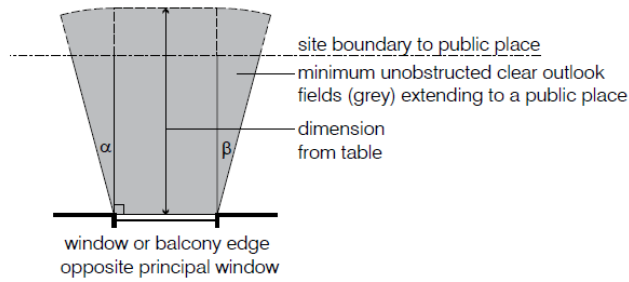
Objectives

- (a) Ensure that windows and balconies provide adequate outlook.
- (b) Ensure development is self-sufficient in the provision of amenity so that access to outlook and sunlight is reasonably guaranteed for the foreseeable life of the development.
- (c) Ensure that development does not unreasonably borrow amenity from neighbouring sites including access to views and sunlight.
- (d) Ensure residential accommodation and serviced apartment developments provide for adequate solar access over the life of the development.
- (e) Ensure existing residential accommodation and serviced apartment developments do not unreasonably impede the development of commercial and other employment related floor space.

Provisions

- (1) Outlook from windows, balconies must have a minimum clear Outlook Field that:
 - (a) has a depth set out in Table 5.5 Minimum Outlook Field depths
 - (b) is completely contained within the sites boundaries and/or adjacent Public Place(s); and
 - (c) is completely clear of built obstructions, excluding public domain structures and trees in a Public Place.
- (2) An Outlook Field is defined by extending a visual field horizontally for the width and height of the window or balcony and perpendicular to it, with additional sector shaped fields extending from the edges of the window/ balcony that have a combined angular extent of at least:
 - (a) 30 degrees, where the fields extend unobstructed to a Public Place; or
 - (b) 90 degrees.
- (3) For the purposes of defining an Outlook Field, windows or balconies within 1m of each other will be treated as one continuous window or balcony.
- (4) Outlook Fields for balconies must be measured from the balcony edge opposite the principal window and parallel to it.

Figure 5.23 Outlook Field extending unobstructed to a Public Place



where the sum of angles $\alpha + \beta$ is greater than or equal to 30 degrees

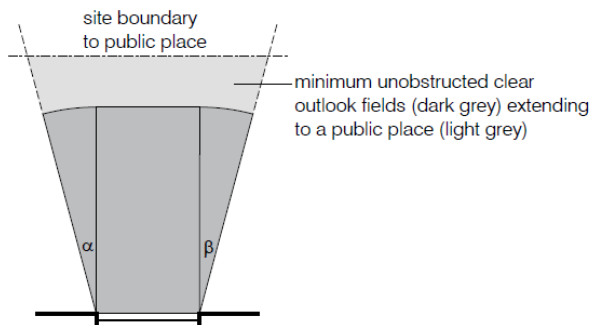
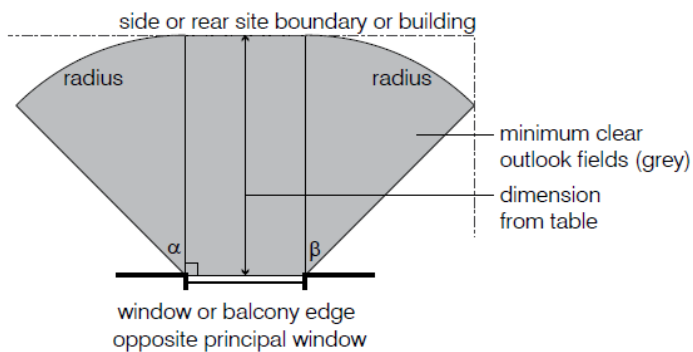


Figure 5.24 Outlook Field not to a Public Place (unobstructed)



where the sum of angles $\alpha + \beta$ is greater than or equal to 90 degrees

Figure 5.25 Outlook Field sectors are flexible in their application as long as the total minimum angular extent is achieved

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examples where the sum of angles
 $\alpha + \beta$ is equal to 90 degrees

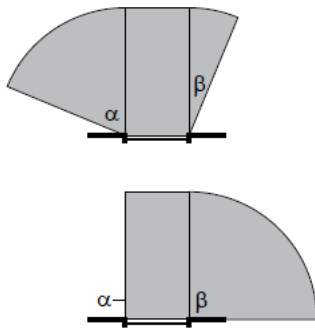


Figure 5.26 Whether recessed, treated with side screens or open, Outlook Fields for balconies must be measured from the balcony edge opposite the principle window and parallel to it

examples of balcony edge
opposite principal window

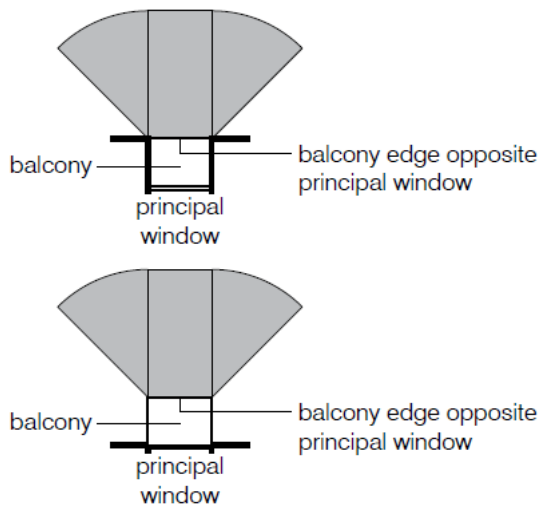


Table 5.5 Minimum outlook field depths

Minimum outlook field depths			Window or balcony height above ground				
			up to 12m	>12 up to 25m	>25 up to 45m	>45m up to 120m	>120m
Use and window/balcony context	Residential, Serviced Apartments and other forms of self-contained accommodation	primary windows to living spaces and associated balconies	6m	9m	12m	12m	12m
		other windows	6m	6m	9m	9m	9m

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or
balconies

All other forms of accommodation (e.g. non-self contained hotel rooms)	all windows and balconies	6m*	6m*	6m*	9m	9m
<u>All other uses</u>	<u>balconies and windows to areas other than common circulation spaces</u>	<u>3m*</u>	<u>3m*</u>	<u>3m*</u>	<u>6m</u>	
	<u>windows to common circulation spaces</u>	<u>3m*</u>	<u>3m*</u>	<u>3m*</u>	<u>3m</u>	

* Windows and balconies may be built to any site boundary adjacent to a Public Place up to the Street Frontage Height set out in relevant Tables 5.1 or 5.3 – i.e. this Table's value becomes 0m in those instances.

Note: The above requirements for outlook are in addition to the requirements for visual privacy set out in the Apartment Design Guide.

Note: When measuring visual privacy across streets narrower than 24m the visual privacy separation should be measured from the centreline of the street.

(5) When demonstrating compliance with SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide in relation to solar and daylight access, proposed residential accommodation and serviced apartment developments must make measurements assuming the full redevelopment of neighbouring sites in the vicinity under Sydney LEP 2012 and Sydney DCP 2012.

Heritage listed and residential strata sites may be excluded for the purposes of assumed redevelopment. For all other sites, full redevelopment must be assumed, including amalgamation and full redevelopment of contiguous sites.

Note: Where an electronic model of a fully redeveloped Central Sydney under Sydney LEP 2012 and Sydney DCP 2012 ~~will be~~ is provided to applicants by the City of Sydney for the purposes of demonstrating solar and daylight access compliance, it must be used.

(6) When considering the likely impacts of a development on surrounding developments any adverse impacts on existing private views, visual privacy, solar and daylight access are considered reasonable ~~where compliance with Section 5.1.1 and 5.1.2(1), (2) and (3) has been achieved.~~

(7) Notwithstanding Section 5.1.2(6), residential accommodation and/or serviced apartment developments ~~that~~ must consider overshadowing and visual privacy of surrounding residential developments under State SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

c. Edit the text and figures in Section 5.1.4 ‘Building exteriors’ provision 1 and 2 as follows, with strikethrough representing deletion and underline representing additions or edits:

(1) Adjoining buildings, particularly heritage buildings, must be considered in the design of new development in terms of:

- (a) street alignment;
- (b) Street Frontage Heights;
- (c) Street Setbacks Above Street Frontage Height; and
- (d) facade proportions including horizontal or vertical emphasis and enclosed corners at street intersections.

Note: for development adjacent to Heritage Items, see also Section 5.1.3.2

(2) Building exteriors are to be designed so that:

- (a) they have a predominantly masonry character and articulation (typical of Central Sydney) ~~particularly below the maximum Street Frontage Height~~ up to the Street Frontage Height; and
- (b) the materials used, including glass, are predominantly light in colour to reflect better quality light into the streets and respond to ~~the characteristic~~ historic light sandstone colours of Central Sydney.

d. Delete Section 5.1.9 ‘Managing wind impacts’.

e. Edit the text in Schedule 12 ‘Procedures for demonstrating compliance with variation provisions for street frontage height and setbacks, side and rear setbacks, building separations and tapering controls in Central Sydney’ as follows, with strikethrough representing deletion and underline representing additions or edits:

~~Relevant sections of the DCP are reproduced below for ease of reference.~~

~~Minimum Street Frontage Height and Street Setbacks~~

~~Section 5.1.1.1~~

~~(1) The Street Frontage Height and Street Setbacks of a building must be in accordance with Table 5.1—Permissible range of Street Frontage Heights and Table 5.2 Minimum Street Setbacks, except for buildings in Special Character Areas that must be in accordance with the Minimum Street Frontage Heights for Special Character Areas in Table 5.3, and the Minimum Street Setbacks and Maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16 in Section 5.1.1.2.~~

~~(3) Where noted in Table 5.2 Minimum Street Setbacks and on the Special Character Area maps, variation to Street Setbacks may be permitted to building massing that provides:~~

- ~~(a) encroachment(s) 2m forward of the minimum Street Setback within the middle third of the frontage to a Public Place and provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback; or~~
- ~~(b) equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places, relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance).~~

~~Procedures for demonstrating compliance with 5.1.1.1(3)(a) and (b) are set out in Schedule 12.~~

~~Side and Rear Setbacks and Building Form Separations~~

~~Section 5.1.1.6~~

~~(6) Variation to Side and Rear Setbacks and Building Form Separations may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places, relative to a base case building massing with complying Side and Rear Setbacks (i.e. variation to massing is governed by achieving equal or better performance).~~

~~— Procedures for demonstrating compliance with 5.1.1.6(4) are set out in Schedule 12.~~

~~Note: Building massing includes all building elements at all levels. For example fins, external sun shading devices, architectural features, screens, signs, awnings etc~~

Built form massing, tapering and maximum dimensions

Section 5.1.1.4

~~(3) Above the Street Frontage Height the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks:~~

- ~~(a) 100% up to 120m above ground;~~
- ~~(b) 90% above 120m up to 240m above ground; and~~
- ~~(c) 80% above 240m above ground.~~

Public Domain Amenity Assessment

This schedule provides procedures for demonstrating compliance with variation provisions outlined in Section 5.1.1 and related objectives, requiring development to demonstrate better performance in relation to wind mitigation and daylight access to Public Places. The Schedule describes processes for varying street frontage height and setbacks, side and rear setbacks, building separations and tapering controls in Central Sydney.

f. Edit the text in Schedule 12.1 ‘Procedure A: Minimum Street Setback Encroachment and Compensating Recess’ preamble and provision 1 as follows, with strikethrough representing deletion and underline representing additions or edits:

The purpose of Procedure A is to provide additional flexibility to minimum street setback controls for the design of the built form that improve public amenity in Public Places. Street setbacks above street frontage height may be varied using the procedures set out in this section. The proposal must comply with all other planning controls as outlined in Section 5.

In order to demonstrate compliance with Section 5.1.1.1(3)(a) regarding Minimum Street Setbacks, the following procedure must be followed:

(1) If a building massing ~~with~~ has a frontage to a Public Place, where each frontage is assessed independently at each floor, the building may encroach up to a maximum 2m forward of the required Minimum Street Setback within the middle third of the frontage if it provides an equal or greater area of compensating recesses up to 4m behind the Minimum Street Setback, but not within any other required setback.

g. Remove Schedule 12.2 ‘Procedure B: Equivalent or improved wind comfort and wind safety and daylight levels in adjacent Public Places’ and replace with the following text and figures:

Schedule 12.2 ‘Procedure B: Equivalent or improved wind comfort and wind safety and daylight levels in adjacent Public Places’

All tall buildings impact amenity in Public Places. The objectives and planning controls stated in Section 5.1.1 outline the City’s commitment to minimising negative impacts on daylight and wind conditions. Should the proponent wish to pursue variations to certain controls, the City requires the preparation of a base case model to establish the minimum performance benchmarks for wind and daylight conditions. Any proposal will then be compared to the conditions created by the base case model. Procedure B outlines the necessary steps for the preparation of a base case model, and the testing and reporting requirements that follow.

The definition of a base case model

A base case model is a form used for assessing variations to setbacks, street wall heights, separation and tapering provisions. It is a strictly defined 3-dimensional model that:

- sets the minimum performance benchmarks for wind and daylight impacts,
- is defined by a procedure that is not open to different interpretations or reasonableness since it is not a development proposal, and
- informs site suitability for additional height and/or density.

Procedure B outlines all the process used to prepare a base case model. The base case model will be assessed as part of the application process. The City will provide the model to be used for Procedure B. Should a proponent wish to prepare their own base case model, it must be done in consultation with the City.

The purpose of a base case model

Once a base case model is created, it is tested to establish the minimum performance benchmarks for daylight and wind in public places adjacent to the site. The alternative building envelopes provided by the proponent are then tested for equivalence (better performance) with these performance benchmarks.

The performance benchmarks are obtained by measuring average Sky View Factor (as a proxy for daylight) and 5% exceedance wind speeds.

The results of this performance benchmark equivalence testing are used to demonstrate that the proposed alternative envelopes perform better than the base case in relation to Sky View Factor and wind performance. This informs the suitability of proposed variations to the setbacks, street wall height, building form separation and tapering controls.

A base case model is not a ‘complying envelope’

A base case model envelope is not a ‘complying envelope’ for future development on a site. Any proposed building envelope needs to also demonstrate that a high quality urban design outcome will be achieved, while being in accordance with all the relevant controls within the LEP and DCP (including Division 4 of the LEP for design excellence).

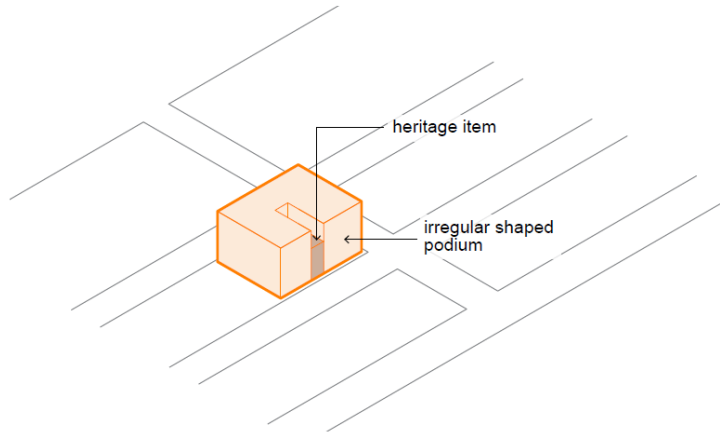
Preparing a base case model

The base case is a 3-dimensional model comprising of a podium and a tower, with fully Section 5-compliant street frontage heights, setbacks, building separations and tapering controls with some specific approaches applied. The model is to be prepared as follows:

(1) Podium Component Volume:

- (a) If the site, or part of the site, is occupied by a heritage item or forms part of the curtilage of a heritage item or includes a building or part of a building that is being retained, those parts must be excluded from the development of any podium and their existing form must be represented in the base case model.

Figure 12.2.1 Podium extruded avoiding a heritage item

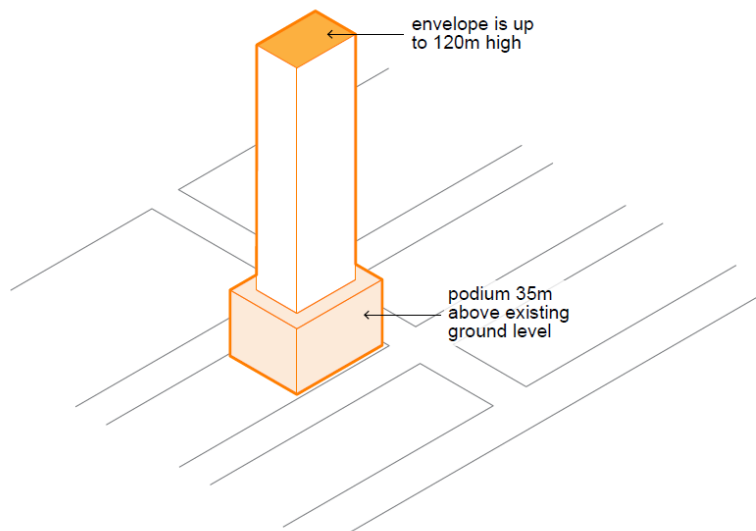


(b) For any part of the site that is located in a Special Character Area, extrude the podium vertically to the lower of the heights nominated on the Special Character Area map and in Table 5.3 of Section 5.1.1.2.

(c) For sites, or parts of a site, not located covered by (a) or (b), to identify the massing of the podium, refer to the street frontage height controls outlined in Table 5.1 of Section 5.1.1.1 and in accordance with the following:

(i) Where the building envelope is up to 90m high – extrude the podium vertically 35m above existing ground level (as it varies around the site based on the boundary levels, not to an averaged horizontal datum).

Figure 12.2.2 Podium extruded to 35m above existing ground level



(ii) Where the building envelope is between 90m and 120m high – extrude the podium vertically above existing ground level (as it varies around the site based on the boundary levels, not to an averaged horizontal datum) according to the heights indicated in Table 12.2.1.

Table 12.2.1 Podium heights by building envelope maximum height

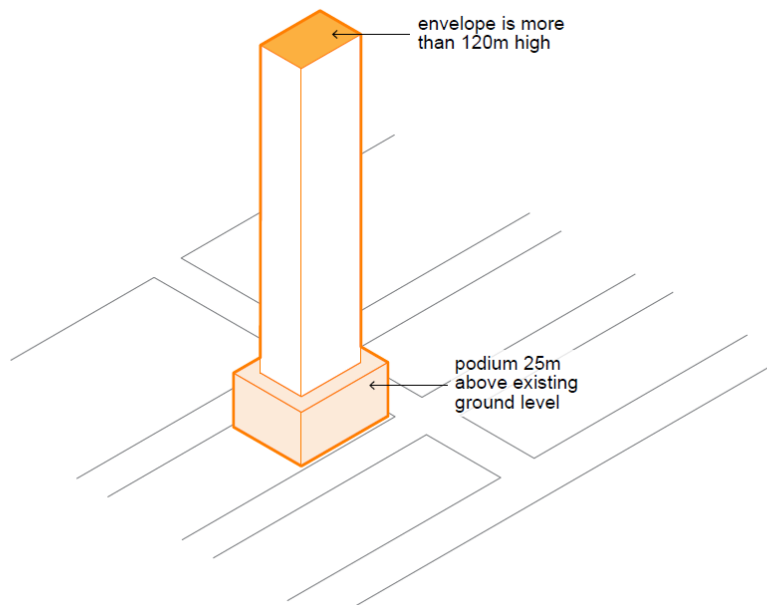
Building Envelope Maximum Height	Podium Height
0-90m	35m

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90.01-100m	32.5m
100.01-110m	30m
110.01-120m	27.5m
>120m	25m

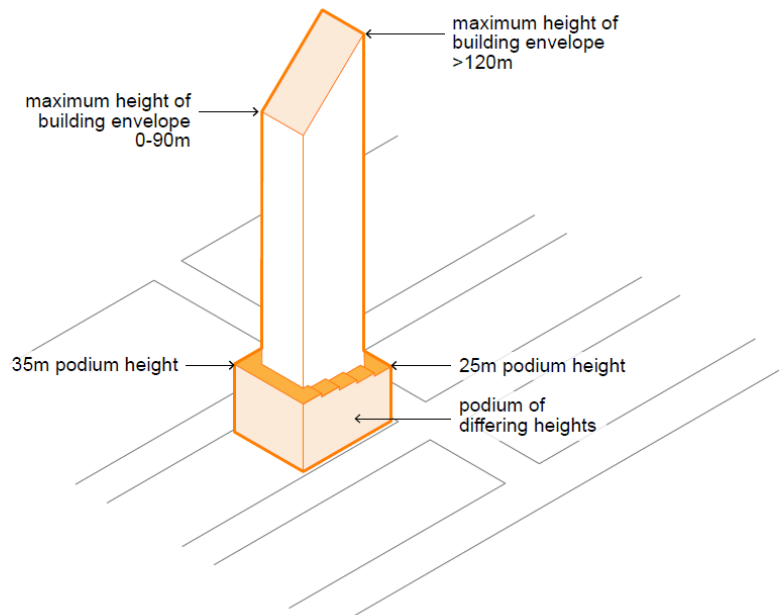
(iii) Where the building envelope is more than 120m high – extrude the podium vertically 25m above existing ground level (as it varies around the site based on the boundary levels, not to an averaged horizontal datum).

Figure 12.2.3 Podium extruded to 25m above existing ground level



(iv) Where the building envelope varies in height, for example to follow the slope of a Sun Access Plane, then the height of the podium must vary as well, to match the height of the building envelope directly above. The dimensions in Table 12.2.1 should be followed when extruding the podium for the purposes of developing a base case model.

Figure 12.2.4 Podium extruded to different heights



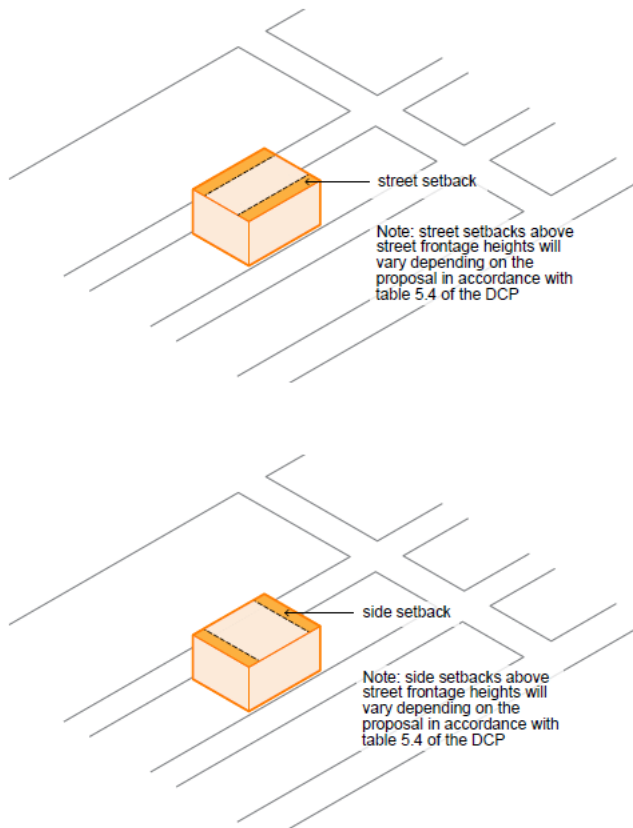
Note: Do not include podium (or tower component area) on parts of the site that are subject to easements, rights of way or the like, or areas that are not subject to significant works or that are not an intrinsic part of the development of the main building form.

(2) Tower Component Area:

(a) Once the podium has been formed, apply all the required minimum street, side and rear setbacks, and building separations in Section 5.1.1.1, 5.1.1.2, and 5.1.1.3 of the DCP from every part of the site boundary. This means that even small variation to boundary conditions are to be reflected in setbacks even if this results in unusual geometries. Provide a drawing showing these setbacks and their dimensions.

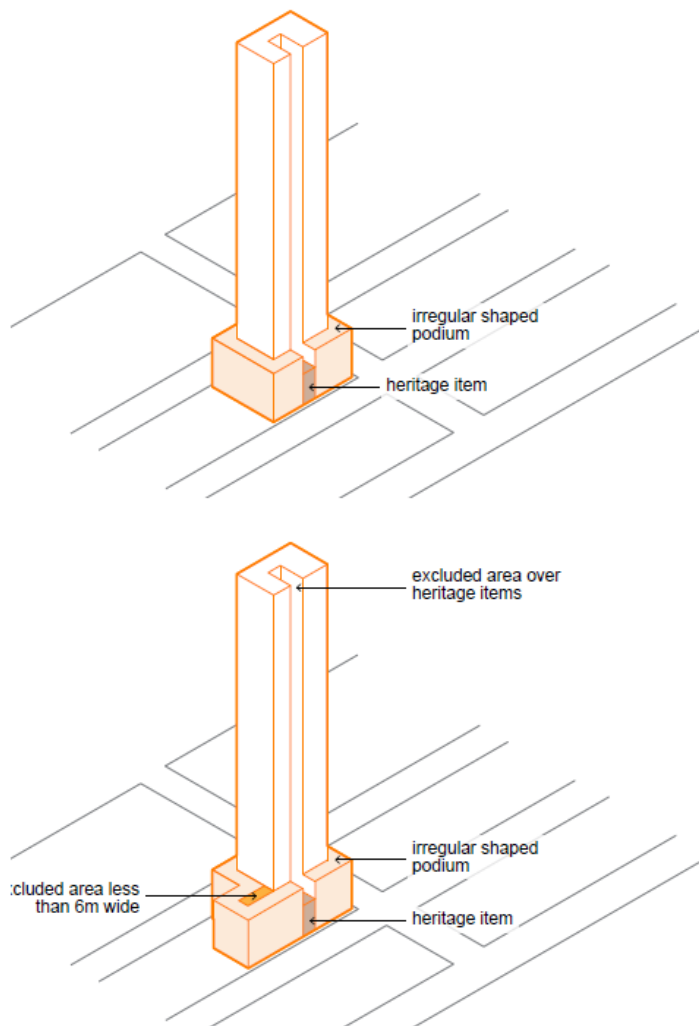
Figure 12.2.5 Applying street and side setbacks to podium to obtain Tower Component Area

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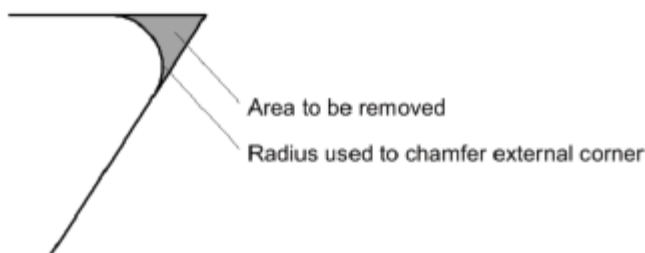
(b) Do not include areas over heritage items or the curtilage of a heritage item, easements or the like, and Tower Component Areas narrower than 6m wide. Provide a drawing showing these setbacks, areas and their dimensions.

Figure 12.2.6 Showing Tower Component Area over irregularly shaped podium and areas excluded for being less than 6m wide



(c) All external corners of the Tower Component are to be chamfered.

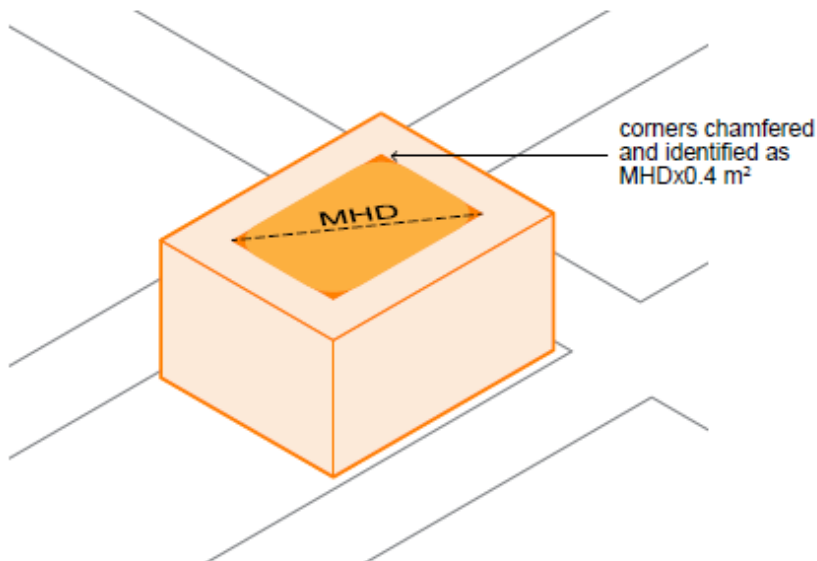
Figure 12.2.7 Example of chamfering



(i) Every external corner is to be chamfered with a circular radius that removes an area in square metres at each corner equal to the maximum horizontal dimension (MHD) of the Tower Component Area x 0.4 up to a maximum of 20m² or a radius of 10m. The boundary of the Tower Component Area must be a tangent to the circular radius used.

Note: The maximum horizontal dimension (MHD) is a straight line between the two most distant corners of the tower component area on a two-dimensional plan.

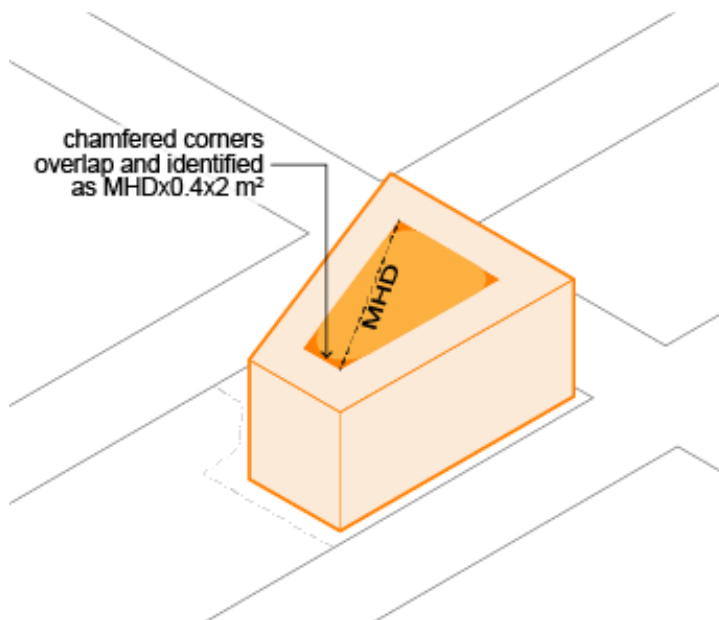
Figure 12.2.8 Demonstrating the maximum horizontal dimension and chamfered corners of the Tower Component Area



Note: The corners of the Tower Component are chamfered according to these figures in order to improve wind conditions at ground level.

(iii) If all or part of the proposed tower is narrow and the chamfered corners overlap (as in the curve of one corner cannot be completed before beginning the curve of another corner), those two corners can be chamfered using a single radius, so long as the sum of the area to be removed from the tower component area remains the same (i.e. $MHD \times 0.4 \times 2$ in square metres).

Figure 12.2.9 Demonstrating overlapping chamfered corners of an irregularly shaped podium and Tower Component Area



Note: In most cases, when chamfering two corners using a single radius, the outermost point of the arc may not meet one boundary of the Tower Component Area as illustrated in Figure 12.2.9.

Note: The chamfering procedure may result in significant reduction to the size of the Tower Component Area particularly for small sites.

Note: The Tower Component area may be reduced in area by increasing setbacks to more than the minimum dimensions required in order to remove small external corners in order to reduce the amount of area that is removed by chamfers.

Note: The MHD must be in accordance with Section 5.1.1.4 (1), i.e. it is not to exceed 50m for residential accommodation and serviced apartment developments, and 100m for all other developments.

(3) The Tower Component Volume:

(a) Extrude the Tower Component Area vertically to the maximum permissible building height as it varies around the site.

(b) The extruded Tower Component Volume must be tapered by scaling it in both horizontal perpendicular axes symmetrically relative to the centroid of the Tower Component Area by:

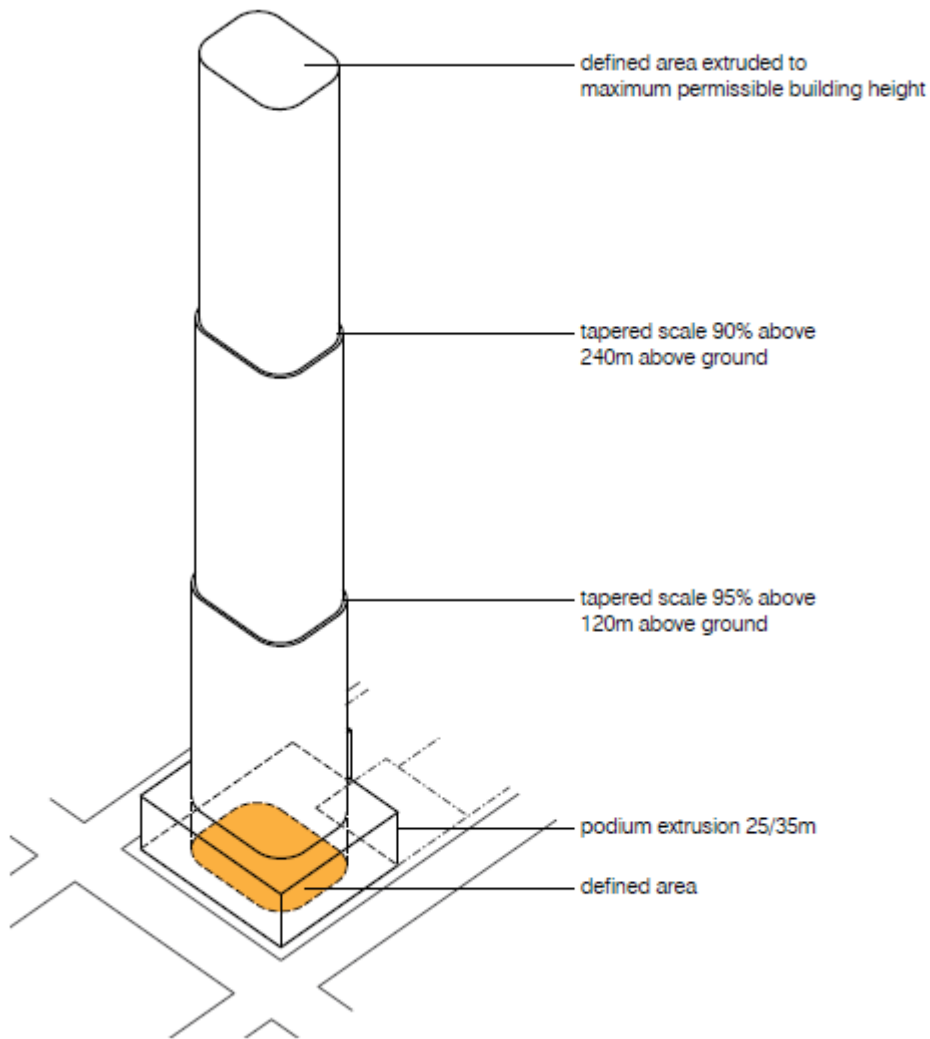
(i) 95% (for the portion of the tower between 120-240m above ground level) which is very close to a 90% area relationship; and

(ii) 90% (for the portion of the tower greater than 240m above ground level) which is very close to an 80% area relationship.

Note: The maximum building height used in (3)(a) is to exclude architectural roof features (i.e. no additional height should be assumed for permissible architectural roof features) but includes all other relevant controls including but not limited to LEP height controls, Sun Access Planes, No Additional overshadowing Controls, Special Character Area height and setback controls, View Controls Airport restrictions etc.

Note: If the site already contains a building that exceeds the Sun Access Plane and a base case model is being developed, then the base case model can exceed the Sun Access Plane to the same height as the existing building. Any proposed alternative building envelopes must still adhere to all relevant controls, including the Sun Access Plane.

Figure 12.2.10 Tapering the base case tower building massing



Base case model testing requirements

(1) The Sky View Factor testing of the base case model and alternative building envelopes are to include measurements for all Public Places within 50m of the site boundary and no other areas.

Figure 12.2.11 Demonstrating 50m zones around site boundary



(2) The wind testing of the base case model and alternative building envelope are to include measurements for all Public Places within a consistent distance from the boundary equivalent to half the height of the building, but no less than 50m and no more than 100m.

Note: For the purposes of wind and Sky View Factor testing, Public Places include any privately owned land that is publicly accessible and listed as a certain public place protected from overshadowing as stated in Clause 6.18 of the Sydney LEP, namely Australia Square and Sydney Square.

(3) All wind and Sky View Factor testing must exclude any elements within a Public Place (e.g. trees and awnings), follow any specific requirements and methods provided in any guideline published by the City, and satisfy the following requirements for wind and Sky View Factor:

Wind

(a) The equivalence test for wind must be undertaken using Computational Fluid Dynamics (CFD) analysis over a 1m grid.

(b) The 5% exceedance wind speed must be calculated at each point.

(c) Wind speeds must be measured within the existing city form.

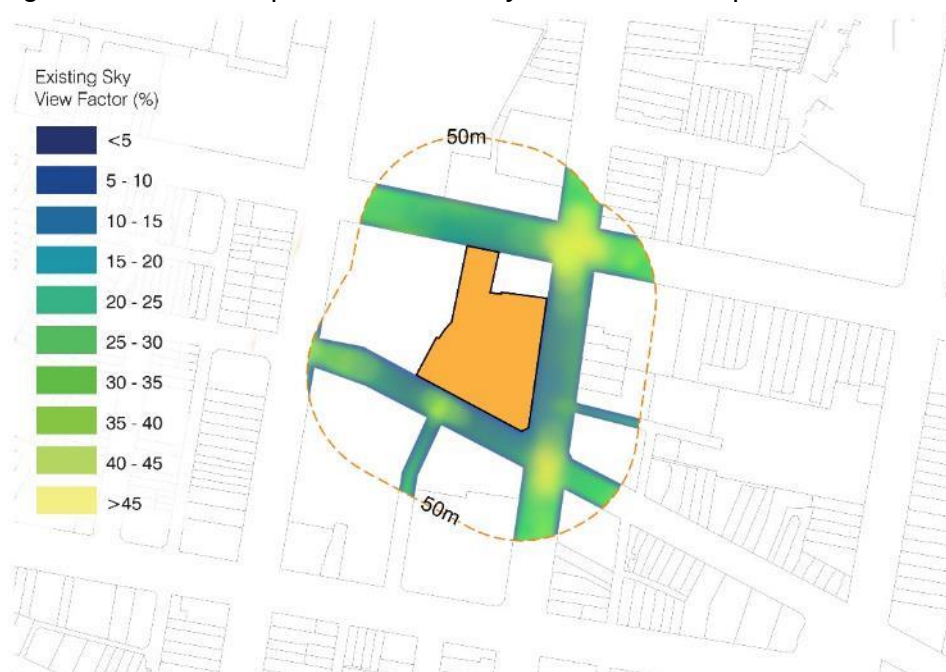
(d) The proposed development must also meet comfort and safety standards separate to the equivalence test. Meeting comfort and safety standards must be demonstrated through wind tunnel testing, according to the requirements outlined in Section 3.2.6 Wind effects. For co-ordination this information should be provided as part of the same report.

Sky View Factor

(e) Daylight must be measured either using a Sky View Factor (SVF) analysis. It is to be undertaken on a 1m or smaller grid covering the Public Places identified in (1).

Note: Because the factor analyses measure the whole sky hemisphere and only a small fraction of the sky will be subject to change as part of a development, the SVF must be resolved at a high resolution to detect the change. The difference in factors may appear small when averaged over large areas but the cumulative effect of negative variation is significant as shown in the Central Sydney Planning Strategy.

Figure 12.2.12 Example of coloured Sky View Factor map

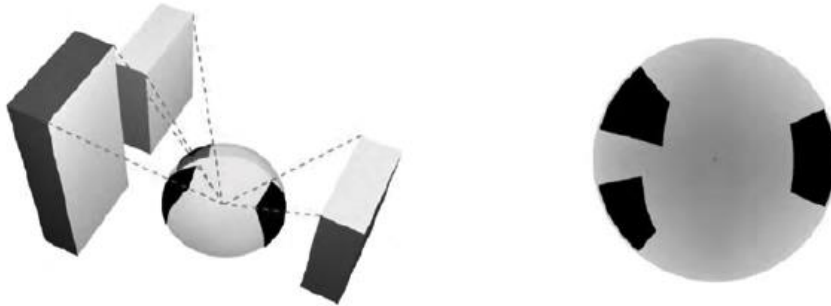


Note: Sky View Factor (SVF) is the extent of sky observed above a point as a proportion of the total possible sky hemisphere above the point, as shown in Figure 12.1.13. It provides a reasonable proxy for daylight.

SVF is calculated as the proportion of sky visible from the ground (as an abstract horizontal surface) when viewed looking straight up. SVF is a dimensionless value that ranges from 0 to 1. A SVF of 1 denotes that the sky is completely visible to the horizon in all directions; for example, in a flat terrain. When a location has topography or buildings blocking view to any part of the sky, it will cause the SVF to decrease.

Raw unrounded values created by analysis software must be used.

Figure 12.2.13 Sky View Factor means the extent of sky observed above a point as a proportion of the total possible sky hemisphere above the point



Equivalence reporting requirements

(1) All data that is relied on for equivalence testing must form part of the report including individual data points for wind and Sky View Factor as tables and model geometries for the base case and alternative building envelopes, and in accordance with any guideline published by the City. These must be described with sufficient dimensions to allow for the equivalent model to be created by a third party for checking. Digital models and data must also be provided.

(2) Section 3.2.6 outlines the wind safety standard and wind comfort standards for walking, standing and sitting. An hourly mean wind speed or gust equivalent mean wind speed, whichever is greater for each wind direction, must be provided, including the 5% exceedance comfort wind speed values in metres per second. The values must be provided and compared directly. The comfort categories are not relevant in demonstrating equivalence.

(3) The proposed alternative building envelopes must both demonstrate equivalence and also not cause wind speeds that exceed comfort or safety standards or cause worsening of existing exceedances.

Note: If the equivalence testing shows new or worsened exceedances of the comfort or safety standards, additional wind tunnel testing will be required to show how these exceedances can be mitigated. This testing may include modelling of awnings consistent with requirements of the DCP.

(4) For Sky View Factor and wind CFD testing, the individual test point values are averaged and the single resultant values compared.

Note: In this document “equivalent” wind speed and Sky View Factor is to be understood as very slightly “better than” at a high level of accuracy. For example a SVF of 0.1001 is equivalent to a SVF of 0.1000 by being very slightly better than it.

Housekeeping

Amendment 13 – Late night trading

- a. **Edit the definitions in the preamble of Section 3.15 ‘Late Night Trading Management’ as follows, with strikethrough representing deletion and underline representing additions or edits:**

Definitions

Category A – High Impact Premises means any of the following premises:

- (a) a hotel within the meaning of the Liquor Act 2007 that is not designated as a general bar licence;
- (b) a hotel within the meaning of the Liquor Act 2007 that has a capacity of more than 120 patrons and is designated as a general bar licence;
- (c) an on-premises licence within the meaning of the Liquor Act 2007 where the primary business or activity carried out on the premises is that of a nightclub with a capacity of more than 120 patrons;
- (d) a dedicated performance venue, which may be licensed and includes theatres, cinema, music hall, concert hall, dance hall or other space that is primarily for the purpose of performance, creative or cultural uses, with the capacity of 250 patrons or more, but does not include a pub, bar, karaoke venue, small bar, nightclub, adult entertainment venue or registered club;
- (e) a club within the meaning of the Liquor Act 2007;
- (f) a premises that has a capacity of more than 120 patrons where the primary purpose is the sale or supply of liquor for consumption on the premises; or
- (g) premises that are used as a karaoke venue where the owner or occupier sells or supplies liquor for consumption on the premises.

Category B – Low Impact Premises means any of the following premises:

- (a) a hotel within the meaning of the Liquor Act 2007 that has a capacity of 120 patrons or less and is designated as a small bar or general bar licence;
- (b) premises that have a capacity of 120 patrons or less where the primary purpose is the sale or supply of liquor for consumption on the premises;
- (c) an on-premises licence within the meaning of the Liquor Act 2007;
- (d) any premises where the owner or occupier sells or supplies liquor for consumption on the premises that is not a Category A Premises;
- (e) any other commercial premises, other than Category C premises, which in the opinion of the Council may impact on the amenity and safety of a neighbourhood resulting from its operation at night, including but not limited to, food and drink premises, takeaway food and drink premises, theatres, karaoke venues, convenience stores, entertainment facility and stand-alone gyms and other indoor recreational facilities in buildings with residential accommodation and the like; or
- (f) a dedicated performance venue, which may be licensed and includes theatres, cinema, music hall, concert hall, dance hall or other space that is primarily for the purpose of performance, creative or cultural uses, with the capacity of up to 250 patrons, but does not

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include a pub, bar, karaoke venue, small bar, nightclub, adult entertainment venue or registered club.

Category C premises means ~~any of the following premises:~~

any retail premises or business premises which does not sell, supply or allow the consumption of liquor on or off the premises or hold any license under the Liquor Act 2007. This may include premises selling groceries, personal care products, clothing, books/stationery, music, homewares, electrical goods and the like, or businesses such as drycleaners, banks and hairdressers and the like. It does not include convenience stores, food and drink premises, takeaway food and drink premises, gyms or other indoor recreational facilities in buildings with residential accommodation, commercial kitchens, or adult entertainment venue or sex ~~services~~ industry premises.

Note: Category A, B and C Late night trading premises do not include sex ~~services~~ industry premises.

Base hours are the standard range of trading hours that a late night trading premises is entitled to if an application is approved.

Convenience store is a shop that:

- (a) primarily offers pre-packaged, processed snack food for sale in addition to soft drinks, cigarettes, magazines and other miscellaneous grocery and convenience items; and
- (b) has a floor area generally under 200 square metres; and
- (c) located at street level in places with medium to high volume of passing traffic.

In all cases, the discretion as to what development is considered to be a 'convenience store' for the purposes of this DCP shall be solely that of the consent authority and generally in accordance with this DCP.

Extended hours mean trading hours that may be approved above base hours on a trial basis.

Outdoor areas are any areas that are not considered an enclosed place within the meaning described in the Smoke-free Environment Regulation 2007.

Patron capacity means the maximum number of patrons permitted in a development consent. Outdoor seating is included in patron capacity calculations.

Performance, creative or cultural ~~uses~~ activities include:

- (a) live entertainment, being an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which performers (or at least some of them) are present in person; or
- (b) production of an artwork, craft, design, media, image or immersive technology; or
- (c) display or projection ~~or production~~ of an artwork, craft, design, media, image or immersive technology in conjunction with live entertainment (as defined above); or
- (d) rehearsal, teaching or discussion of art, craft, design, literature or performance; or
- (e) presentation of a film or cinema.

Note: The definition of live entertainment is consistent with ~~clause 102 of the Liquor Regulation 2018.~~

Standalone gym means a business operating a gymnasium which is not ancillary to uses in the same building.

b. Edit the text in Section 3.15.1 'General' as follows, with strikethrough representing deletion and underline representing additions or edits:

- (1) These provisions apply to applications made under Part 4 of the Environmental Planning and Assessment Act 1979 which includes development applications and applications to review a determination or modify a consent.
- (2) These provisions apply to applications for new and existing Category A, B and C premises that:
- (a) seek approval for trading hours;
 - (b) seek refurbishment, additions or extensions that will result in an intensification of an existing use;
 - (c) seek an extension or renewal of trading hours as prescribed in this section of the DCP; or
 - (d) seek approval for outdoor trading.
- (3) These provisions do not apply to Category B and C premises that do not trade after 10pm, and Category A premises trading only between 10am to 10pm. The provisions may be applied to premises that seek approval for outdoor trading beyond 8pm where it is considered the outdoor trading may have an impact on neighbourhood amenity.
- (4) Generally standard trading hours between 7am and 10pm will apply in business zones.

Note: These provisions are not retrospective and do not derogate from existing consents. Existing consents, and past operation under those consents, will be taken into account in assessing new applications.

c. Edit the text in Section 3.15.4 ‘Trading hours and trial periods’ provision 2 as follows, with strikethrough representing deletion and underline representing additions or edits:

- (2) Notwithstanding Table 3.7, proposals for extended indoor hours of Category B premises in Local Centre Areas up to 2am may be approved but only if Council is satisfied that entry and egress of all patrons will be onto a main street, or side street if it is located on the corner of a main street, and not via any rear access onto a laneway which abuts residential properties, or ~~into~~ a rear laneway which provides access into a predominantly residential area.

Note: Relevant main streets are identified in blue on the *late night trading areas map*.

d. Edit the text in Section 3.15.4 ‘Trading hours and trial periods’ provision 8 as follows, with strikethrough representing deletion and underline representing additions or edits:

- (8) Premises seeking extended trading hours may be permitted up to two additional operating hours ~~per~~ on the first trial period, and each subsequent trial period, if a previous trial period is considered by the Council to have been satisfactory. The total extended hours must not exceed the maximum number identified in Table 3.7, unless the premises is eligible for an additional one trial hour under sections 3.15.4 (16) and (17).

e. Amend *Late night trading area map* tiles 007, 010, 014, 015 and 016 as shown in “Late Night Trading” in the DCP Map Book.

Amendment 14 – Signs and advertisements

a. Edit the Objectives to Section 3.16 ‘Signs and Advertisements’ as follows, with strikethrough representing deletion and underline representing additions and edits.

Objectives

- ~~(1) To recognise the City of Sydney council area as a globally competitive city with a strong retail sector and promote innovative, unique and creative signs that support retailers and show design excellence.~~

(1) ~~To recognise that~~ Encourage well designed and well located signs ~~can have to promote~~ positive economic effects. ~~effect on the economy of the City of Sydney council area.~~

- (2) ~~To~~ Deliver and maintain a high quality public domain.
- (3) ~~To~~ Promote signage that ~~demonstrates design excellence and~~ contributes positively to the appearance and significant characteristics of buildings, streetscapes and the city skyline.
- (4) ~~To~~ Deliver coordinated and site-specific approaches to signage that respond to, complement and support the architectural design of a building and any heritage significance.
- (5) ~~To~~ Protect the amenity of residents, workers and visitors.
- (6) ~~To~~ Ensure signs and advertisements do not create a road safety risk or hazard, or confuse, distract or compromise road user safety in any road environment.
- (7) ~~To~~ Ensure signage does not detract from a high quality pedestrian experience of streets and other public spaces and prioritises way finding and other signs that are in the public interest.
- ~~(9) To encourage signs and building frontages that provide and allow for interesting and active streets preferably through views in to and from a premises but also through architectural detailing.~~
- (8) Contribute to an interesting and active streetscape with well-designed signage and signage structures, and ensuring signage does not mask architectural detailing of buildings.
- ~~(10) To encourage and provide opportunities for innovative, unique and creative signs.~~
- (9) Reduce visual clutter on buildings, the skyline and streetscape by managing the number and location of signs.
- (10) ~~To~~ Ensure that upgrades to existing third party advertising structures deliver improved design quality and community benefits.
- (11) ~~To~~ Reduce energy consumption and minimise the negative amenity impacts of signs and advertisements.
- (12) ~~To~~ Ensure signage contributes to the character of identified precincts and is consistent with land uses throughout the city.
- (13) Reserve top of building sign locations for building identification signs.

b. Edit the text in Section 3.16.5 'Building identification signs' as follows, with strikethrough representing deletion and underline representing additions and edits, and renumber the following sections accordingly.

3.16.5.1 General requirements

- (1) Unless otherwise provided for in ~~Section 3.16.5 (Top of building signs)~~, Section 3.16.6, a building identification sign should be located at or near the major pedestrian entry to a building and be designed to fit within the architectural elements of a building.
- (2) Unless provided for in a signage precinct in Section 3.16.12 or the building is on land zoned E2 or SP5, a building identification sign should not be higher than 15 metres above the existing ground level or the top of any existing parapet, whichever is lower.

3.16.6 Top of building signs

3.16.6.1 General requirements

- (1) Sky signs and other roof signs that project vertically above the roof of a building are not permitted.
- (2) Top of building signs are not permitted on heritage items, except where the consent authority is satisfied that the sign is compatible with the heritage significance of the building.
- (3) Top of building signs are permitted to incorporate the registered name and a logo of the building or development.

(4) Top of building signs are only to be allocated to one a significant tenant of the building or to the building's owner, if the owner occupies a significant amount of floor space within the building relative to other tenants or there is an exceptional circumstance where the owner has owned the building for over 50 years and can demonstrate an historically significant association with the building. Signs must be removed within three months of the relevant circumstances changing.

(5) Top of building signs are not to be used for business identification signs or for advertisements.

(6) A top of building sign is not to be located within 500m of the lot boundary of a building with a top of building sign containing the same name or logo unless exceptional circumstances prevail.

(7) The maximum number of top of building signs per building is two, with no more than one top of building sign per elevation. Each top of building sign is to be similar in size, ~~and appearance~~ and content.

(8) Top of building signs are, in the opinion of the consent authority, to achieve a high degree of integration and compatibility with the architectural design, materials, finishes and colours of the building.

(9) Top of building signs are to have a maximum vertical height equivalent to one typical floor of the building.

(10) The display area of a top of building sign is to be orientated at right angles to the ground.

(11) Top of building signs are to comprise of individual raised letters, numbers or symbols affixed directly to the building with a concealed static light source. Light boxes and variable content displays are not permitted as top of building signs.

(12) The illumination of top of building signs is to comply with the requirements of Section 3.16.4 (Illuminated signage). The illumination is to be powered by a renewable energy source(s) in accordance with clause 3.16.4(6) of this DCP.

(13) Top of building signs are not to be used, sold or leased as any form of business or third party advertisement.

(14) Development consents for top of building signs are to be limited to 5 years. Applications for renewal in the form of a ~~Section 96 Application to modify the original consent~~ modification application or a new development application can be lodged up to 6 months before the expiration of a development consent.

(15) Signs painted on or applied to the surface of a building roof in order to be visible from the air are not permitted.

c. Delete Section 3.16.6.2 'Signs with design excellence' and renumber the following sections accordingly.

d. Delete Section 3.16.6.13 'Other business identification signage'.

e. Edit the text in Section 3.16.7 'Advertising structures and third party advertisements' as follows, with strikethrough representing deletion and underline representing additions and edits.

3.16.7.1 General requirements

(1) Generally, new advertising signs and third party advertisements are not permitted. The exceptional circumstances where advertising signs and third party advertisements are permitted shall be assessed against the following criteria:

(a) Whether the sign is advertising a civic or community event in the City of Sydney area;

~~(b) Whether the sign can be considered as public art in accordance with the City's policies in relation to public art;~~

~~(c)~~ (b) Whether the signs are consistent with the provisions for signage in this DCP;

~~(d)~~ (c) Whether part of the sign occupied by corporate markings, logos, branding or similar is not more than 5% of the total sign area;

~~(e)~~ (d) Whether the number of existing signs on the site and in the vicinity do not cumulatively create unacceptable visual clutter; and

~~(f)~~ (e) Whether the sign is associated with the surrender of a consent for an existing sign on a heritage item or on a contributory building in a heritage conservation area.

(2) Commercial advertising signs on street furniture, other than furniture provided by or for Council, are not permissible unless undertaken in accordance with the Footways dining policy.

(3) Development consents for advertising structures and third party advertisements are limited to the time period specified in ~~State Environmental Planning Policy 64~~ State Environmental Planning Policy (Industry and Employment) 2021, Chapter 3 'Advertising and signage'.

f. Remove Section 3.16.12.9 Chinatown signage precinct and replace with the following text:

3.16.12.9 Chinatown and Thai Town signage precinct

Chinatown and Thai Town's signage is to develop as vibrant, colourful and visually intense with a ~~prevalence~~ ~~predominance~~ of ~~LED~~ neon signage.

Objectives

(a) Signage is to be vibrant, colourful, ~~of high quality~~ and contribute to creating an exciting street environment.

(b) The style of the signage, the diversity of sign types and the abundance of signs is to contribute to setting Chinatown apart from the rest of Central Sydney.

(c) The use of neon ~~or LED neon~~ signage is to enhance the area as a place to visit at night.

(d) Signage contributes to the expression of Asian cultures ~~through traditional scripts, fonts, languages, and cultural symbols.~~

(e) Signage uses energy efficient technologies.

Provisions

(1) ~~LED neon or n~~ Neon signs are permitted.

(2) ~~Signage may use any language~~ LED neon lighting may be substituted for neon lighting where it has the same visual qualities including light qualities, colour, brightness, contrast, mountings, and forms including pending patterns.

(3) Vertical projecting wall signs are permitted between the first floor and the parapet up to a maximum height of 25m.

(4) ~~There is a maximum of one projecting wall sign per street frontage. This can be exceeded where neon signage is used.~~

(5) Vertical projecting wall signs may exceed the maximum area in Section 3.16.6.4 where they use LED neon or neon lighting.

~~(56)~~ Where a shopfront is replaced or a new shopfront is created, at least one of the signs ~~below the awning~~ must use ~~LED neon or~~ neon lighting.

~~(67)~~ Where an awning is not suitable for an under-awning sign to be hung, a horizontal projecting wall sign with the same location and proportion as an under-awning sign is permitted.

g. Amend Signage precincts map tile 015 as shown in "Signage precincts" in the DCP Map Book.

Amendment 15 – Miscellaneous

a. Insert the following text into the Glossary of Terms:

Active Edge means a building frontage which facilitates social interaction with and passive surveillance of adjoining public space. An active edge may feature building or dwelling entrances, private or communal open space, or retail uses. Active edges serve to activate adjoining public space such as parks, through-site links and streets. An active edge cannot consist of blank walls, emergency exits, building services, vehicle entries or uses requiring visual privacy.

b. Edit the following text in the Glossary of Terms, with strikethrough representing deletion and underline representing additions or edits:

Fine grain refers to smaller scales (or smaller perceived scale) with increased diversity and interest. It may be used to characterise built form in a range of circumstances such as the size of business tenancies within a development or streetscape or the size of blocks and their permeability.

Fine grain business tenancies ~~means a~~ are small scale, ~~generally lower cost~~ spaces providing for a diverse range of activities and users. The fine grain spaces include small retail tenancies with street access including basement and first floor levels, as well as offices, studio spaces or other activities with access inside arcades, underground connections, through office foyers or other buildings. Fine grain spaces often front or are accessed from smaller streets or lanes, ~~and are within lower grade office or mixed use buildings, generally in the less expensive precincts.~~ The fine grain spaces with their mixed ownership and leasing patterns enable more organic changes to occur throughout the City and support lower cost and start-up businesses that contribute to a vibrant and active City.

Fine grain development patterns involve groups of small separate buildings interspersed by closely spaced streets, laneways and through-site links. Fine grain development provides multiple different walking routes between and through buildings, improving pedestrian comfort with shorter, more diverse and more interesting walking journeys. With greater foot traffic, fine grain development supports the viability of business tenancies at ground, basements and first floors.

Green roof means a roof system designed to promote the growth of various forms of vegetation on the top of buildings. Differing from a roof garden, a green roof can also support various forms of renewable energy and water collection technology to assist in supplying power and water to the occupants of the building. A green roof must involve vegetation covering at least 30 per cent of the available rooftop space, excluding space occupied by structures housing plant, equipment or stairway accesses.

c. Delete Section 1.11 ‘Development contributions and planning agreements’ and renumber the following sections accordingly.

d. Delete Figure 1.2 ‘Contributions plans within the City of Sydney Local Government Area map’.

e. Edit Section 3.2.4 ‘Footpath awnings’ as follows, with strikethrough representing deletion and underline representing additions or edits:

~~3.2.4~~ 3.2.10 Footpath awnings

Objectives

- (a) ~~Encourage~~ Ensure footpath awnings ~~are provided to that~~ enhance pedestrian amenity, and provide weather protection and protect street trees.
- (b) Ensure new awnings are compatible with the scale and architectural features of the host building and adjacent buildings.

Provisions

- (1) An awning over the footpath is to be provided in the locations nominated on the *Footpath awning and colonnades map*.
- ~~(2) New awnings are to be compatible with the scale of host and adjacent buildings and the architectural features of the host building.~~
- (2) Awnings are to be designed to be integrated with the architectural design of the host building.
- ~~(3) Where an awning is to be provided, it is to be provided along the full extent of the street frontage of the building or for the part along the main entry or with ground floor retail or commercial uses.~~
- (3) Awnings are to be provided along the full extent of the street frontage, or where appropriate the main entry and active frontages.
- (4) Any awnings ~~where provided~~ are to be located between the ground and first floors to maximise weather protection. The height of the awning must ensure continuity in appearance with adjacent awnings and is to relate to any distinctive features of the building.
- (5) An awning may be introduced where it reinstates a previous awning. Where the host building is a heritage item, awnings are permitted where previously included or where awnings are typical of the building typology, and the addition of an awning will not reduce the heritage significance of the item.

f. Edit the text in provision 3.14.3 (3) as follows, with strikethrough representing deletion and underline representing additions or edits:

- (3) Development is to include sufficient space in kitchens to separate food waste ~~waste~~ organics collection ~~or compostable material for worm farming.~~

~~g. Delete Section 3.13.2 'Air quality for development near the Cross City Tunnel' and renumber the following section accordingly.~~

~~This amendment is not proceeding~~

h. Insert the following text into Section 4.1.3:

4.1.3.7 Natural ventilation

- (1) Adequate natural ventilation is to be provided to all habitable rooms.
- (2) Dwellings must not solely rely on enclosed lightwells, skylights or ventilation borrowed from other rooms as the sole source of natural ventilation to habitable rooms.

i. Insert the following text into Section 4.1.4.6 'Additional storeys'

- (5) Habitable uses for additional storeys or attics are only appropriate where head heights can be achieved in accordance with the Building Code of Australia.'

j. Edit the preamble to Section 4.2 'Residential Flat, Non-Residential and Mixed Use Developments' as follows, with strikethrough representing deletion and underline representing additions or edits:

The following objectives and provisions apply to residential flat, commercial and mixed use developments only.

~~Not all provisions in this Section apply to development in Central Sydney and Green Square. This section should also be read in conjunction with site-specific or area-specific controls, in particular Sections 5.1 Central Sydney and 5.2 Green Square under Section 5 Specific Areas, and planning proposal sites under Section 6 Specific Sites. In the event of an inconsistency between this section and the site-specific or area-specific provisions in Section 5 or 6 of this DCP, those provisions prevail to the extent of the inconsistency.~~

NSW Residential Flat Design Code 2002 (RFDC)

~~In addition to the provisions within this DCP, the RFDC is adopted by this DCP for residential flat development. Applicants are required to comply with the RFDC and this DCP when preparing their development proposal. In the event of an inconsistency between the RFDC and a provision within this DCP, the DCP will prevail to the extent of that inconsistency.~~

Apartment Design Guide (ADG)

Residential apartment development, as defined in State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, is required to comply with the ADG.

k. Edit Section 4.2.3.7 ‘Private open space and balconies’ as follows, with strikethrough representing deletion and underline representing additions or edits:

4.2.3.7 Private open space and balconies

Balcony means an area of private open space elevated above the ground level by one or more storeys. Balconies exclude any areas for common horizontal circulation which are open, partially open or enclosed. This definition should also be used to interpret references to balconies in *Sydney LEP 2012*.

Objective

(a) Ensure balconies and private open space areas are designed to provide sufficient privacy, shade and amenity for residents.

Provisions

(1) Private open space may be in the form of courtyards, decks and balconies and is to include space for clothes drying ~~and is to be provided for at least 75% of dwellings in a development.~~

~~(2) Private open space is to have a north west to north east aspect where practicable.~~

(2) Private open spaces are to include full height adjustable screens or shutters that when fully extended provide visual privacy to at least half the open space, and are fully retractable.

l. Edit Section 4.2.3.11 ‘Acoustic privacy’ provision 12 as follows, with strikethrough representing deletion and underline representing additions or edits:

~~(12) Mixed-use development which includes two or more dwellings is to provide separate lift access and a separate entrance for use exclusively for the dwellings.~~

m. Insert the following text into Section 4.2.3 ‘Amenity’:

4.2.3.14 Safety and security

(1) Mixed-use development which includes two or more dwellings is to provide separate entrance and lift access for the exclusive use of residents and visitors.

n. Edit Section 4.2.6 ‘Waste and recycling management’ as follows, with strikethrough representing deletion and underline representing additions or edits:

Refer to more detailed waste management and recycling controls in the City of Sydney’s Guidelines for Waste and Recycling Management in New Developments (the Guidelines) ~~are to be considered in conjunction with~~ and the City’s Waste Management Local Approvals Policy, which outlines how waste and recycling must be managed, stored and collected in public places. Development must also comply with Section 3.14.1 Waste and Recycling Management Plans and Section 3.11.13 Design and location of loading docks and waste and recycling collection points.

Objectives

(a) Ensure that each dwelling has adequate space to manage waste and recycling.

(b) Ensure that buildings provide appropriate facilities and space to manage waste and maximise recovery of resources.

(c) Ensure that residential amenity is not impacted by waste systems and collection.

o. Edit the text in Section 4.2.6.2 as follows, with strikethrough representing deletion and underline representing additions or edits:

(1) A space is to be provided inside each dwelling for separate storage of at least two day's volume of general waste, recyclables and ~~compostable material~~ food organics.

(2) Provide a centralised waste and recycling storage area(s) near the collection point with capacity to store all waste, ~~and recycling, food organics and garden organics~~ likely to be generated in the building in the period between normal collection times.

p. Edit the text in Section 4.2.6.4 as follows, with strikethrough representing deletion and underline representing additions or edits:

(2) Storage facilities for separated waste, such as paper, cardboard, containers and food ~~waste organics~~ on each floor and in the centralised waste storage area, are to be included in all non-residential developments and indicated on the plans. The storage of paper and cardboard is to be in a dry, vermin proof area.

(3) Kitchens, office tearooms, service and food preparation areas are to be designed with sufficient space for the interim storage of recycling, food organics and general waste in separate receptacles and is to be indicated on plans.

q. Edit Section 4.2.8 'Letterboxes' as follows, with strikethrough representing deletion and underline representing additions or edits:

(2) Provide a mailbox structure that meets the relevant Australia Post requirements. ~~The mailbox structure is to be located close to the major street entry to the site.~~ All letterboxes are to be lockable.

(3) In multi-unit residential developments, letterboxes are to be provided near the main pedestrian entry to each building.

r. Edit Section 5.2.3 'Community infrastructure' as follows, with strikethrough representing deletion and underline representing additions or edits:

This Section identifies how the community infrastructure floor space may be achieved to deliver local infrastructure in Green Square so as to benefit the immediate and wider community. This Section is to be read in conjunction with Clause 6.14 Community Infrastructure at Green Square under *Sydney LEP 2012* and Schedule 9 10 of this DCP.

s. Insert the following text into Section 5.6.1 'Building height':

(6) Additions involving additional height are to be designed broadly in line with Figure 5.144 and not Figure 5.145.

t. Edit the caption for Figure 5.144 as follows, with strikethrough representing deletion and underline representing additions or edits:

Examples of appropriate ~~2-storey additions~~ rear additions

u. Edit the caption for Figure 5.145 as follows, with strikethrough representing deletion and underline representing additions or edits:

Examples of inappropriate ~~2-storey additions~~ rear additions

v. Edit the text in provision 5.6.1 (5) as follows, with strikethrough representing deletion and underline representing additions or edits:

(5) The pitch of the new roof should slope down towards the side boundary to reduce the bulk and scale of the ~~two-storey~~ attic element.

w. Insert the following text into Section 5.6.7.3 'Driveways and parking':

(8) Basement car parks are to rely on vehicular access by car lift only. Ramp driveways to basement car parks are not permitted.

x. Edit Section 3.9.4 ‘Development of sites of state heritage significance or containing more than one heritage item’ Provision 1 as follows, with strikethrough representing deletion and underline representing additions or edits:

(1) This provision applies to development that will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012 as being of State heritage significance or to a site containing more than one heritage item, if the development involves:

- (a) Demolition that will result in a reduction of the building envelope of the heritage item by more than 35%;
- (b) An increase in the size of the building envelope of the heritage item by more than 20%; or
- (c) Building over more than 20% of a heritage item’s building footprint ~~within~~ in the airspace above the item, ~~but not within the airspace next to the item.~~

y. Edit Section 5.1.3.1 ‘Additions to heritage items’ Provision 2 as follows, with strikethrough representing deletion and underline representing additions or edits:

(2) Notwithstanding Section 3.9.4, where development in Central Sydney will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012, and the development involves:

- (a) demolition that will result in a reduction of the building envelope, or demolition of existing fabric of the heritage item by more than 35%;
- (b) an increase in the size of the building envelope of the heritage item by more than 20%; or
- (c) building over more than 20% of a heritage item’s building footprint ~~within~~ in the airspace above the item, ~~but not within the airspace next to the item.~~

z. Edit section 5.1.3 ‘Heritage items, warehouses and special character areas’ as follows, with strikethrough representing deletion and underline representing additions or edits:

~~This section applies to all heritage items.~~

aa. Edit the text in section 5.1.6.1 ‘Eligibility of heritage buildings to be awarded heritage floor space’ as follows, with strikethrough representing deletion and underline representing additions or edits:

(1) To be eligible for an award of HFS, a heritage building is to be:

- (a) located in the Central Sydney area;
- (b) subject to conservation works in accordance with an approved Conservation Management Plan; and
- (c) not subject to works that would increase the external envelope and floor space of the building, ~~other than a minor increase to facilitate the adaptive re-use of the heritage building, other than works of minor heritage impact that are essential to facilitate adaptive re-use, and do not involve creating additional floor space of more than 200 300 square metres, or more than five per cent of eligible existing floor space, whichever is the lesser.~~
- (d) Eligible existing floor space is the total gross floor area of the eligible heritage buildings on the site:
 - (i) at the time that the most recent heritage floor space award was registered, or
 - (ii) for buildings without registered heritage floor space awards:
 - a. on 14 December 2012, or
 - b. on the date of inclusion to Schedule 5, if this occurred after 14 December 2012.

bb. Edit the text in section 5.1.6.2 ‘Pre-requisites for the award of Heritage Floor Space’ as follows, with strikethrough representing deletion and underline representing additions or edits:

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(1) Prior to registration of the HFS, the applicant must complete the conservation works in accordance with the Conservation Management Plan and enter into legal agreements and grant covenants on the land which:

(a) ensure the ongoing conservation of the building by regular maintenance, including the provision of adequate insurance and a maintenance fund, and

~~(a)~~ (b) limit any future redevelopment of the site to the total gross floor area and height of the conserved heritage building, with the exception or works of minor heritage impact that are essential to facilitate adaptive re-use, and do not involve creating additional floor space of more than 299 300 square metres, or more than five per cent of eligible existing floor space, whichever is the lesser.

(c) Eligible existing floor space is the total gross floor area of the eligible heritage buildings on the site:

(i) at the time that the most recent heritage floor space award was registered, or

(ii) for buildings without registered heritage floor space awards:

a. on 14 December 2012, or

b. on the date of inclusion to Schedule 5, if this occurred after 14 December 2012.

cc. Edit the following two definitions in section 4.4.6 'Sex industry premises and adult entertainment' as follows, with strikethrough representing deletion and underline representing additions or edits:

~~Brothel as defined in the *Restricted Premises Act 1943*, means a premises:~~

~~(a) habitually used for the purposes of prostitution, or~~

~~(b) that have been used for the purposes of prostitution and are likely to be used again for that purposes, or~~

~~(c) that have been expressly or implicitly:~~

~~(i) advertised (whether by advertisements in or on the premises, newspapers, directories or the internet or by other means), or~~

~~(ii) represented as being used for the purposes of prostitution, and that are likely to be used for the purposes of prostitution.~~

~~Sex services as defined in the *Sydney LEP 2012*, means sexual acts or sexual services in exchange for payment. For the purposes of these provisions, sexual acts or sexual services include acts of prostitution, including sexual intercourse as defined in s61A of the Crimes Act 1900, being:~~

~~(a) sexual connection occasioned by the penetration to any extent of the genitalia, including surgically constructed vagina of a female person or the anus of any person, by:~~

~~(i) any part of the body of another person, or~~

~~(ii) any object manipulated by another person~~

~~except where the penetration is carried out for proper medical purposes, or~~

~~(b) sexual connection occasioned by the introduction of any part of the penis or a person into the mouth of another person, or~~

~~(c) cunnilingus, or~~

~~(d) the continuation of sexual intercourse as defined above.~~

dd. Edit the Application part of section 4.4.6 ‘Sex industry premises and adult entertainment’ as follows, with strikethrough representing deletion and underline representing additions or edits:

Where more than one type of sex industry or adult entertainment use is proposed for a site:

- (a) the proposal will be considered as a single premises for the purposes of the location provisions only;
- (b) the proposal will be assessed as two or more separate uses and the relevant provisions will be applied to each use; and
- (c) the different uses must be clearly identified in the development application and Plan of Management.

These provisions, including the location of premises provisions in Section 4.4.6.1, apply equally to proposals that intensify an existing adult entertainment or sex industry premises. Intensification of use may occur through, for example, the introduction of a new use, an increase in the number of working rooms, an increase in the number or size of sexual activity areas, or an increase in floor area.

Exemption may be given to works proposed to an existing adult entertainment or sex industry premises where the consent authority considers those works to be of a minor nature.

Note: ~~Section 17 of the Summary Offences Act 1988 makes it an offence for an owner, occupier, manager, or person assisting in the management of a premises held out as being for: ‘massage, sauna baths, steam baths, facilities for physical exercise, taking of photographs or services of a like nature’ to knowingly allow or permit the premises to be used for prostitution or soliciting for prostitution.~~

It is an offence under the *Summary Offences Act 1988* to knowingly allow sex services to occur in massage premises, sauna baths, gyms or photography studios if you are in any way involved in the ownership or management of the premises.

Where development consent is sought for massage premises, additional information demonstrating measures to ensure compliance with this law may be required. Massage businesses, or any other businesses providing sex services, are sex service premises.

It is an offence under the NSW Liquor Act 2007 to allow sex services to take place in premises that also have a liquor license.

ee. Edit Section 3.1.2 ‘Pedestrian and bike network’ as follows, with strikethrough representing deletion and underline representing additions or edits:

3.1.2 Pedestrian and bike network Through-site links

~~Pedestrian and bike networks increases opportunities for people to move around, maintain or improve their health and reduce the environmental and economic impacts of congestion caused by private car use. As part of *Sustainable Sydney 2030*, the city will provide a safe and attractive walking and bicycle network connecting main streets, neighbourhoods and open space. More information on cycling strategies within the City of Sydney can be found in the Cycle Strategy and Action Plan 2007–2017.~~

~~Refer to Section 5.2 Green Square, 5.3 Epsom Park and 5.8 Southern Employment Lands for additional provisions and supporting maps which show the preferred bike network proposed along new streets.~~

Through-site links play an important role in improving pedestrian accessibility by reducing walking distances and providing comfortable and interesting walking environments. Through-site links may be required on certain mapped sites to contribute to the pedestrian network in an area, or they may be provided to maximise ground floor retail area and contribute to a lively street presence.

Objectives

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- (a) Ensure that any ~~new public pedestrian~~ identified and ~~bike~~ through-site links are located delivered on nominated sites.
- (b) Ensure ~~the pedestrian and bike network is~~ through-site links are well designed, safe, well lit, highly accessible and promotes public use.

Provisions

~~3.1.2.1 Bike network~~

- ~~(1) The provision of cycleways is to be consistent with the locations identified in the Cycle Strategy and Action Plan 2007-2017.~~

~~3.1.2.2 Through-site links~~

- (1) Through-site links are to be provided in the locations shown on the *Through-site links map*.
- (2) Through-site links are to be provided on sites:
 - (a) greater than 5,000sqm in area;
 - (b) with parallel street frontages greater than 100m apart, and
 - (c) where the consent authority considers one is needed or desirable.
- (3) Through-site links are to be an easement on title unless identified in a contributions plan for dedication to Council.
- (4) Through-site links are to be designed to:
 - (a) generally have a minimum width of 4m, or 6m where bike access is provided, and have a clear height of at least 6m;
 - (b) be direct and accessible to all, have a clear line of sight between public places and be open to the sky as much as is practicable;
 - (c) align with breaks between buildings so that views are extended and there is less sense of enclosure;
 - (d) be easily identified by users and include signage advising of the publicly accessible status of the link and the places to which it connects;
 - (e) be clearly distinguished from vehicle accessways, unless they are purposely designed as shareways;
 - (f) include materials and finishes such as paving materials, tree planting and furniture consistent with adjoining streets and public spaces and be graffiti and vandalism resistant;
 - (g) be clear of obstructions or structures, such as electricity substations, or car park exhaust vents;
 - (h) include landscaping to assist in guiding people along the link while enabling long sightlines; and
 - (i) be fully accessible 24 hours a day.
- (5) In retail and commercial developments through-site links may be within a building provided they are:
 - (a) between 3m and 6m in width;
 - (b) at ground level and lined with active uses;
 - (c) designed to have access to natural light from skylights in the middle of the link;
 - (d) open at each end or, where air conditioned, provide entry doors that are glazed and comprise a minimum 50% of the width of the entrance;
 - (e) publicly accessible from 6am to 10pm each day; and
 - (f) connecting streets or lanes and have a clear line of sight between entrances.

ff. Edit the following references to the Cycle Strategy and Action Plan 2007-2017 as follows, with strikethrough representing deletion and underline representing additions or edits:

3.1.1.2 Streets

(2) New streets are to be located and orientated to enhance the relationship between built form, open space, views, active street frontages, pedestrian paths and the bicycle network in the ~~Cycle Strategy and Action Plan 2007-2017~~ latest City of Sydney cycling strategy.

5.3.3.2 Street network

(2) Separated cycleways are to be provided along Zetland Avenue and the transport corridor (George Julius Avenue) (refer to Figures 5.63 to 5.79) and designed as part of the public domain and in accordance with the ~~City of Sydney Cycle Strategy and Action Plan 2007-2017~~ latest City of Sydney cycling strategy.

5.9.3.2 New streets

(3) A three metre setback is to be dedicated along Bourke Street in accordance with Figure 5.237 Danks Street South Dedication to provide a shared cycle/pedestrian zone, and is to be designed as part of the public domain and in accordance with the ~~City of Sydney Cycle Strategy and Action Plan 2007-18~~ latest City of Sydney cycling strategy.

5.9.3.4 Bike routes and facilities

(1) Bike facilities, including bike routes and bike parking facilities, are to be designed as apt of the public domain in accordance with the ~~Council's Cycle Strategy 2007-2018~~ latest City of Sydney cycling strategy, Figure 5.243 Danks Street South Circulation and Access and relevant Council public domain plans as they apply to the precinct from time to time, including *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.

gg. Edit the following sections of 3.1 'Public Domain Elements' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.1.1.1 General

(1) New streets, lanes and footpaths are to be constructed in accordance with the Sydney Streets ~~Design Code~~, Public Domain Manual and Inclusive and Accessible Public Domain Policy and Guidelines.

(2) Streetscape upgrades required as part of development must be in accordance with The Sydney Streets Code, Inclusive and Accessible Public Domain Policy and Guidelines, and Public Domain Manual

(3) Where new streets and lanes are required, they are to be provided in the locations identified in the *Proposed streets and lanes map*.

(4) Street trees are to be provided in accordance with the Street Tree Master Plan.

(5) All street lighting is to be compliant with 'Sydney Lights: Public domain design code'. On streets required to be upgraded as part of development, street lighting must be upgraded to be compliant with Sydney Lights.

(6) Street furniture is to be consistent with the Sydney Streets ~~Design Code~~ and relevant Council public domain plans.

3.1.1.4 Footpaths

(1) Footpaths are to be designed or upgraded:

(a) in accordance with the Sydney Streets ~~Design Code~~, Public Domain Manual and Inclusive and Accessible Public Domain Policy and Guidelines.

(b) so that pedestrians, ~~regardless of mobility impairments~~ including people with disability, are able to move comfortably and safely; and

(c) to allow planting, including trees consistent with the Street Tree Master Plan

(2) Streets are to include footpath extensions at corners, pedestrian refuges and mid-block zebra crossings on raised thresholds, where appropriate.

(3) The Council may require a different design treatment for certain streets and footpaths.

hh. Edit 3.12 'Accessible Design' as follows, with strikethrough representing deletion and underline representing additions or edits:

3.12 Accessible Design

The City of Sydney is committed to creating an inclusive and accessible city.

The City recognises that by improving access to the built environment for people with a disability there are wider community benefits as a result of the increased opportunities for people with a disability to participate. This DCP aims to provide non-discriminatory, equitable and dignified access for everyone in the City. ~~It also aims to ensure that new dwellings cater for the needs of elderly people and people who have a disability.~~

The Access Guideline provides advice to building owners and applicants and references relevant standards from the ~~Building Code of Australia (BCA)~~ National Construction Code and Australian Standards relevant to equitable access and adaptable housing.

~~The City encourages applicants to use the Universal Housing Guidelines which provide best practice examples of accessible design. Applicants should also refer to the Disability Discrimination Act 1992 (DDA) and the City's Inclusive and Accessible Public Domain Policy and Guidelines which ensures areas accessible to the public are also accessible to people with a disability for new and existing buildings. to determine their responsibilities for providing safe and inclusive access to publicly accessible areas.~~

Objectives

(a) Ensure that the public domain of new development provides equitable and safe and legible access for everyone.

(b) Provide equitable access and facilities for all people to all new development and upgraded or intensified uses in existing buildings.

~~(c) Provide a reasonable proportion of residential units in multi-unit developments which are designed to be flexible and easily modified to cater for occupants with an existing or progress disability.~~

(d) Encourage consideration of access issues early in the development design process.

~~(e) Establish adaptable dwelling standards for easy modification to cater for occupants with a disability.~~

(f) Raise awareness and understanding of access issues for people with disability through investigation of best practice.

3.12.1 General

Provisions

(1) All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements; and Disability Discrimination Act 1992. Complex developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.

(2) Any public domain provided or upgraded as part of development must be delivered in accordance with the City's Inclusive and Accessible Public Domain Policy and Guidelines.

(3) The provision of equitable access is to have minimal impact on the significant fabric and setting of heritage items and of contributory buildings within heritage conservation areas; and be reversible.

(4) Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available.

(5) Encroachment onto and level changes to public land to achieve access requirements is generally not permitted except when:

(a) access by other means will result in a substantial loss of original fabric of a heritage-listed property impacting on the heritage significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available; or

(b) the proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available.

(6) Access for pedestrians and vehicles are to be separated.

(7) Access arrangements are to be:

(a) integral with the overall building and landscape design and not appear as ‘add-on’ elements or as of secondary importance;

(b) as direct as possible; and

(c) designed so that a person does not need to summon help.

(8) Required egress routes in residential development are to allow for safe escape for ~~persons with a disability~~ people with disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments.

~~3.12.2 Adaptable dwelling mix~~

~~Adaptable housing is designed to enable easy modification in the future for occupation and visitation by people with a disability or people who may acquire a disability gradually as they age. Design criteria for adaptable housing are set out in the relevant Australian Standards.~~

~~(1) Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes.~~

~~(2) Adaptable dwellings are to be provided in all new development in accordance with the following rates:~~

Total number of dwellings	Number of adaptable dwellings to be provided
---	--

Between 0 and 7	Nil
----------------------------	----------------

Between 8 and 14	1 dwelling
-----------------------------	-----------------------

Between 15 and 21	2 dwellings
------------------------------	------------------------

Between 21 and 29	3 dwellings
------------------------------	------------------------

30 or more	15% of total dwellings
-----------------------	-----------------------------------

ii. Edit 3.17 ‘Contamination’ as follows, with strikethrough representing deletion and underline representing additions or edits:

3.17 Contamination

Objective

- (a) Minimise the risk to human and environmental health on land contaminated by past uses.

Provisions

(1) Each development application is to include sufficient information to allow council to meet its obligation to determine whether development should be restricted due to the presence of contamination.

(2) The use of long term Environmental Management Plans to secure an appropriate remediation outcome is to be avoided where possible. Remediation of the site to a suitable condition for the proposed use should be achieved without reliance on a long term Environmental Management Plan. Where a plan is required, it is to be developed consistent with the City of Sydney Contaminated Land Policy.

Note: These obligations are outlined in ~~State Environmental Planning Policy No. 55~~ State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 ‘Remediation of land’ at the time of adoption of this plan.

(3) For development within 250 metres of the boundaries of Sydney Park the consent authority may require investigation for ground gases as part of any site assessment. This is to recognise that Sydney Park has had a previous use as a landfill.

jj. Delete Section 4.4.4 ‘Child care centres’ and renumber the following sections accordingly.

kk. Amend Figure 1.1 ‘Land covered by this DCP’ as shown in “Introduction” in the DCP Map book.

ll. Amend Figure 1.2 ‘Contributions plans’ as shown in “Introduction” in the DCP Map Book.

mm. Amend Section 5.12 Waterloo Estate (South) as follows, with underline representing additions:

5.12.1 General provisions

(1) This Section applies to Waterloo Estate (South), as shown in Figure 5.1

(2) The objectives and provisions of the *Waterloo Estate (South) Design Guide* apply to land in Waterloo Estate (South).

(3) Where the Waterloo Estate (South) Design Guide references the Sydney DCP 2012, the provisions in the Sydney DCP 2012 dated XXXX as published on the City of Sydney website are applicable.

Amendment 16 – Integration of planning controls – DCP

- a. Amend *Active frontages map* tiles 008, 009 and 016 as shown in “Integration of planning controls – DCP” in the DCP Map Book.
- b. Amend *Building contributions map* tiles 009, 010, 016 and 017 as shown in “Integration of planning controls – DCP” in the DCP Map Book.
- c. Amend *Building setback and alignment map* tiles 012 and 019 as shown in “Integration of planning controls – DCP” in the DCP Map Book.
- d. Amend *Footpath, awnings and colonnades map* tiles 009 and 016 as shown in “Integration of planning controls – DCP” in the DCP Map Book.

- e. Amend *Height in storeys map* tiles 001, 008, 009, 012, 016 and 019 as shown in “Integration of planning controls – DCP” in the DCP Map Book.
- f. Amend *Late night trading areas map* tiles 009, 010 and 016 as shown in “Integration of planning controls – DCP” in the DCP Map Book.
- g. Amend *Through-site links map* tiles 009 and 016 as shown in “Integration of planning controls – DCP” in the DCP Map Book.

Attachment C1

**Sydney Development Control Plan
Map Book**

Sydney Development Control Plan 2012 – Policy and housekeeping – Map Book



Section 1: Introduction

Land covered by this DCP
Contributions Plans

Figure 1.1
Figure 1.2

Urban Ecology

Biodiversity map

001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011,
012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022,
023, 024

Late Night trading

Late night trading areas map

007, 010, 014, 015, 016

Signage precincts

Signage precincts map

015

Integration of planning controls - DCP

Active frontages map

008, 009, 016

Building contributions map

009, 010, 016, 017

Building setback and alignment map

012, 019

Footpath, awnings and colonnades map

009, 016

Height in storeys map

001, 008, 009, 012, 016, 019

Late night trading areas map

009, 010, 016

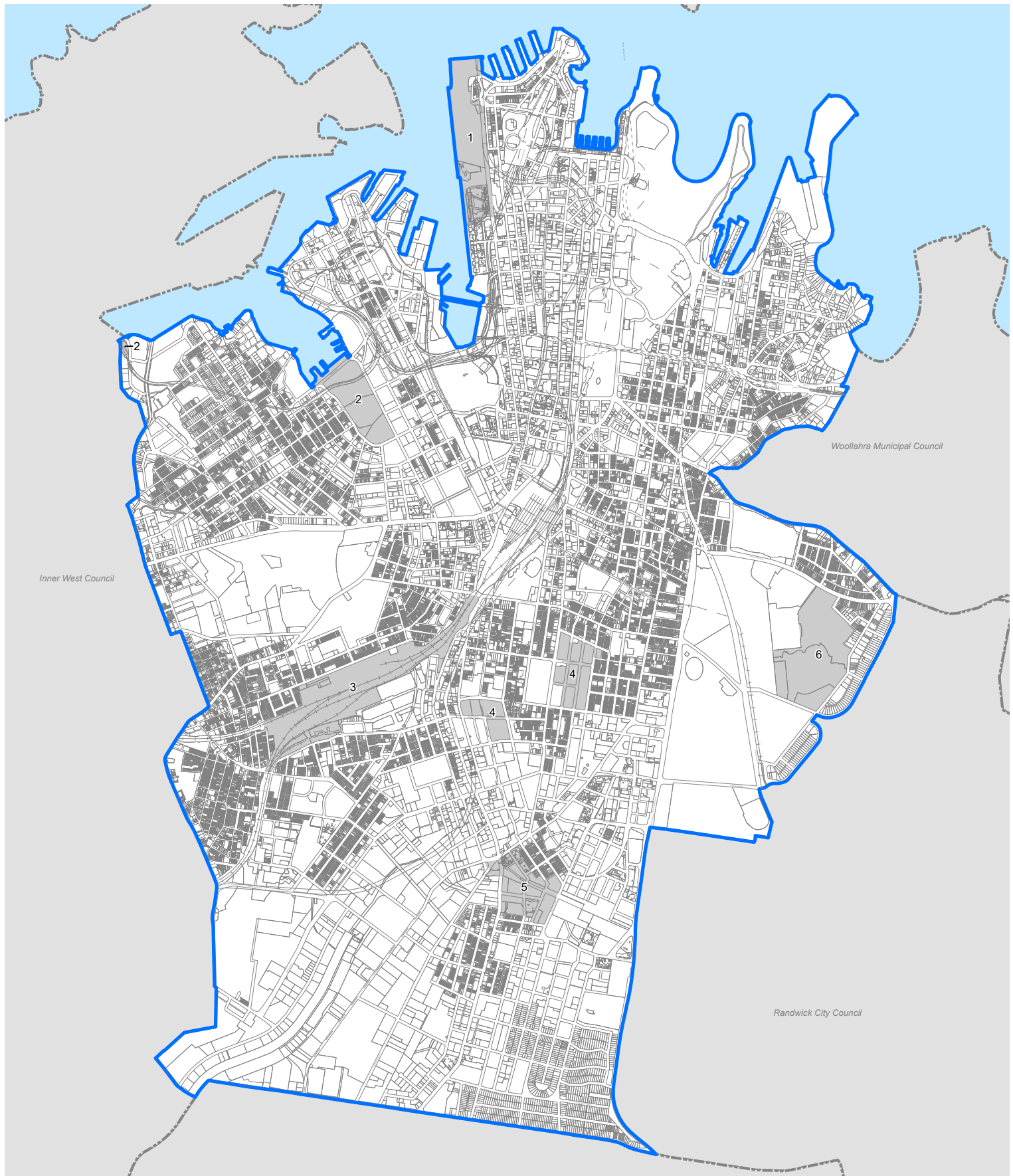
Through-site links map

009, 016

Section 1: Introduction

Figure 1.1 Land covered by this DCP

Figure 1.2 Contributions Plans



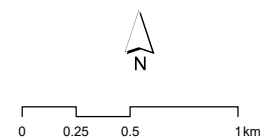
Land covered by this DCP

Figure 1.1

Legend

City of Sydney - Local Government Area	3 Redfern/Waterloo
Land excluded from this DCP	4 Various Sites (South Sydney)
1 Barangaroo	5 Green Square Town Centre
2 Bays Precinct/Wentworth Park	6 Moore Park Showground

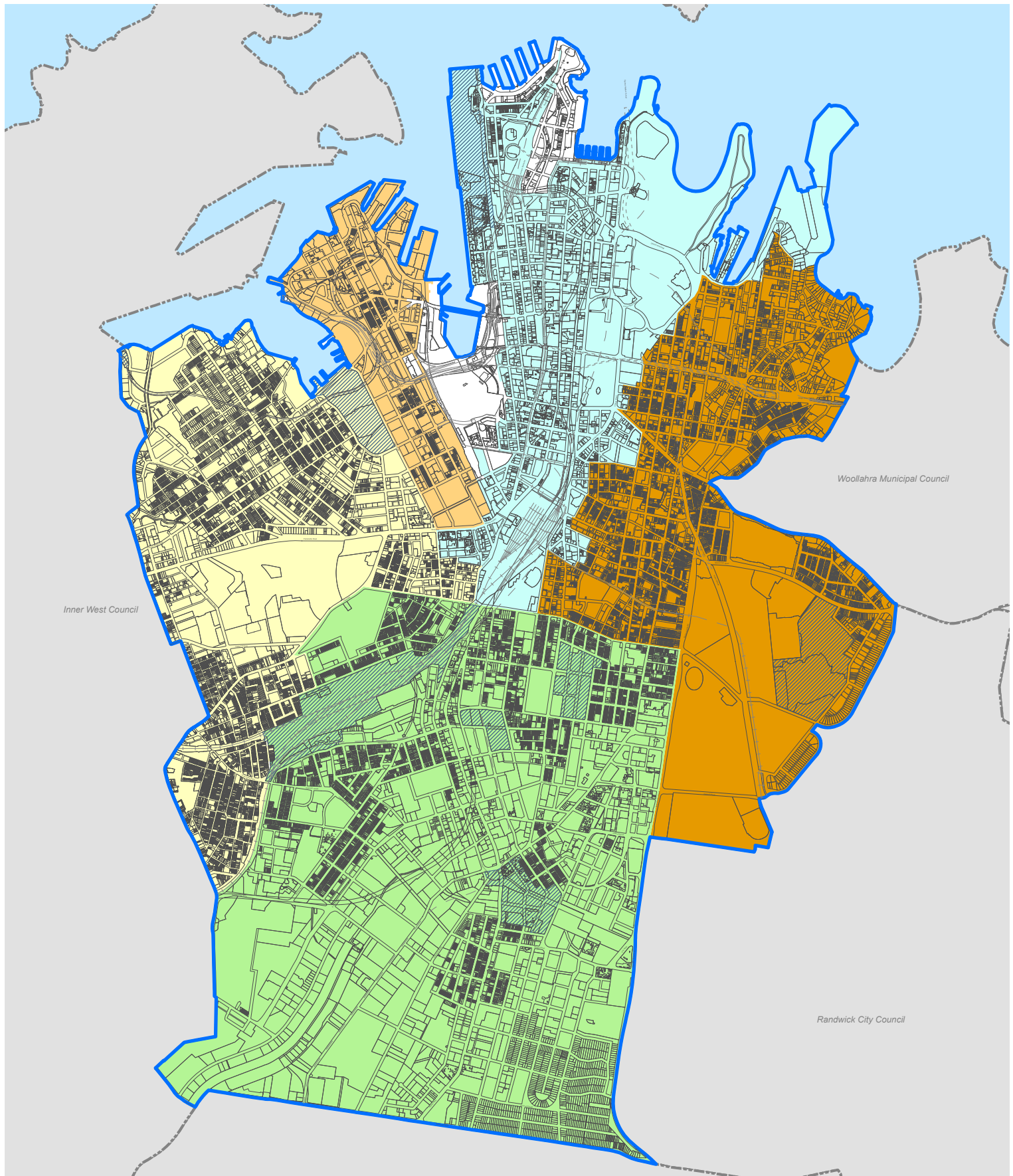
Sydney Development Control Plan 2012



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File: SDCP2012_LAP.mxd



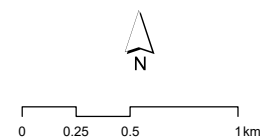
Contributions Plans within the City of Sydney Local Government Area

Figure 1.2

Legend

- City of Sydney Sec. 61 Central Sydney Contributions (Amendment) Plan 2002
- City of Sydney Sec. 94 Contributions Plan 1994 (Ultimo-Pyrmont)
- City of Sydney Sec. 94 Contributions Plan 2006 (Western Precinct)
- City of Sydney Sec. 94 Contributions Plan 2006 (Southern Precinct)
- City of Sydney Sec. 94 Contributions Plan 2006 (Eastern Precinct)
- CoS LGA Boundary
- Land excluded from this DCP

Sydney Development Control Plan 2012



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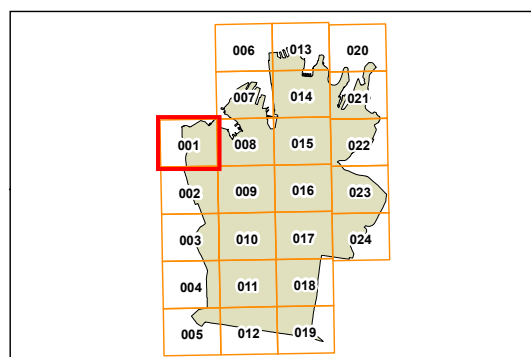
Urban Ecology

Biodiversity map

001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011,
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023, 024

Legend

-  Area affected by corridor
 Area affected by bird strike
 Key habitat areas
 Future biodiversity link
 Water

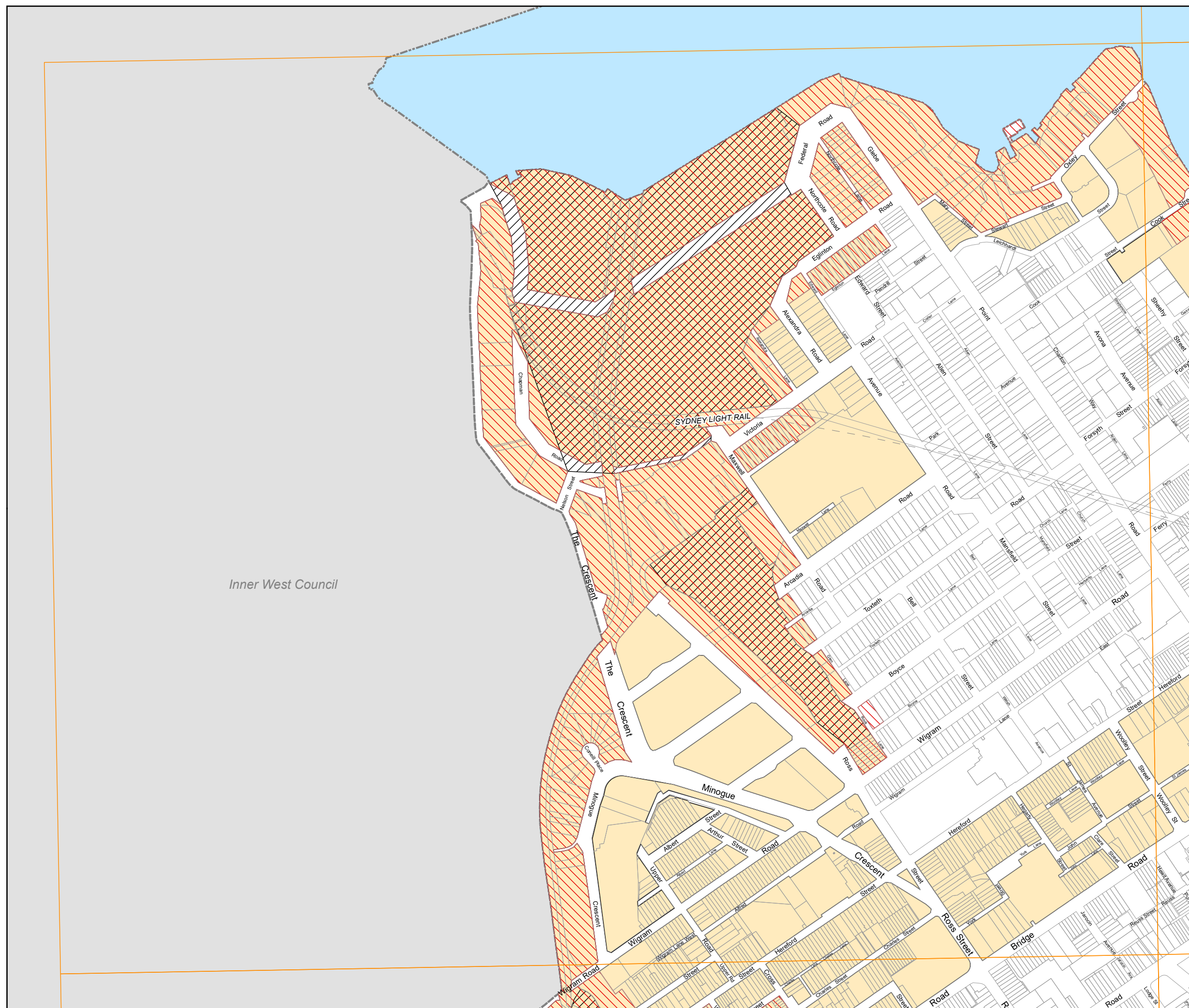


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Scale: 1: 5,000 at A3

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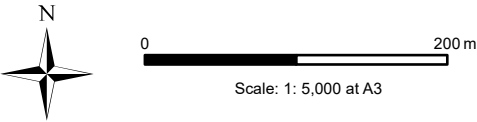
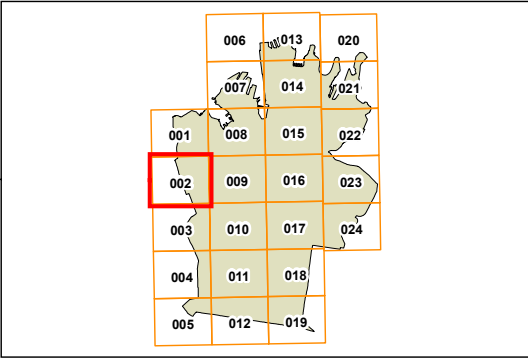


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Development
Control Plan 2012

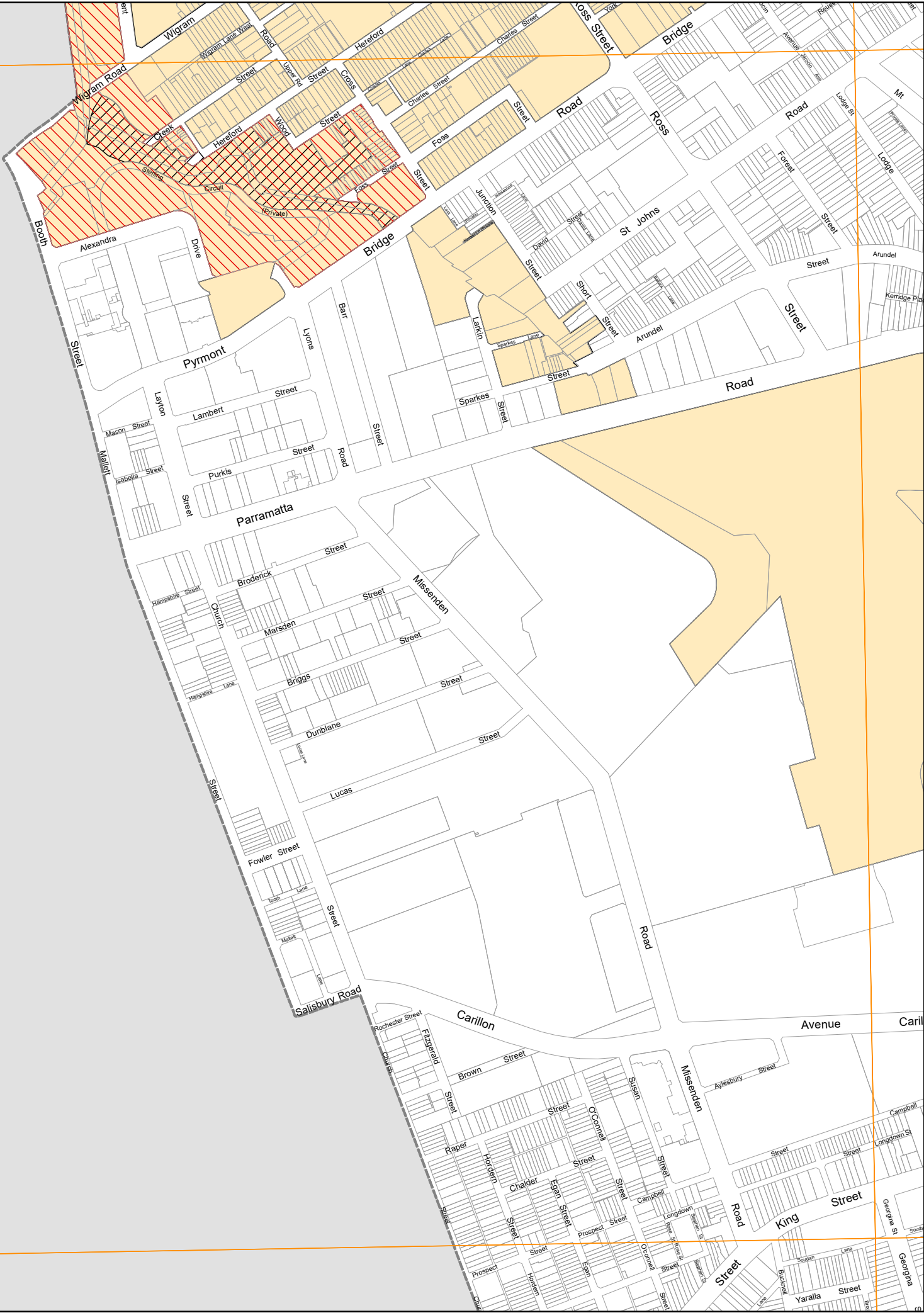
Biodiversity corridors map
Sheet 002

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



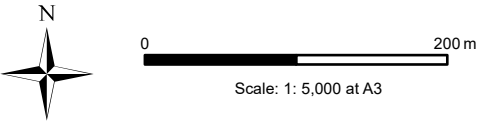
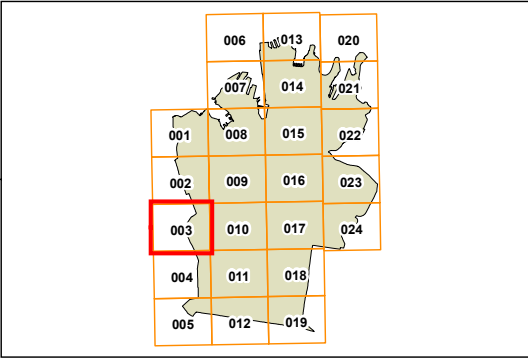
Inner West Council



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Biodiversity corridors map
Sheet 003

- Legend**
- Area affected by corridor
 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water



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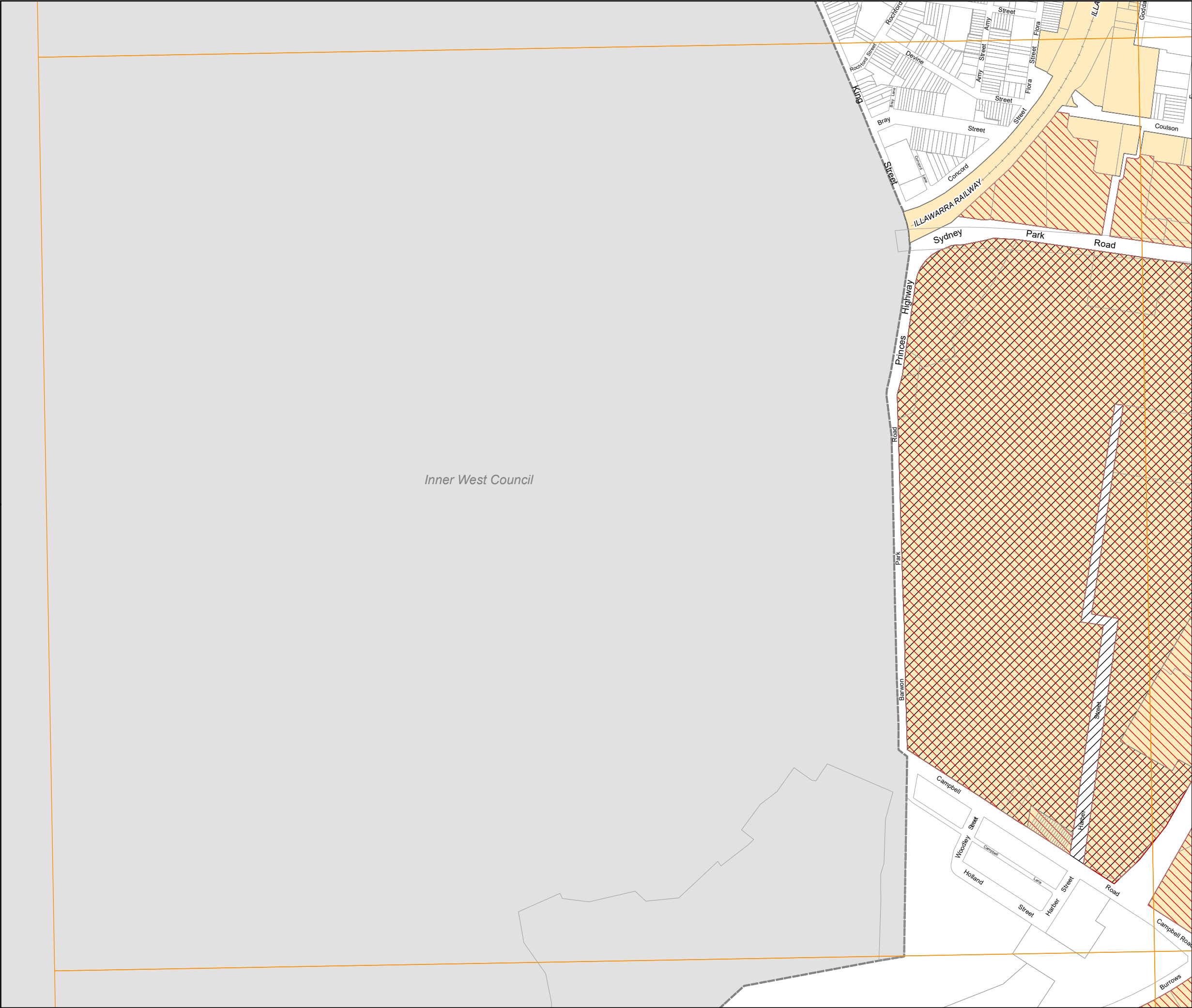
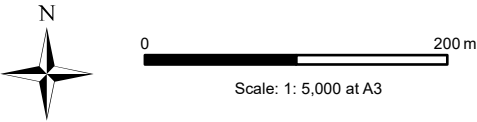
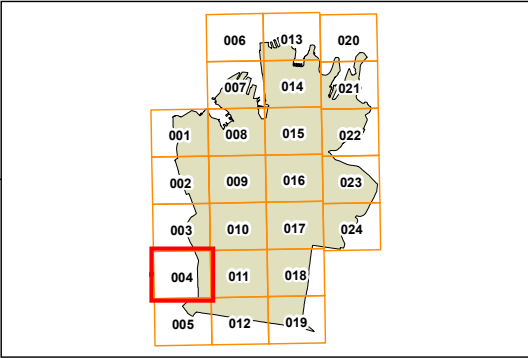
Inner West Council



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Biodiversity corridors map
Sheet 004

- Legend**
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 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water

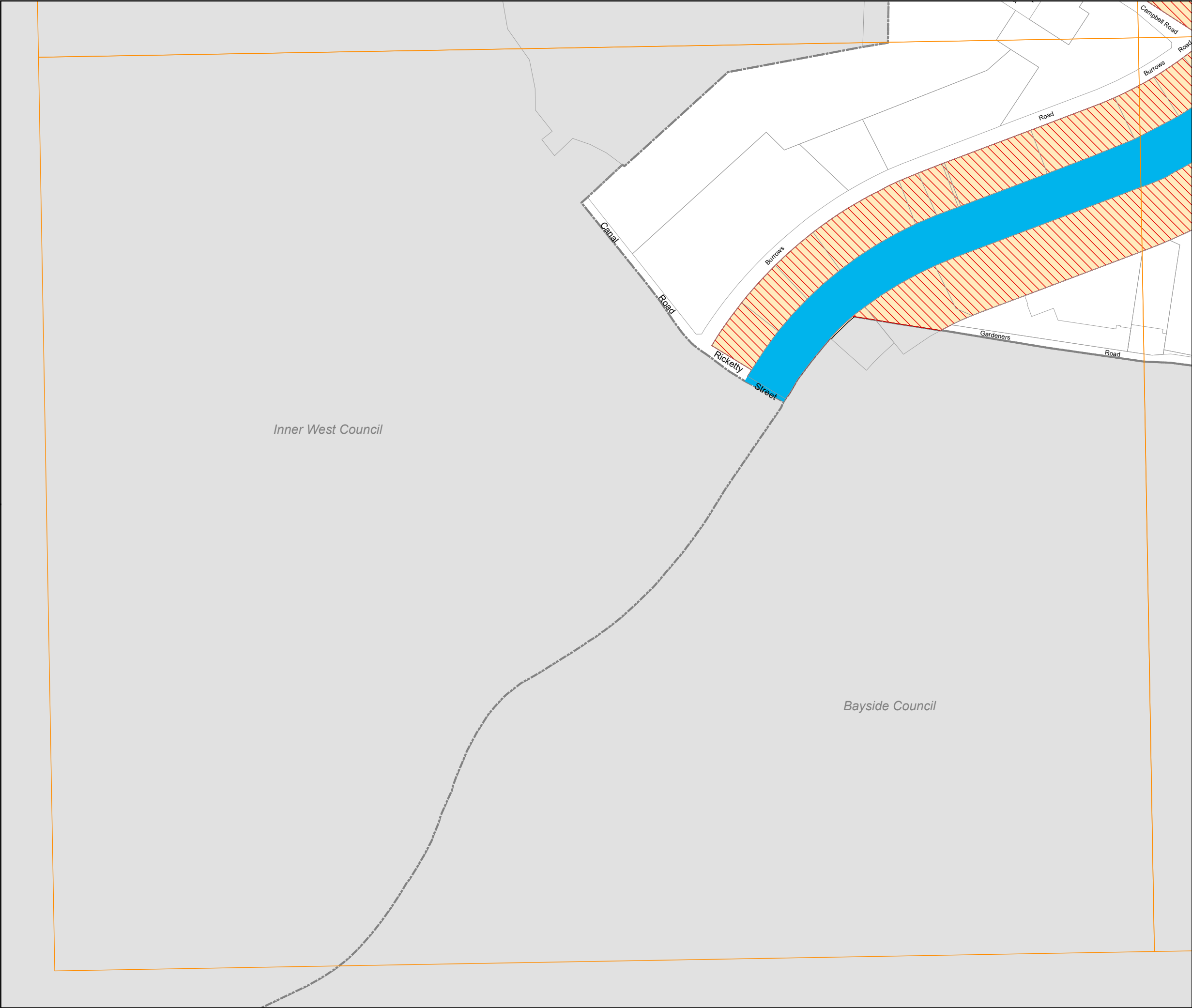
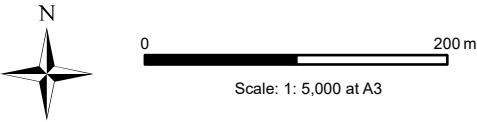
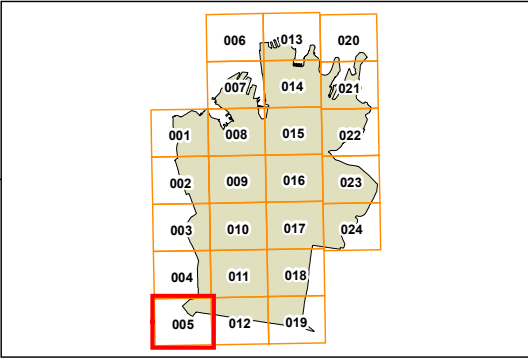


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Control Plan 2012

Biodiversity corridors map
Sheet 005

Legend

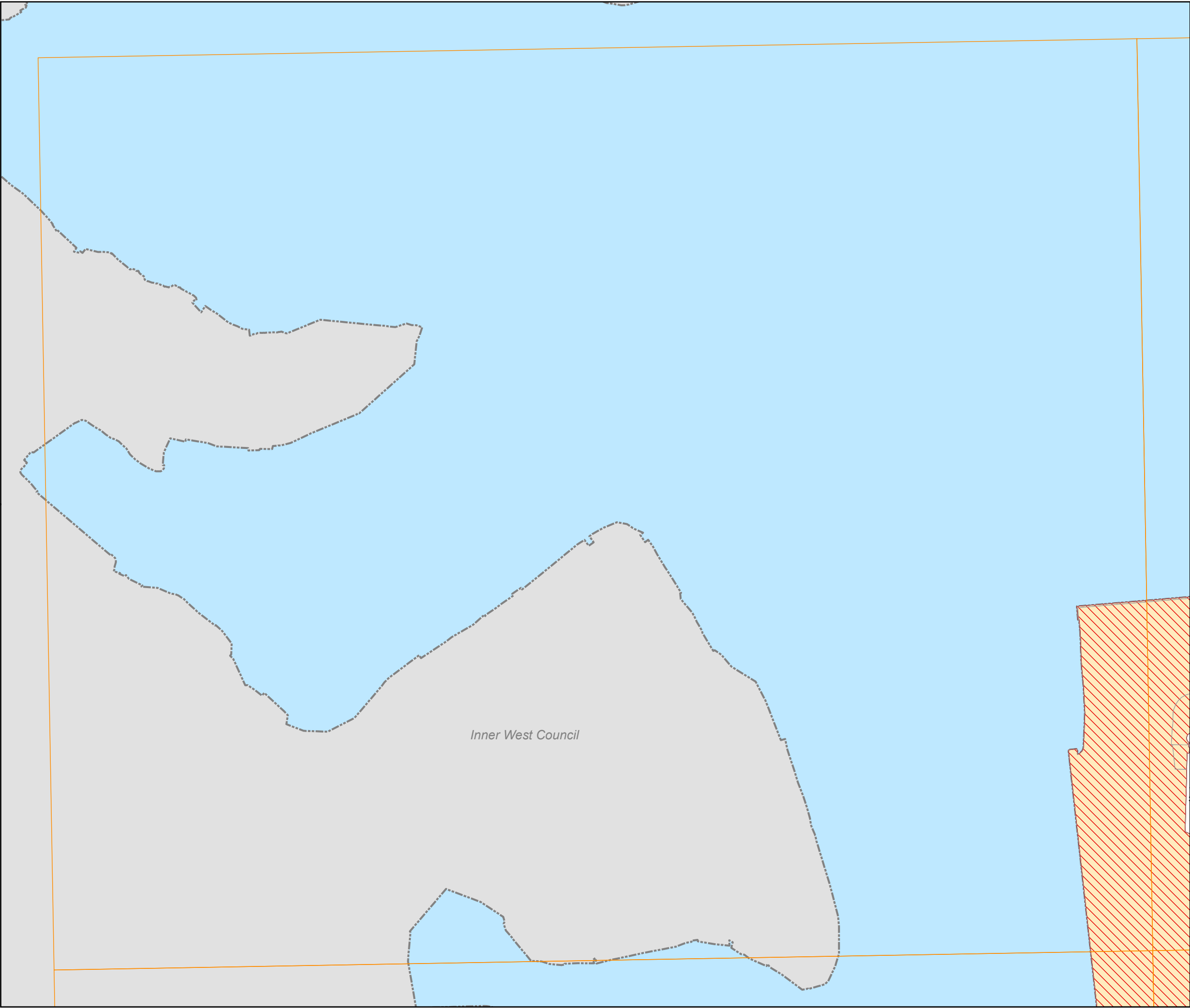
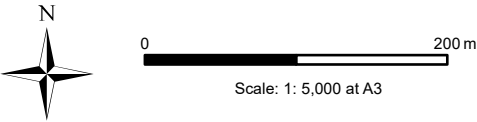
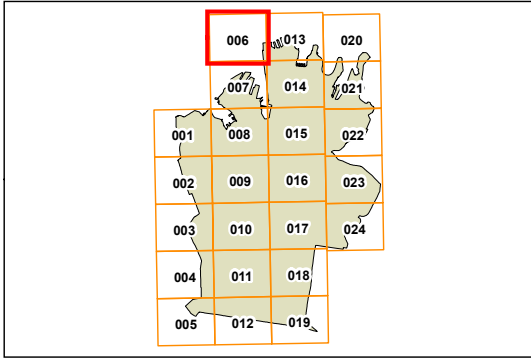
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- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



Biodiversity corridors map
Sheet 006

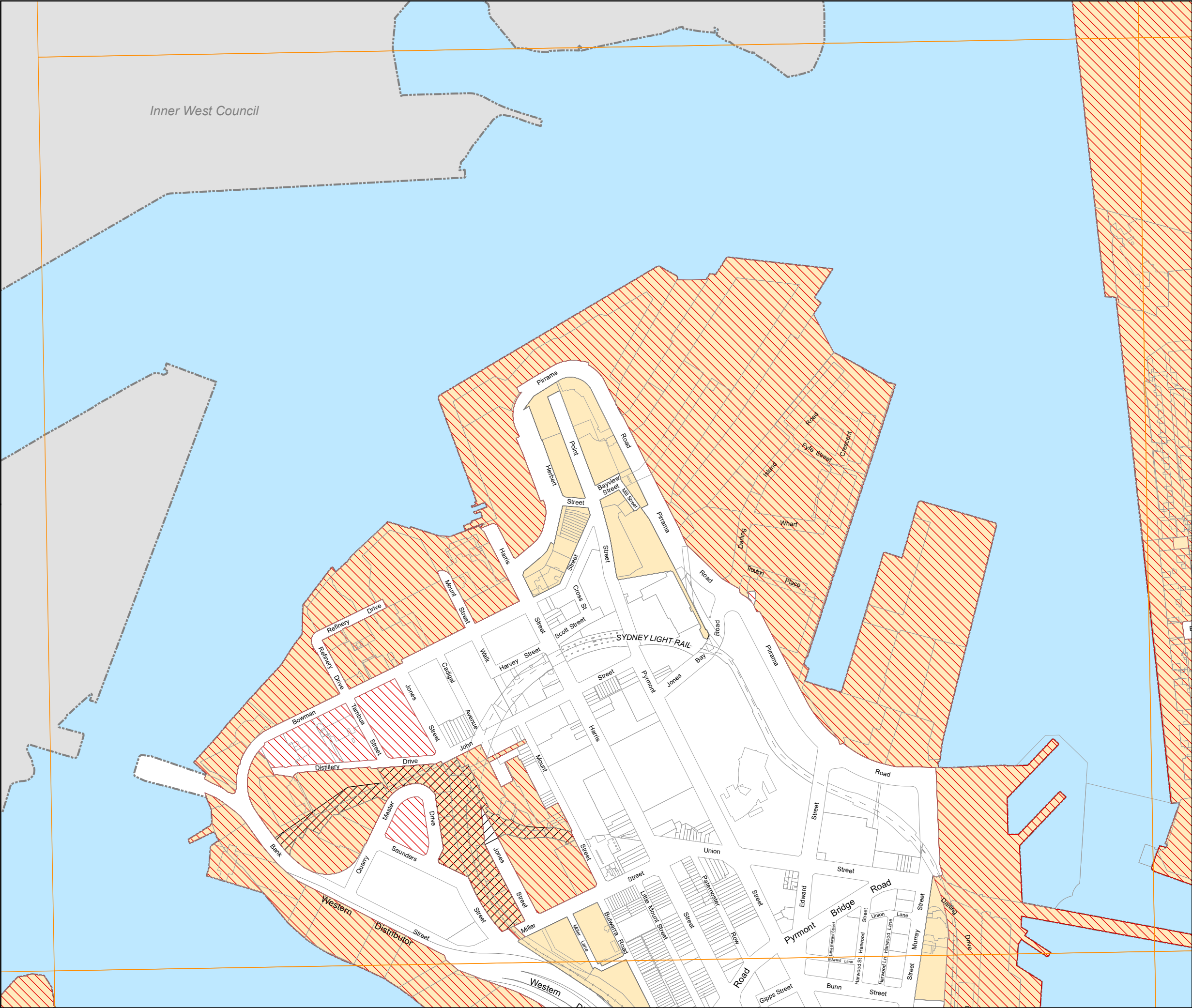
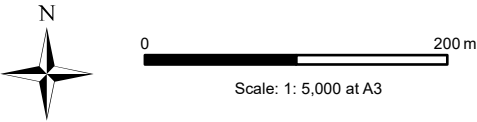
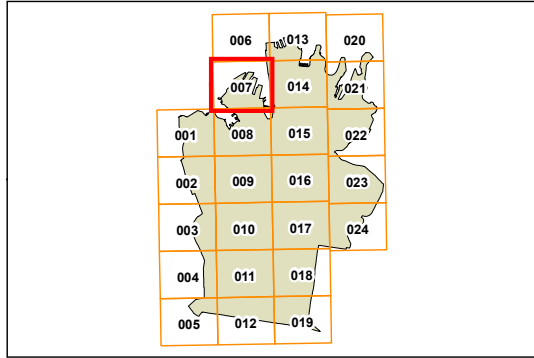
Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



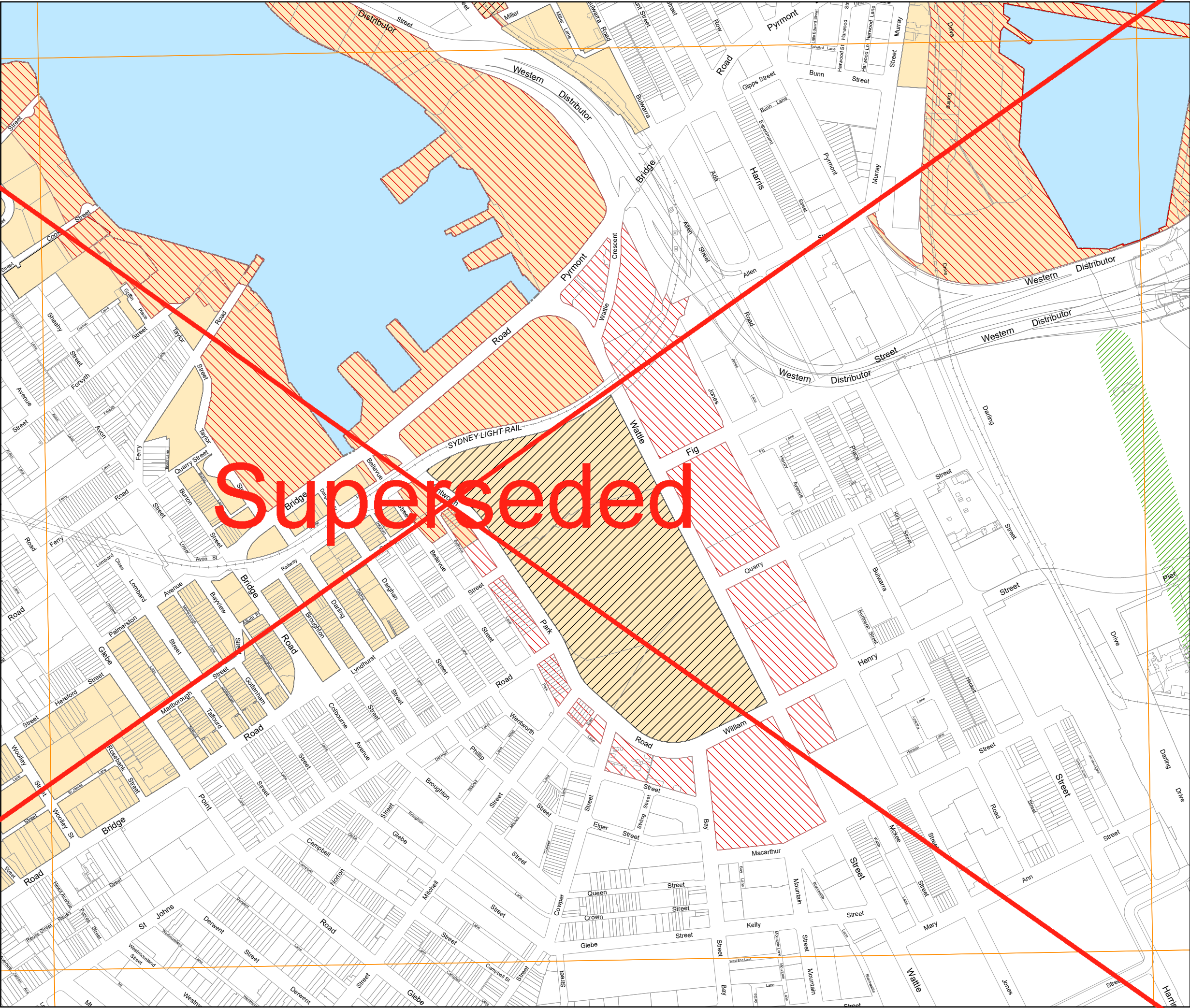
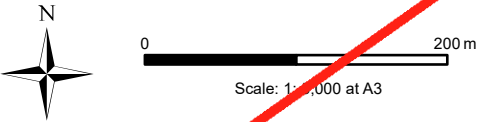
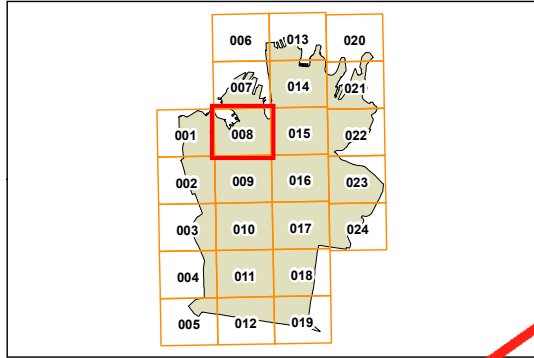
Biodiversity corridors map
Sheet 007

- Legend**
- Area affected by corridor
 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water



Biodiversity corridors map
Sheet 008

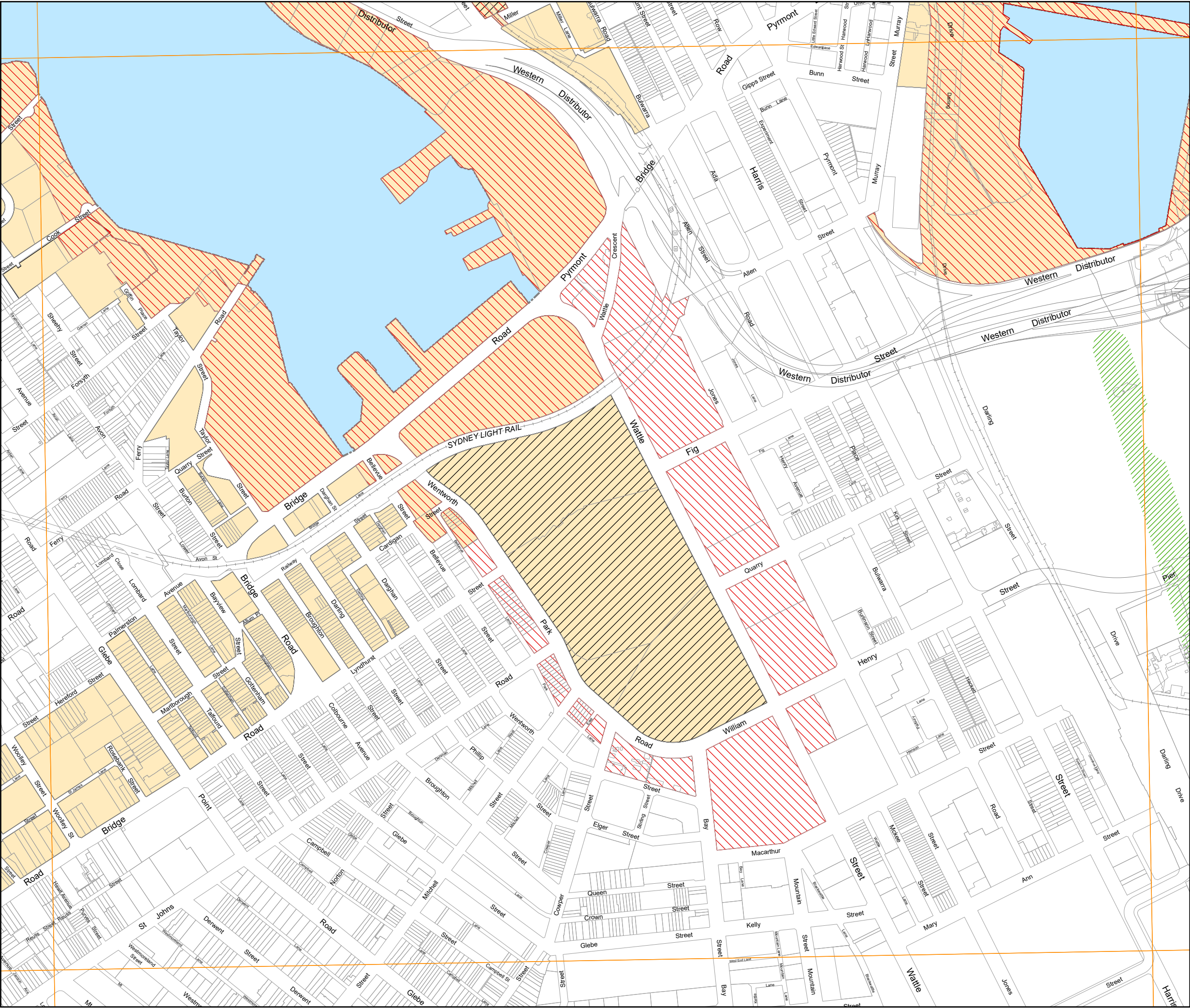
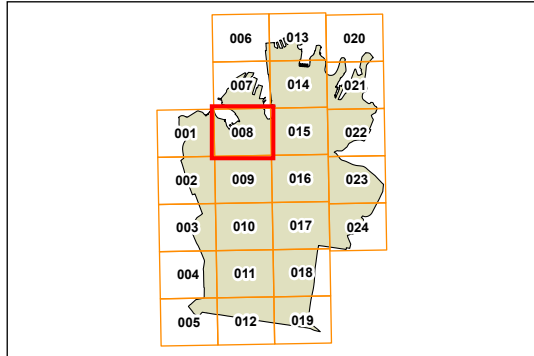
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 - Key habitat areas
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 - Water



Sydney Local Environmental Plan 2012

Biodiversity corridors map Sheet 008

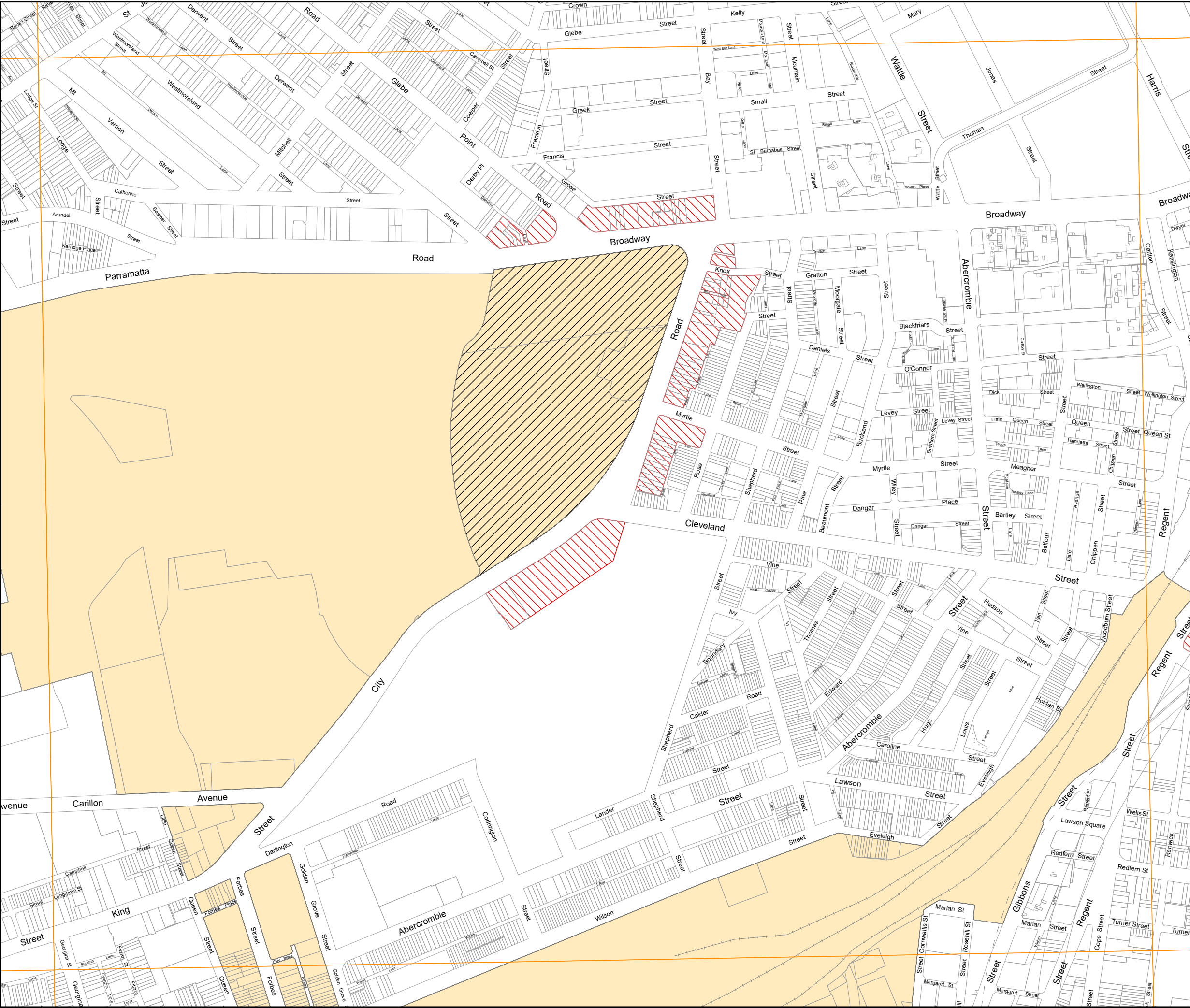
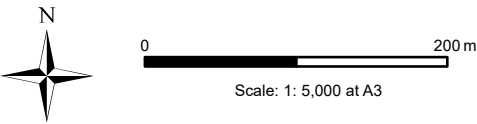
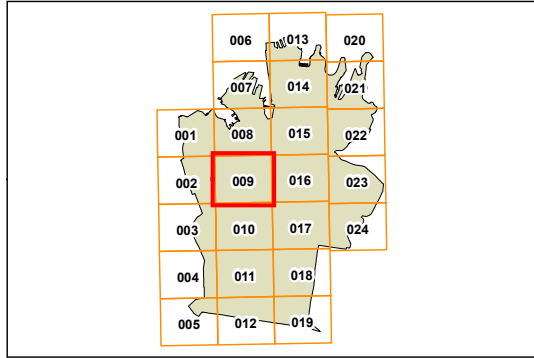
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 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water



Sydney Development Control Plan 2012

Biodiversity corridors map Sheet 009

- Legend**
- Area affected by corridor
 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water

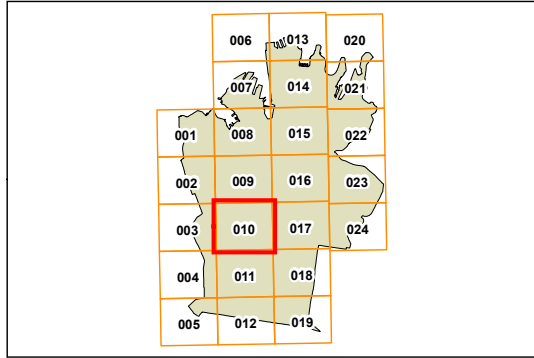


Sydney Development Control Plan 2012

Biodiversity corridors map Sheet 010

Legend

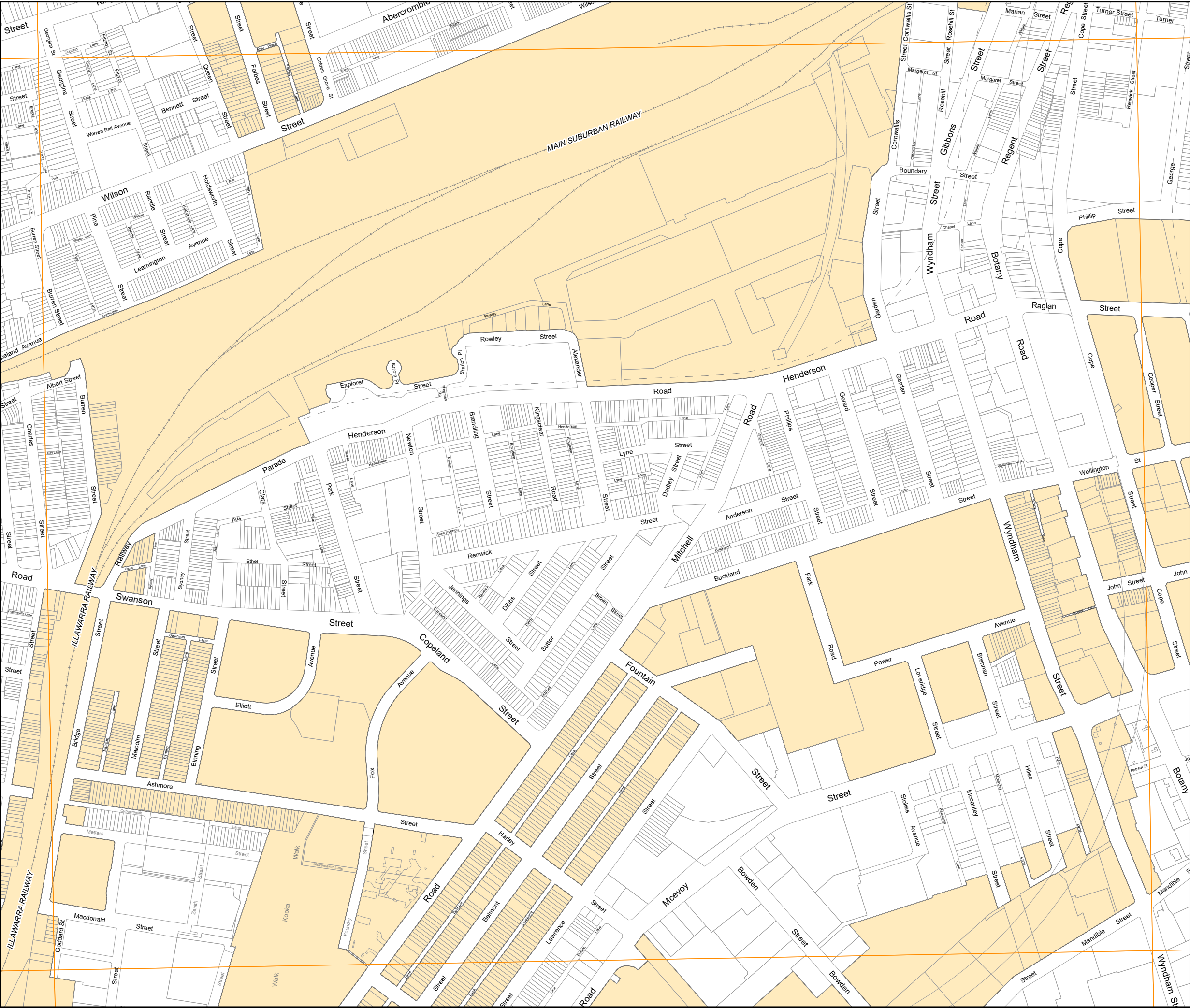
- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



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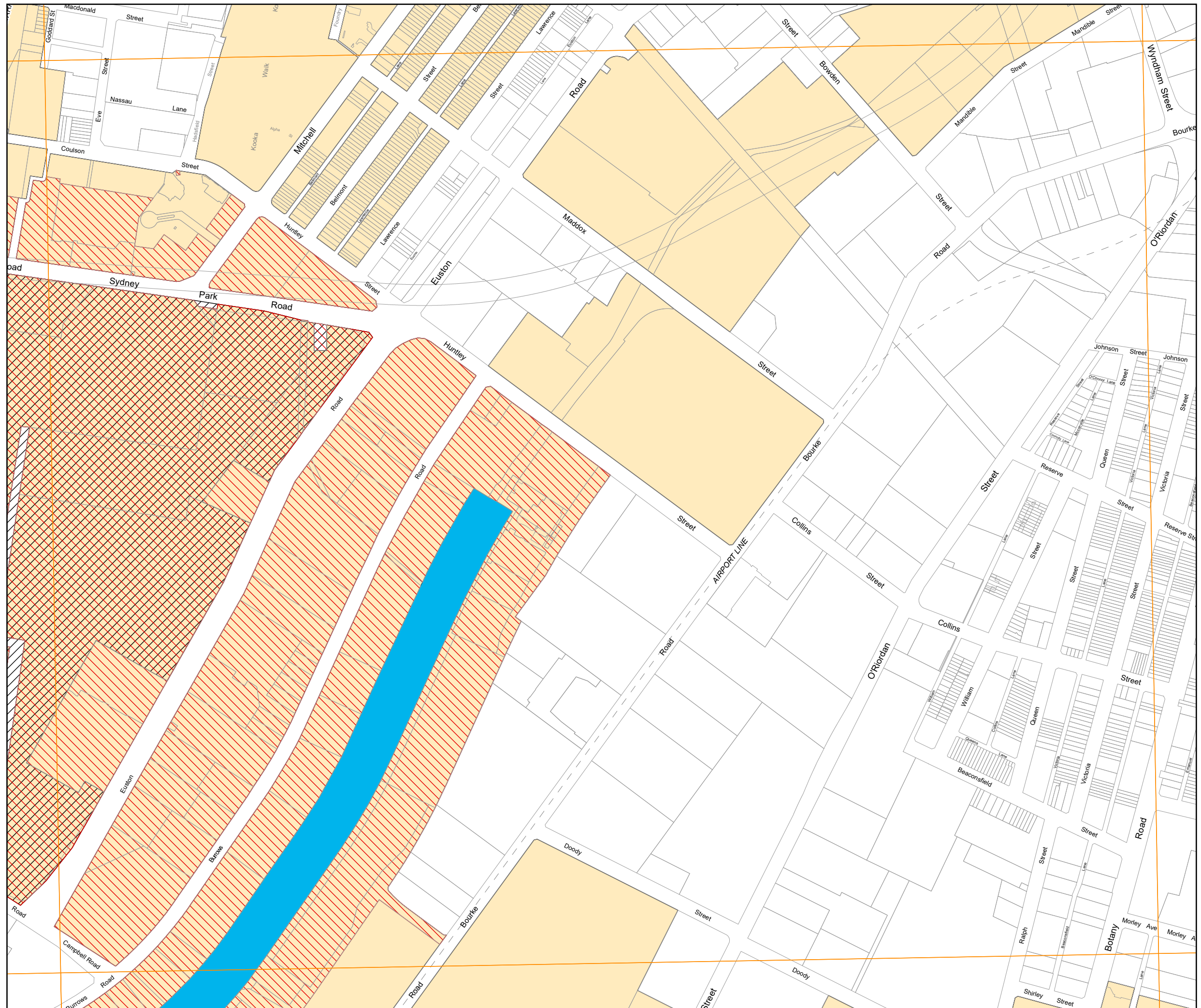


Legend

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 - 007, 014, 021
 - 001, 008, 015, 022
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 - 004, 011, 018
 - 005, 012, 019



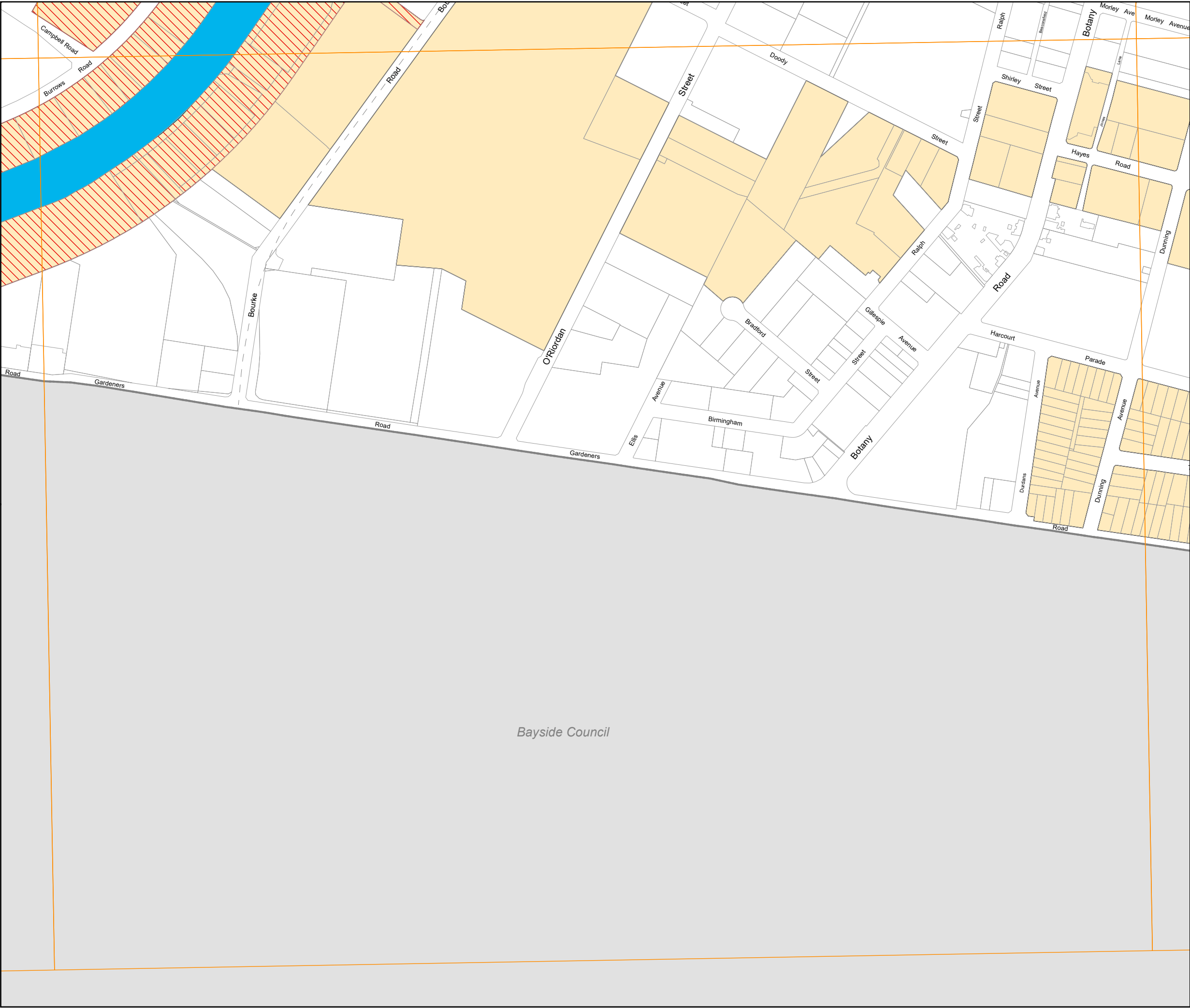
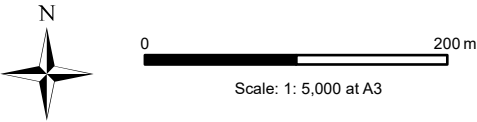
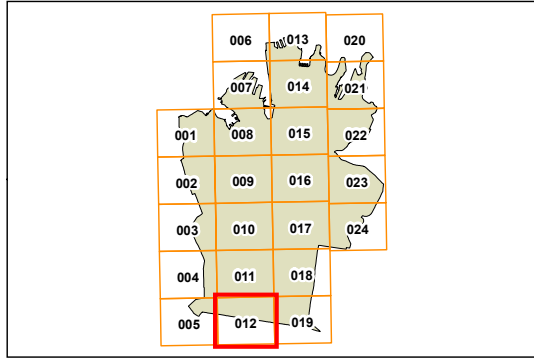
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Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 012

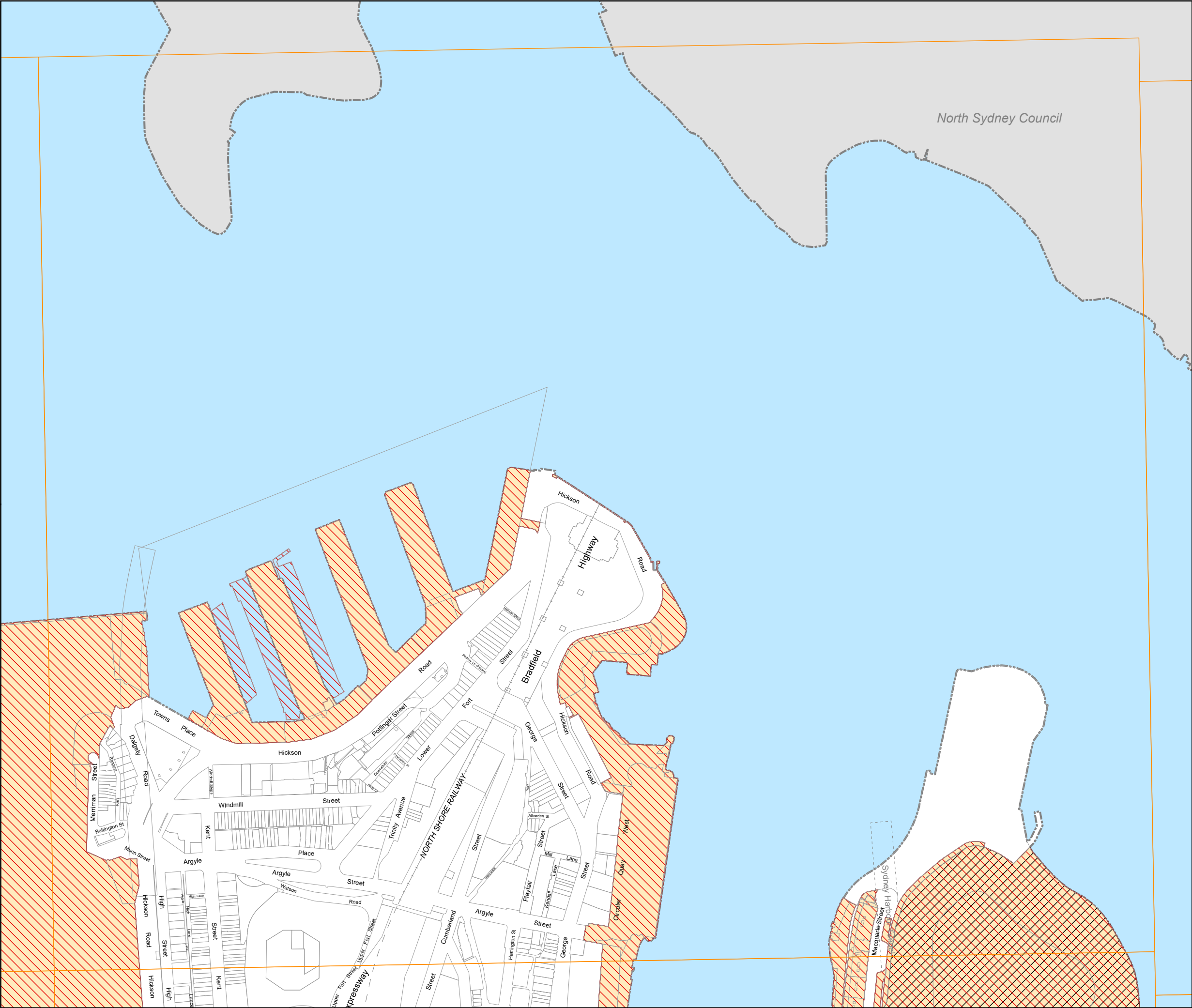
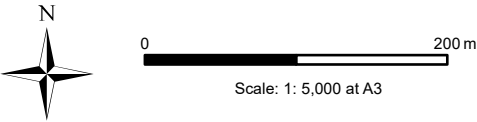
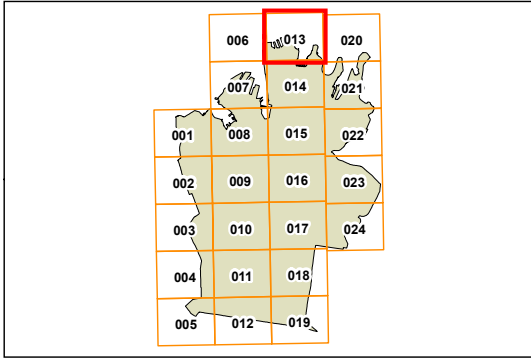
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- Area affected by corridor
 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water



Biodiversity corridors map
Sheet 013

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water

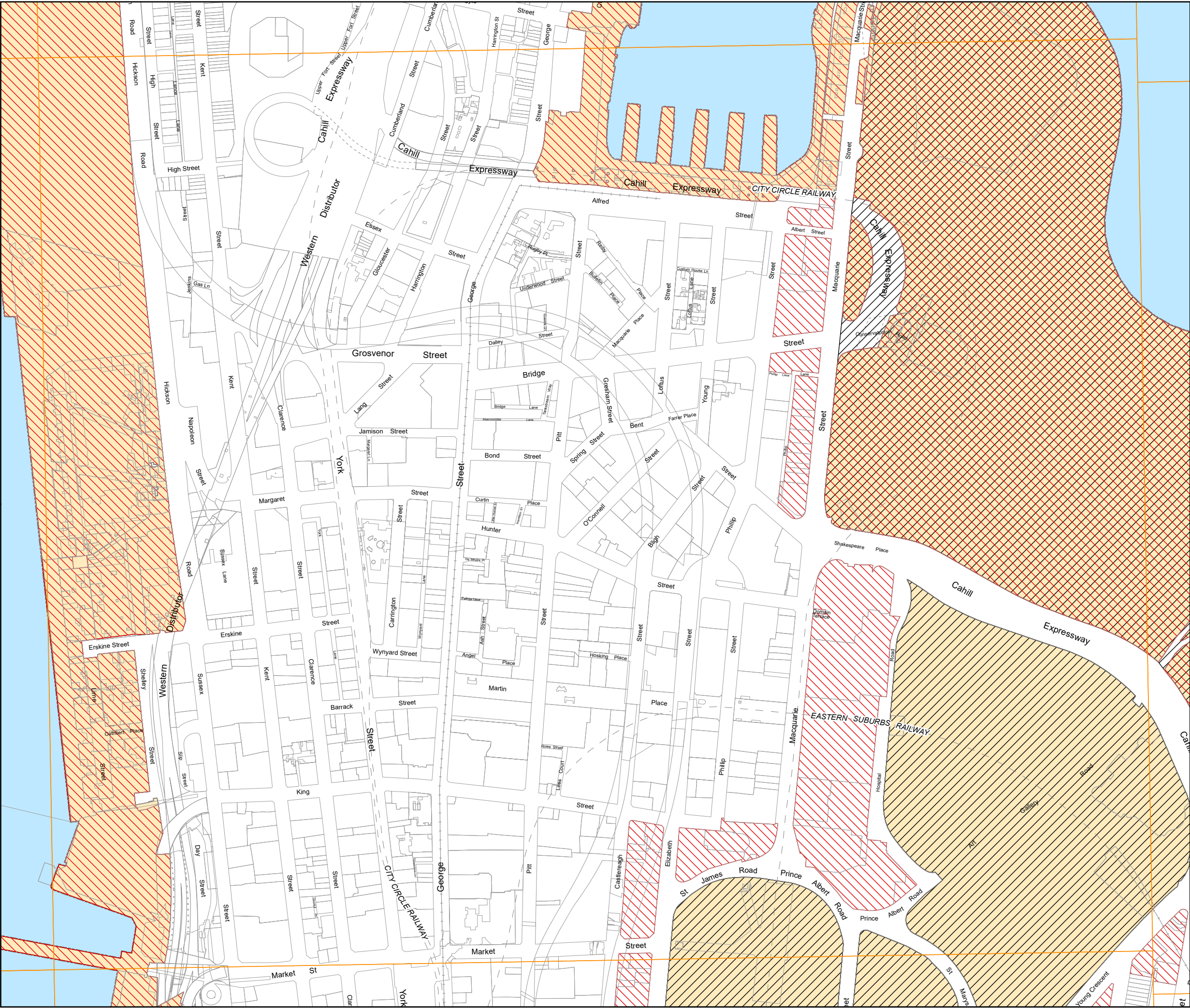
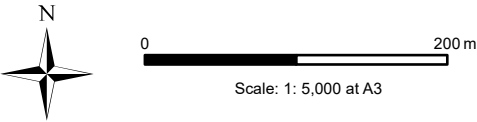
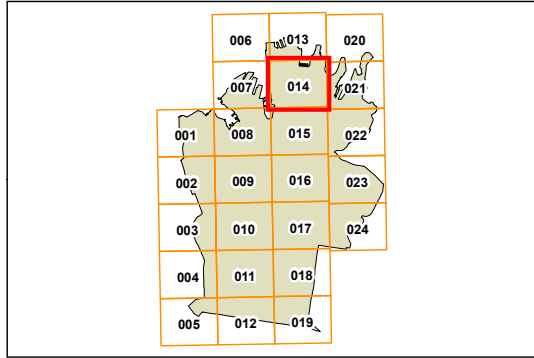


Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 014

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water

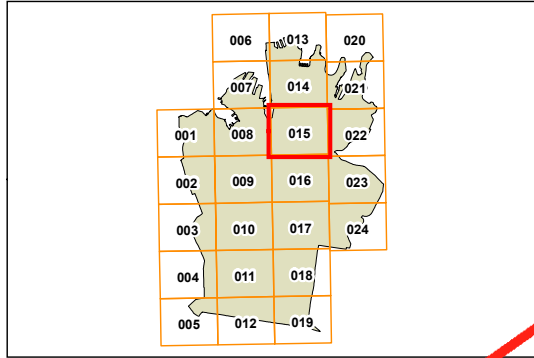


Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 015

Legend

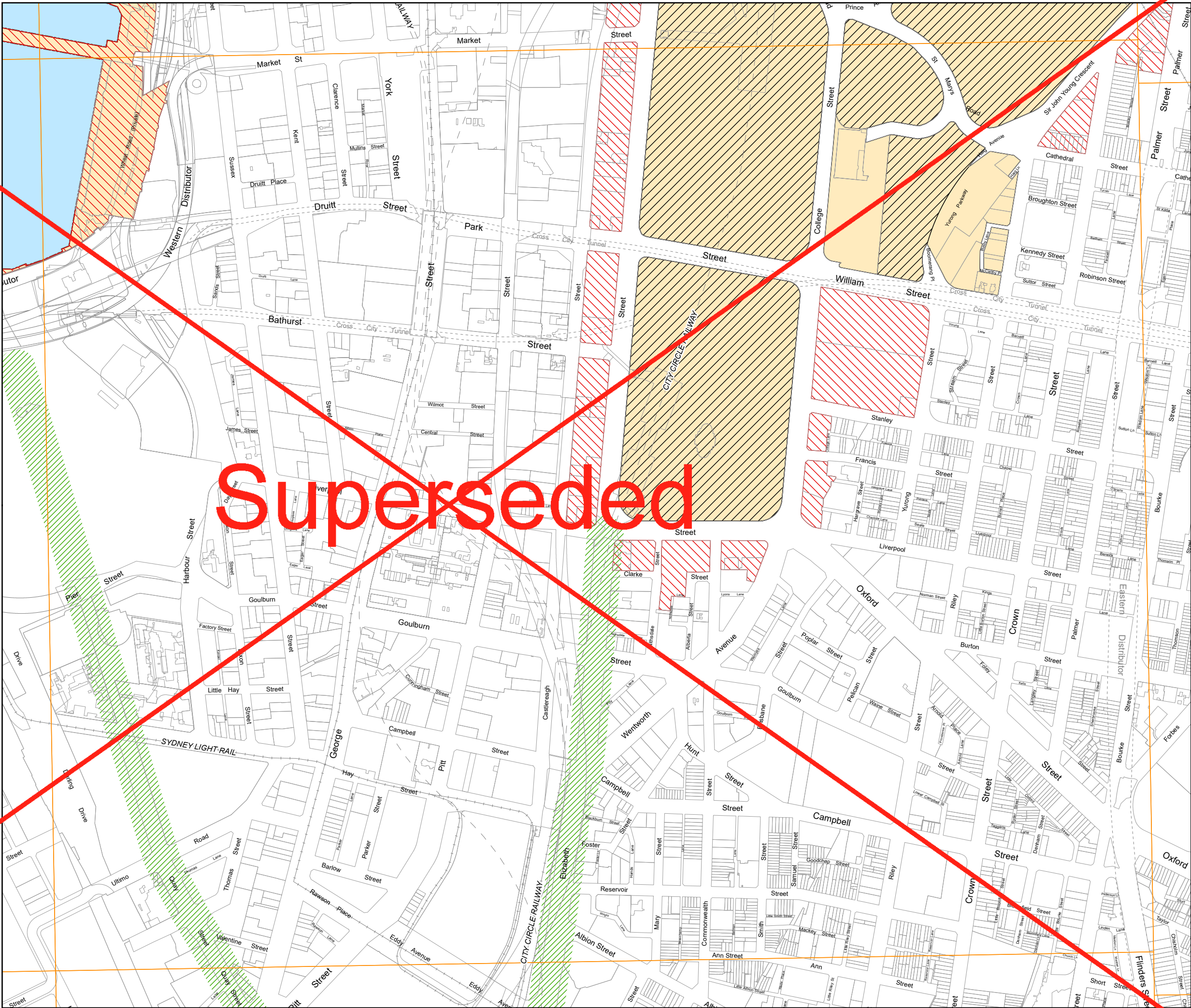
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- Key habitat areas
- Future biodiversity link
- Water



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Scale: 1:10,000 at A3

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Paper Size: A3
Prepared By: SPUD
Printing Date: October 19, 2023
File: SDCP2012_BIO.mxd

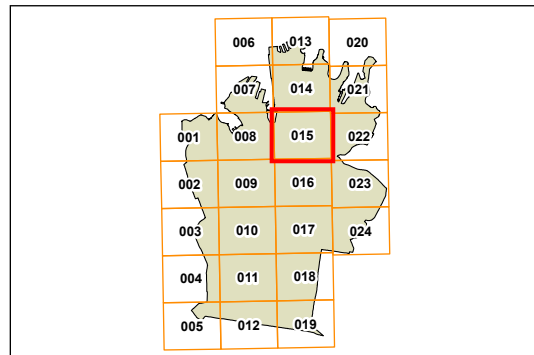


Sydney Local Environmental Plan 2012

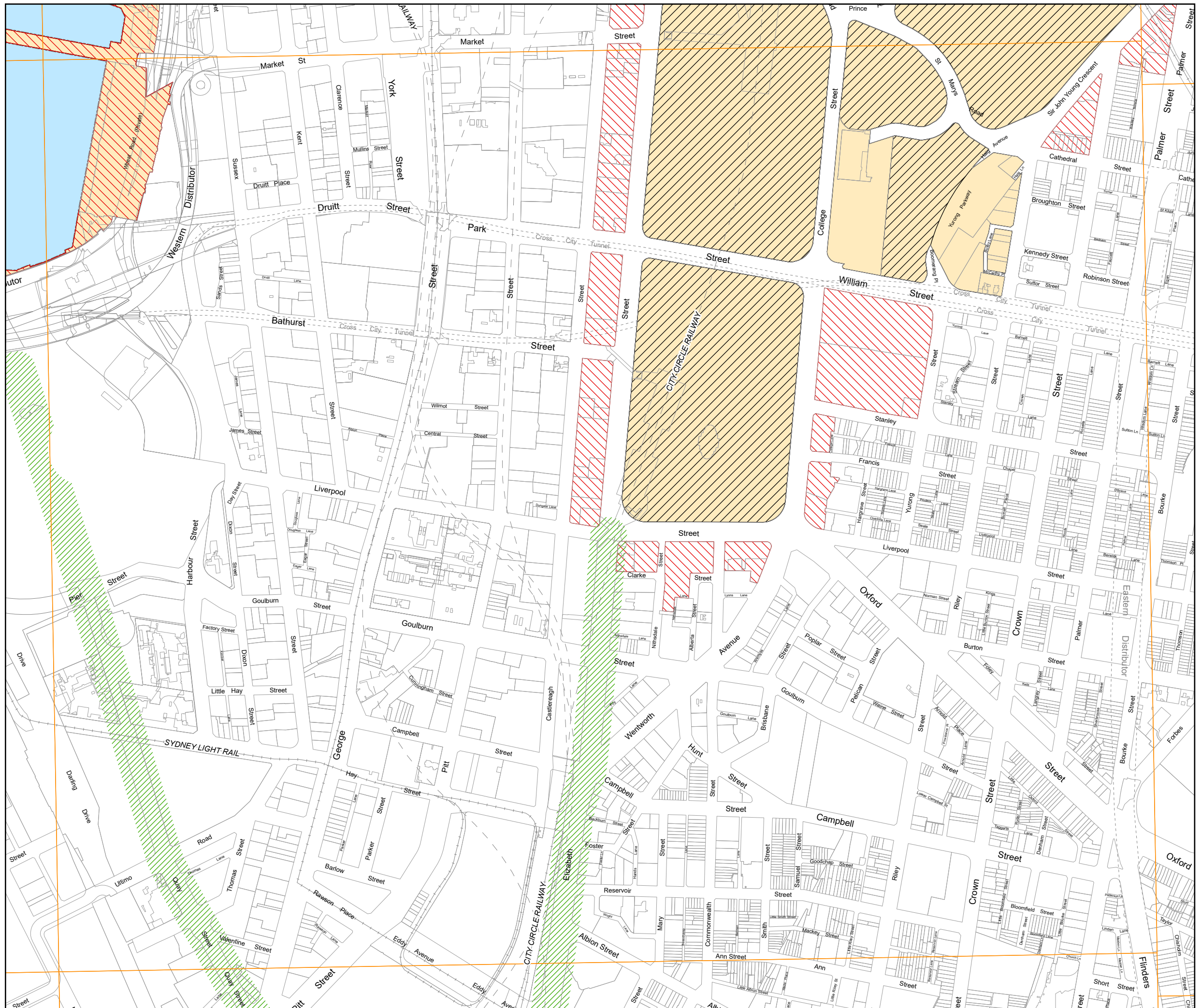
Biodiversity corridors map Sheet 015

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



0 200 m
Scale: 1: 5,000 at A3

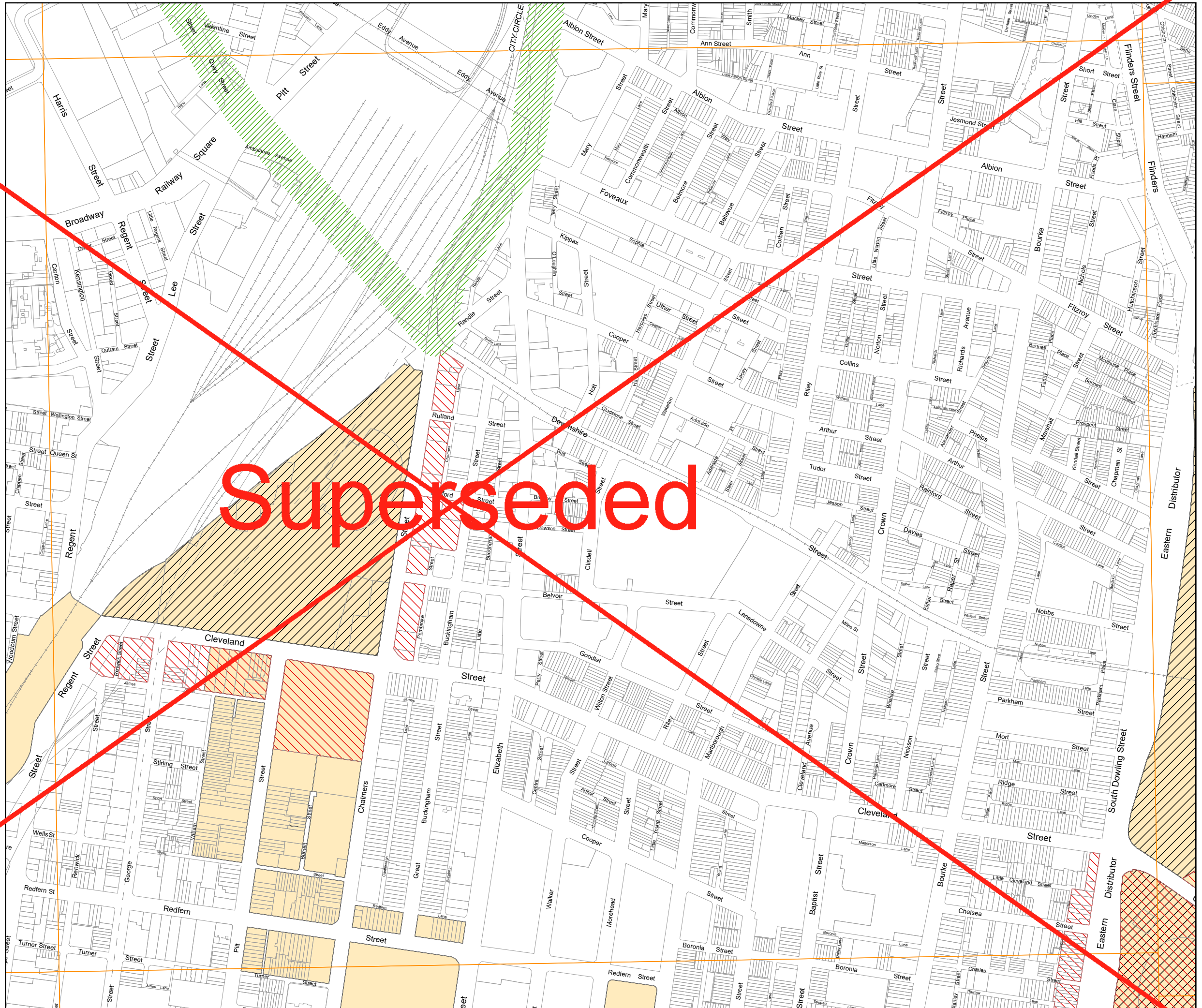
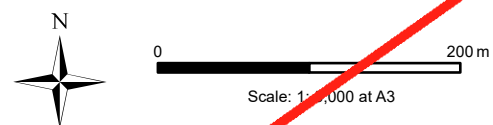
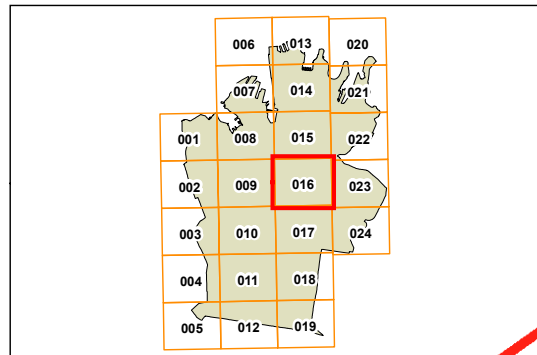


Sydney Development Control Plan 2012

Biodiversity corridors map Sheet 016

Legend

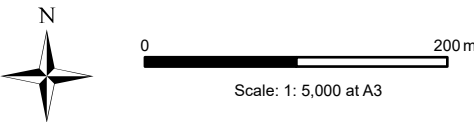
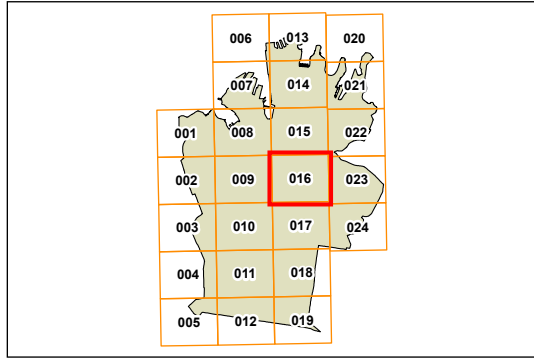
- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



Sydney Local Environmental Plan 2012

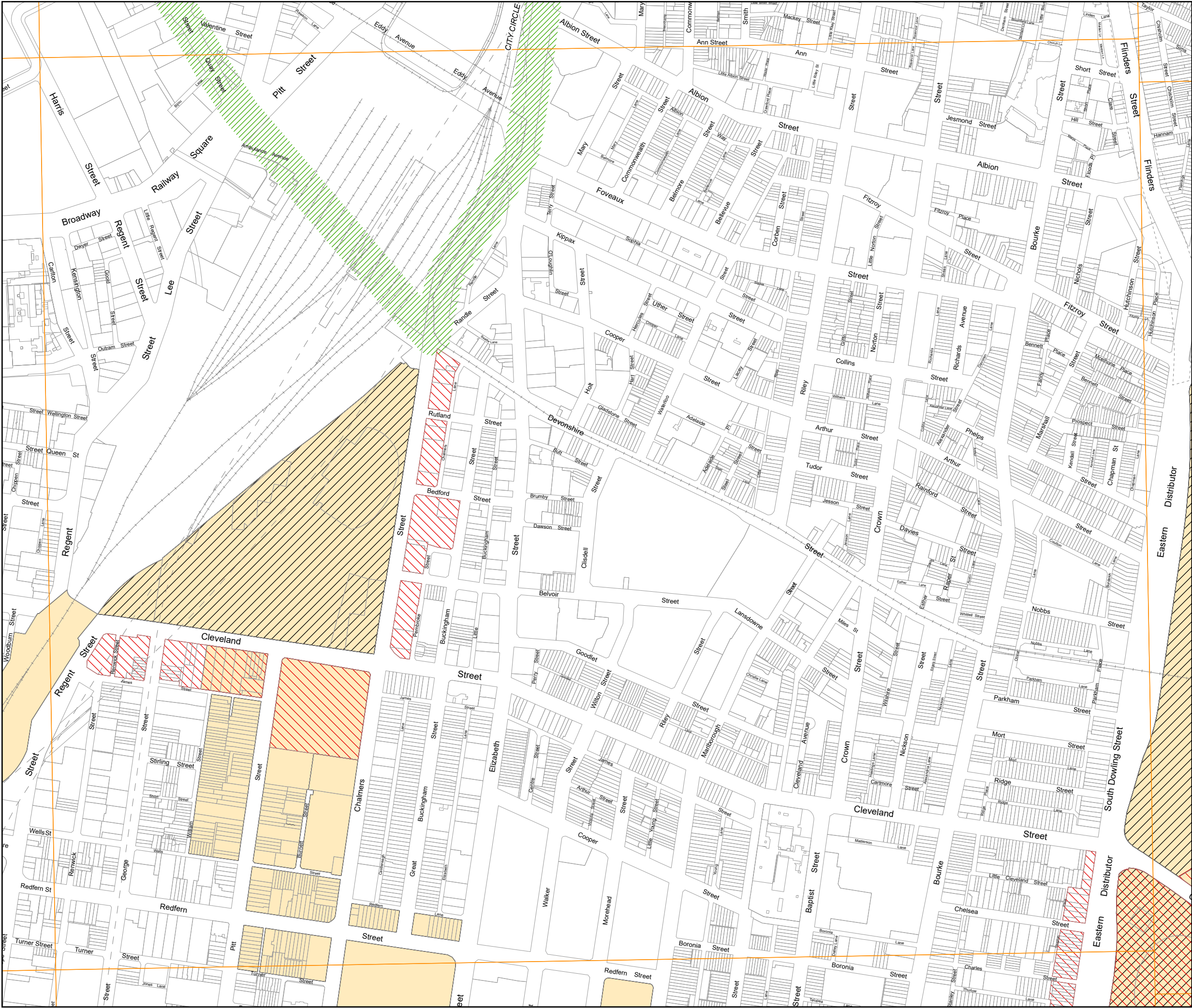
Biodiversity corridors map Sheet 016

- Legend**
- Area affected by corridor
 - Area affected by bird strike
 - Key habitat areas
 - Future biodiversity link
 - Water



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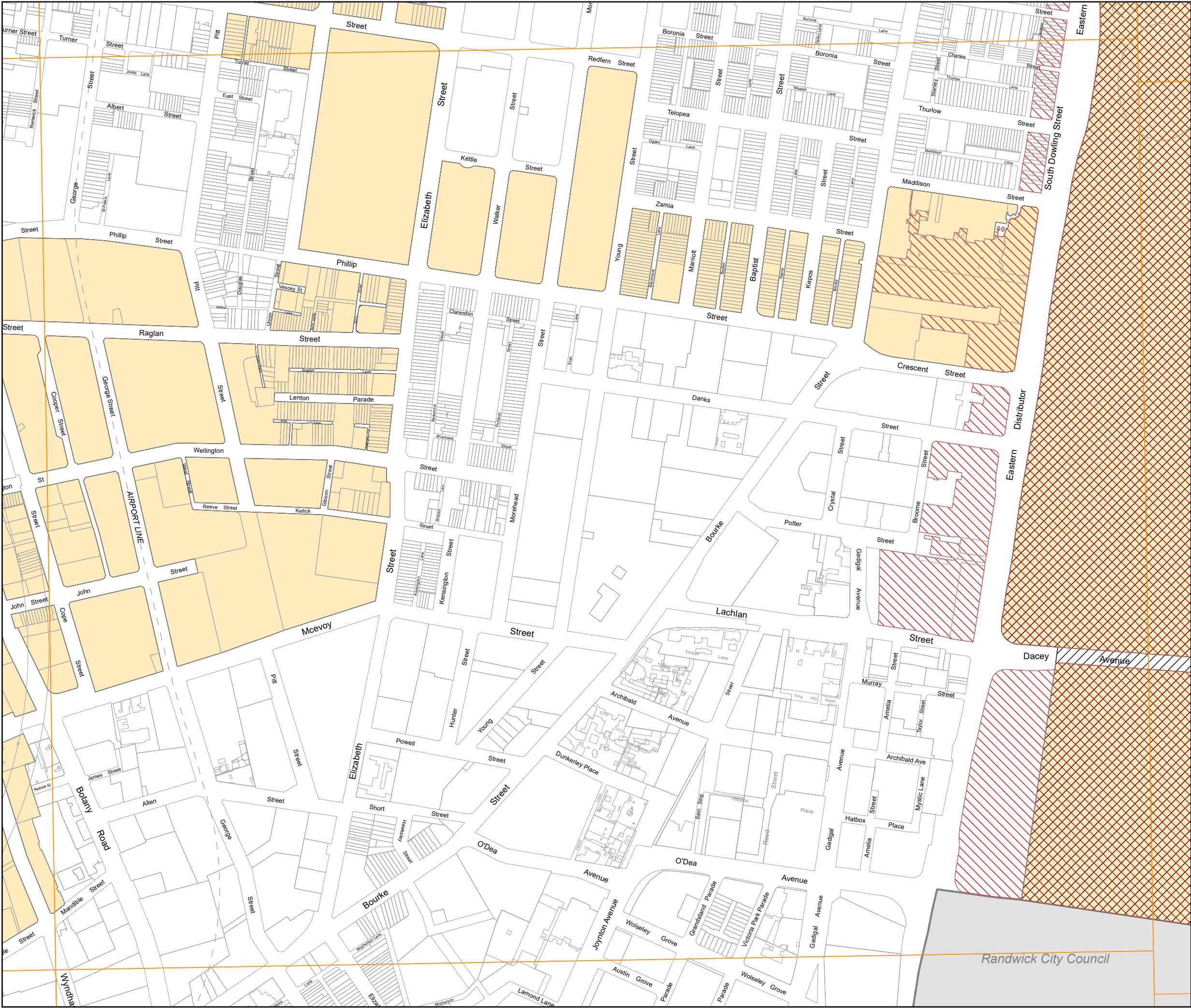
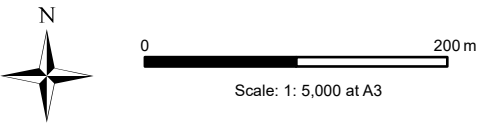
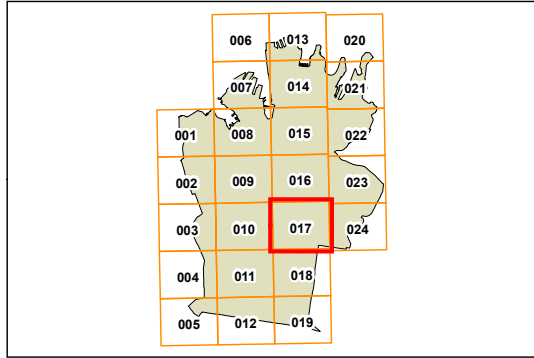


Sydney Development Control Plan 2012

Biodiversity corridors map Sheet 017

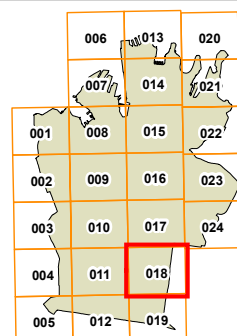
Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



Legend

-  Area affected by corridor
 Area affected by bird strike
 Key habitat areas
 Future biodiversity link
 Water

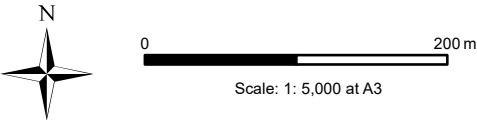
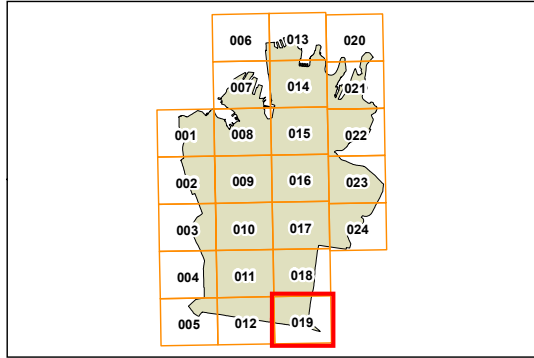


Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 019

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



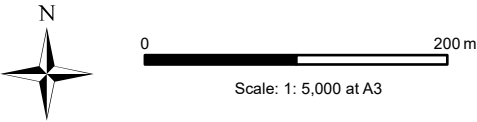
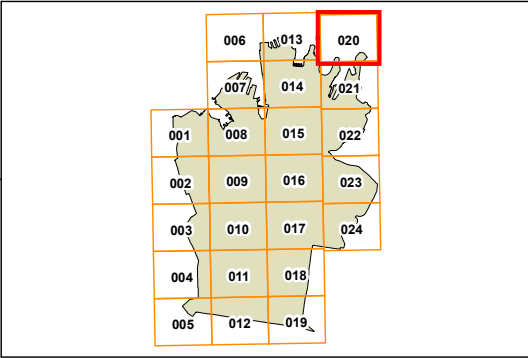
Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 020

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water

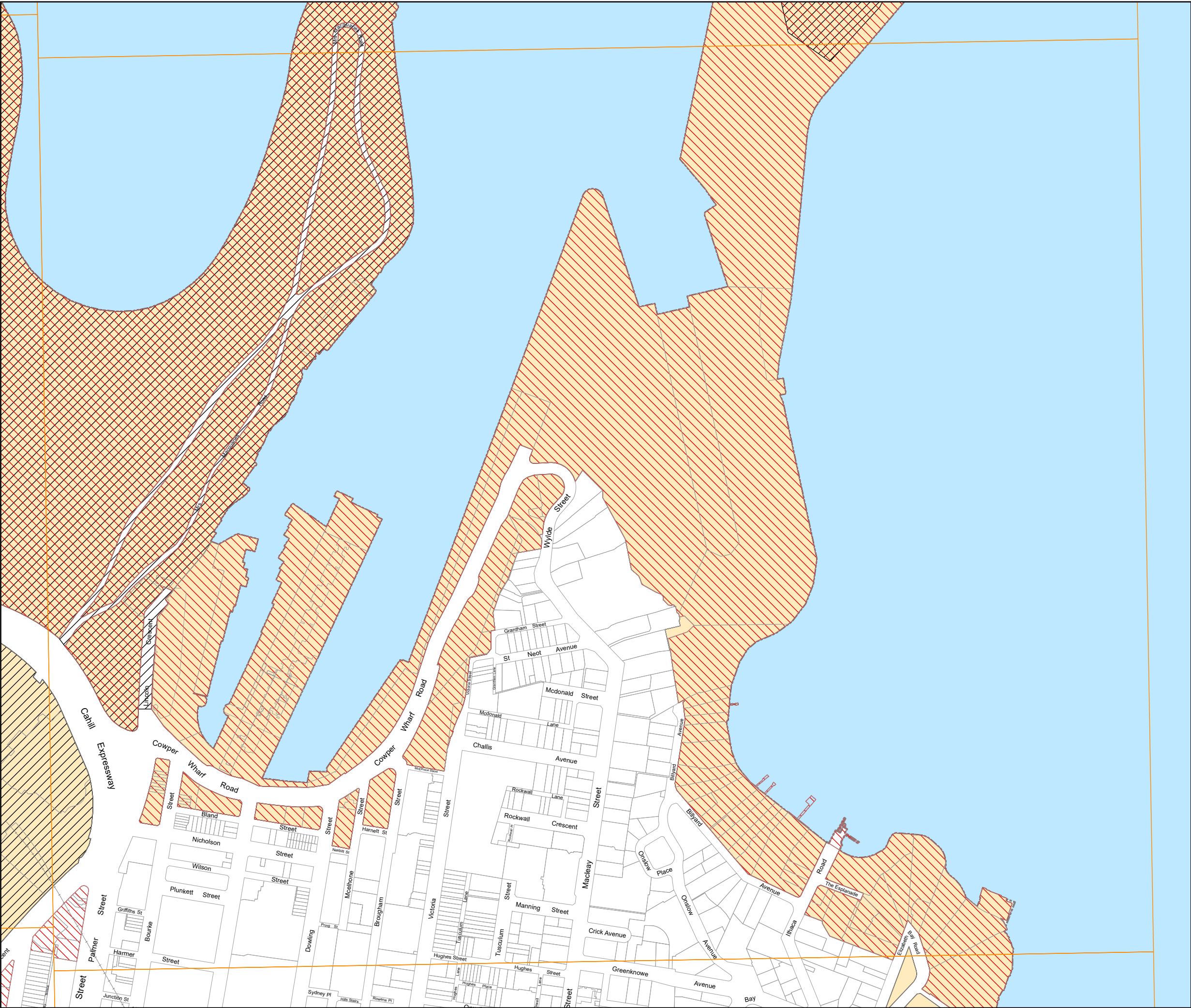
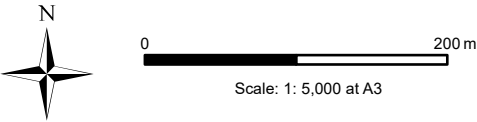
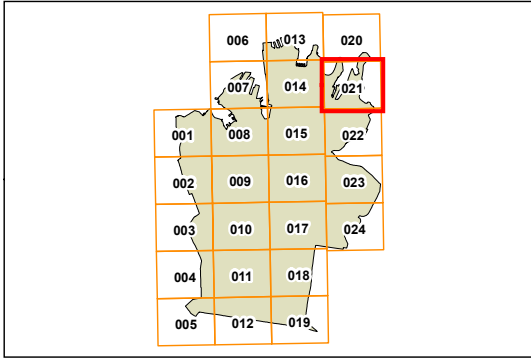
North Sydney Council



Biodiversity corridors map
Sheet 021

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water

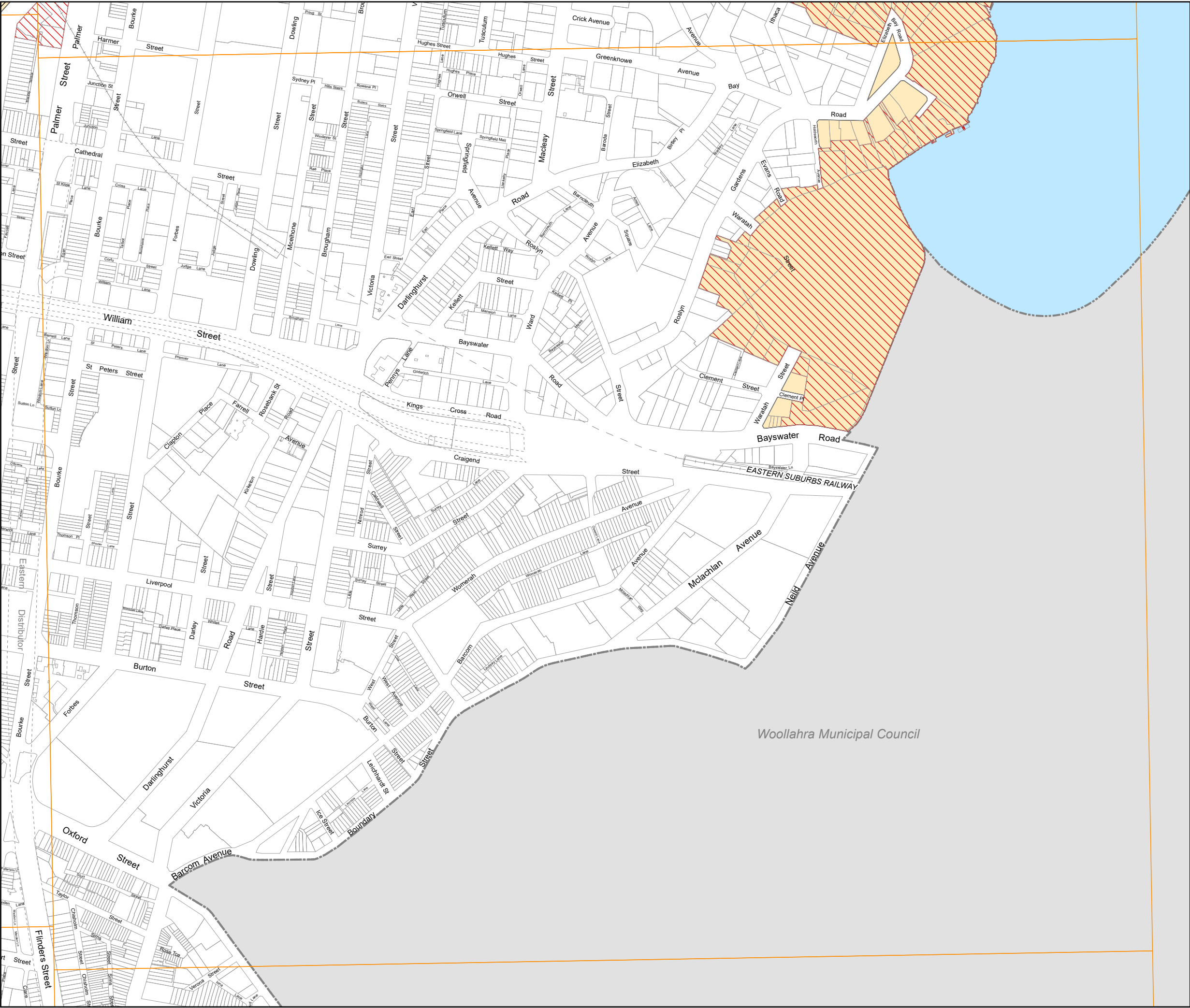
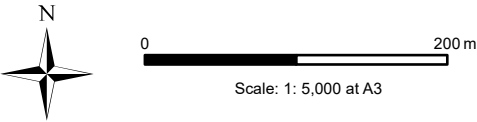
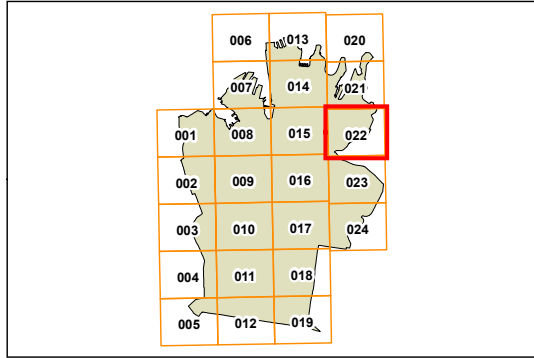


Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 022

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water

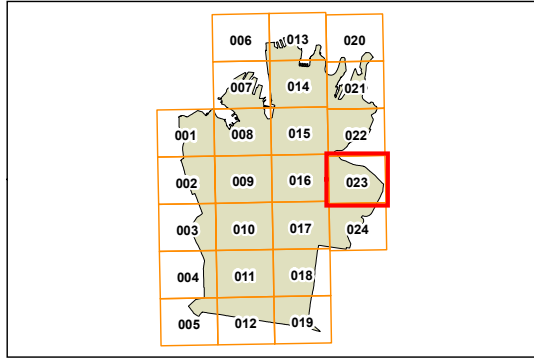


Sydney
Development
Control Plan 2012

Biodiversity corridors map
Sheet 023

Legend

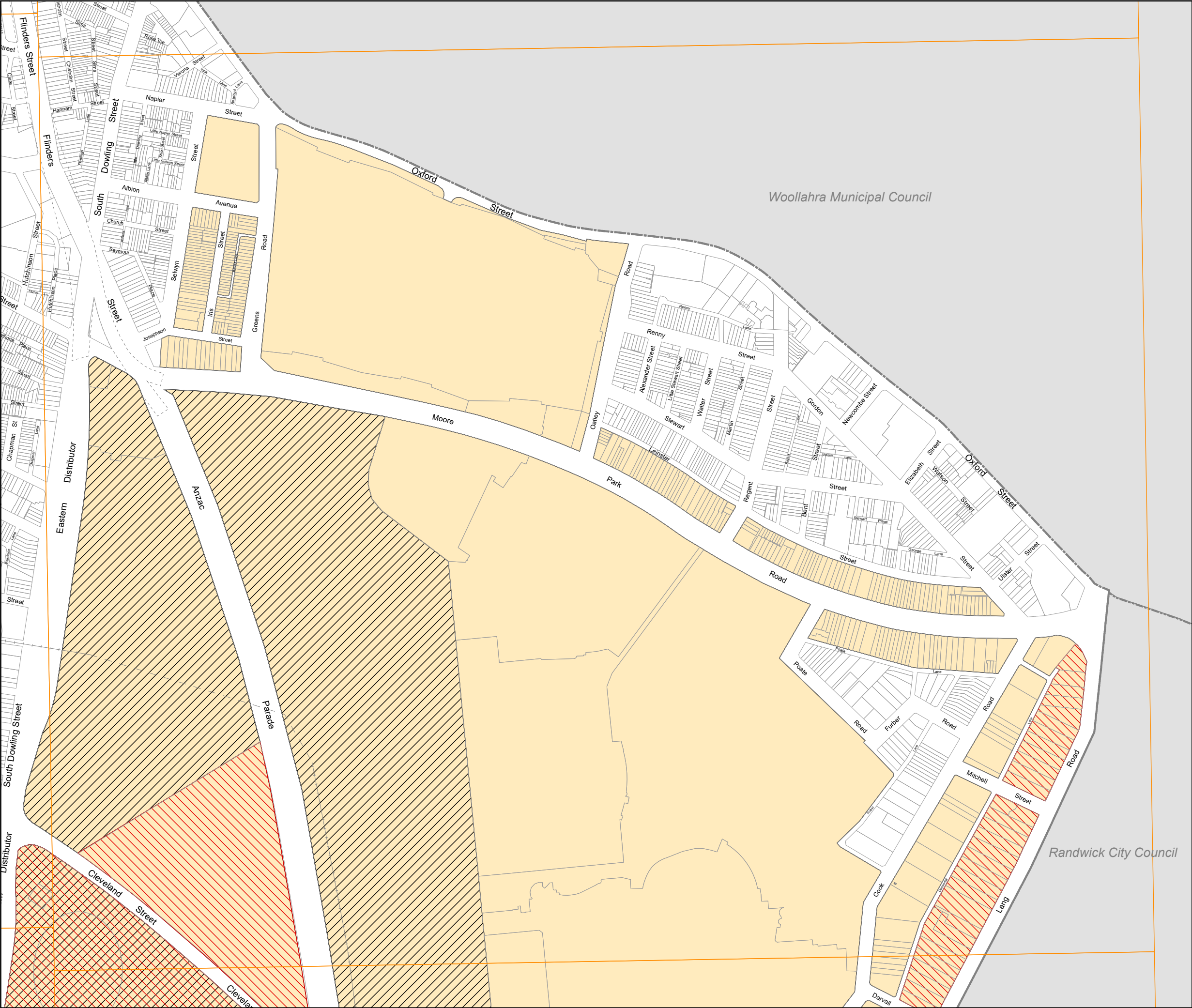
- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



0 200 m
Scale: 1: 5,000 at A3

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Datum: GDA2020
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Prepared By: SPUD
Printing Date: October 19, 2023
File: SDCP2012_BIO.mxd

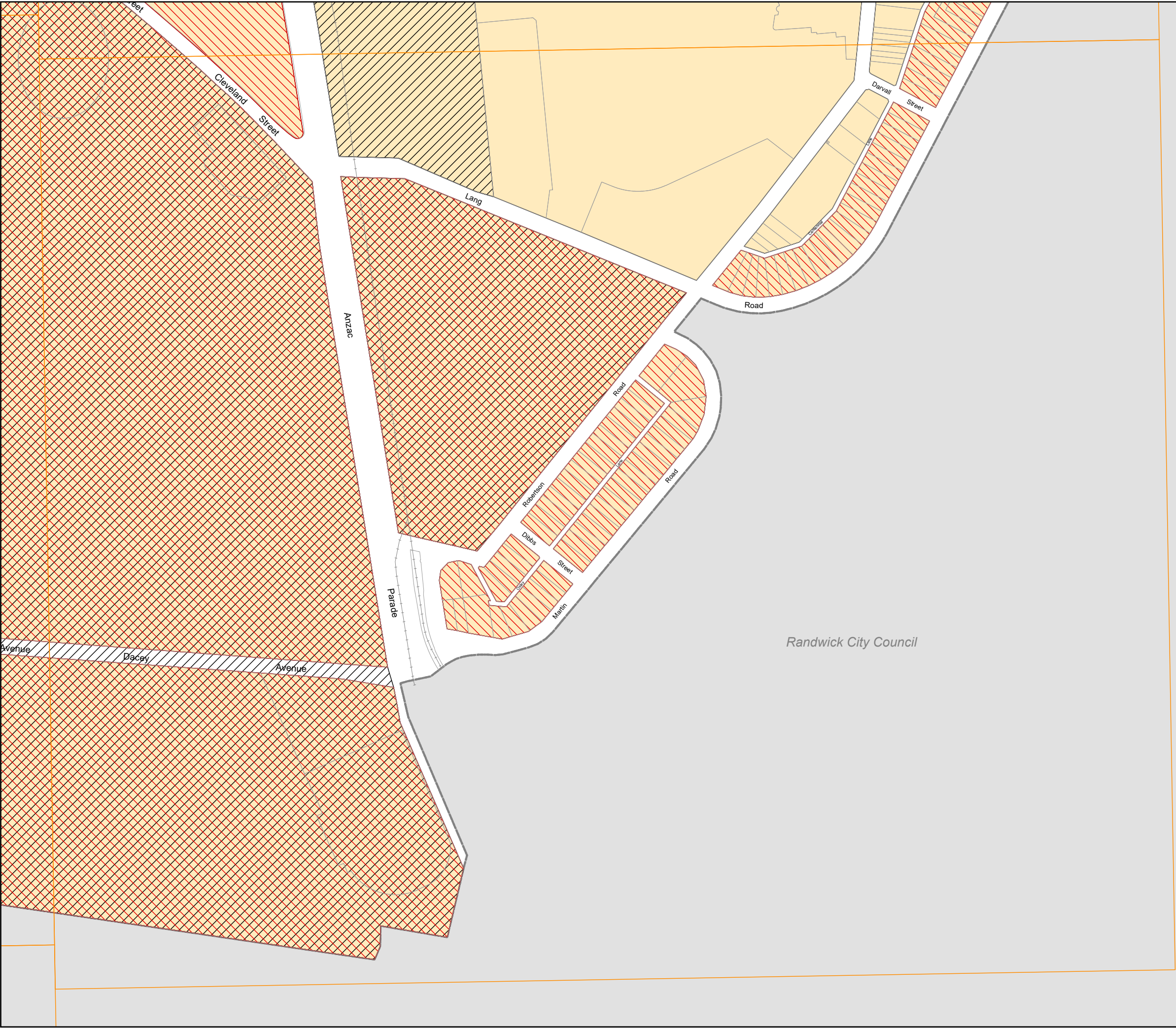
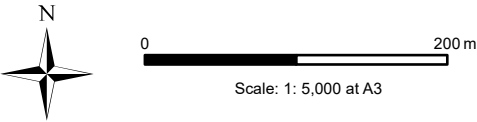
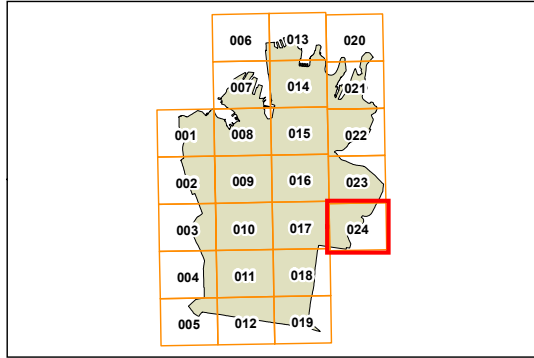


Sydney Development Control Plan 2012

Biodiversity corridors map Sheet 024

Legend

- Area affected by corridor
- Area affected by bird strike
- Key habitat areas
- Future biodiversity link
- Water



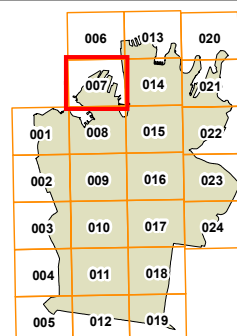
Late Night trading

Late night trading areas map

007, 010, 014, 015, 016

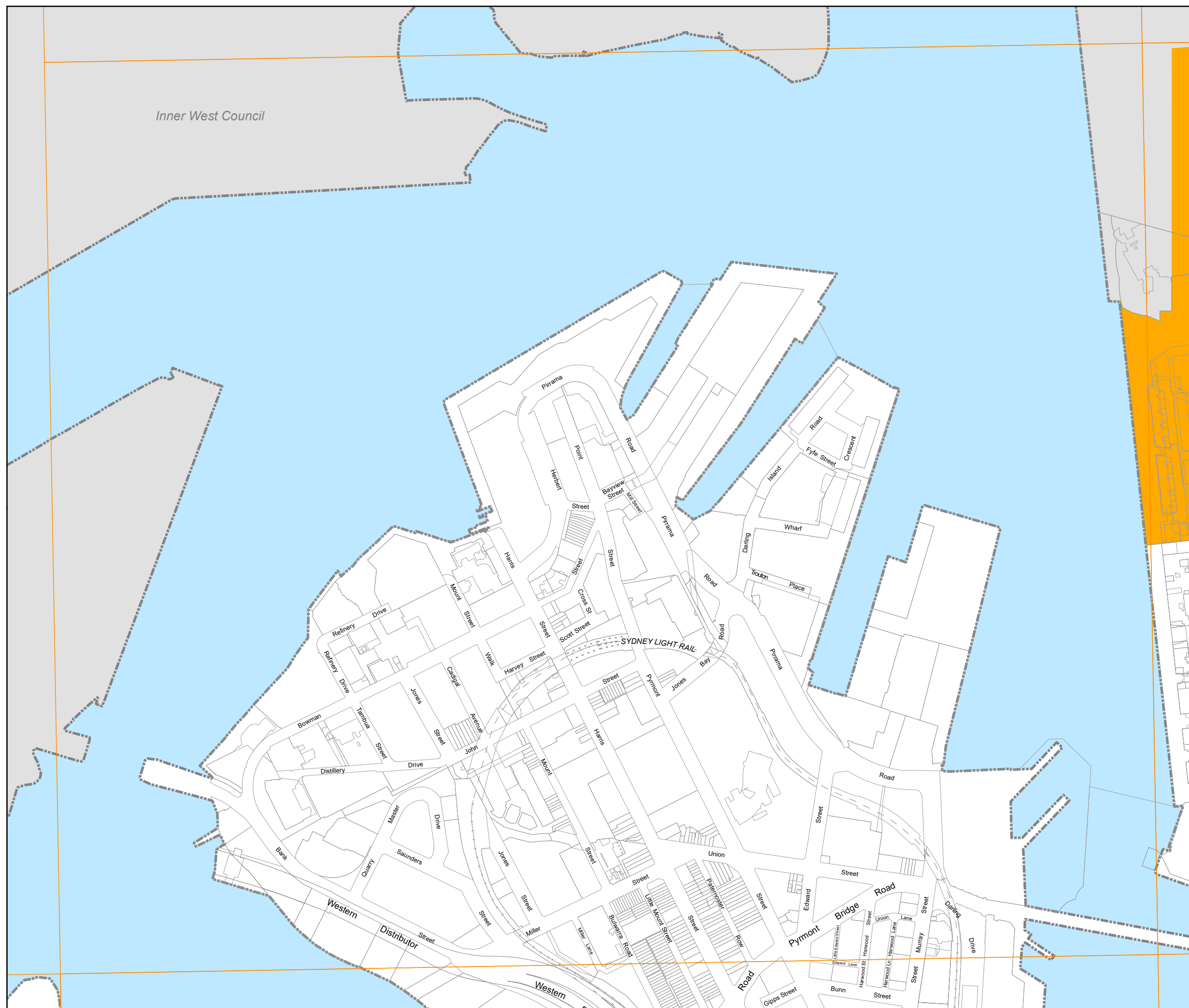
Legend

- City Living Areas
- Late Night Management Areas
- Local Centre Areas
- Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



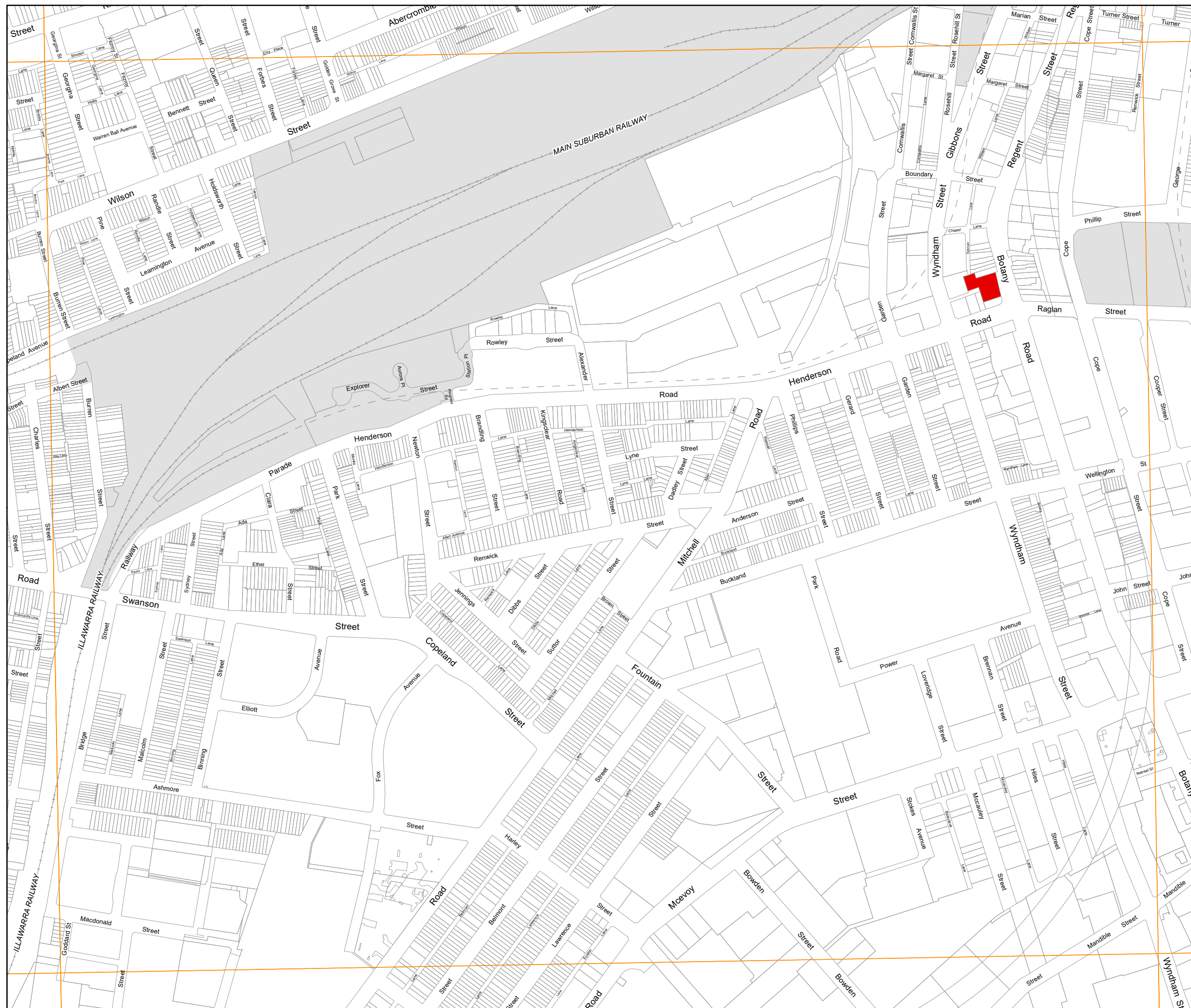
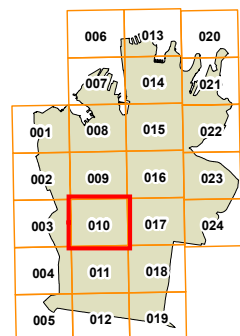
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Paper Size: A3
Prepared By: SPUD
Printing Date: November 14, 2023
File: SDCP2012_LNTA.mxd



Legend

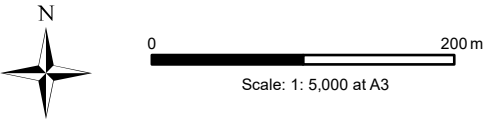
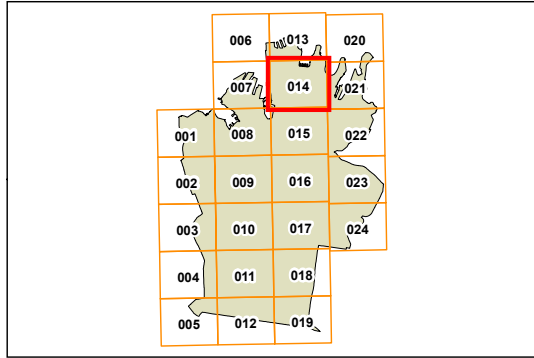
- City Living Areas
- Late Night Management Areas
- Local Centre Areas
- Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



Sydney
Development
Control Plan 2012

Late night trading areas map
Sheet 014

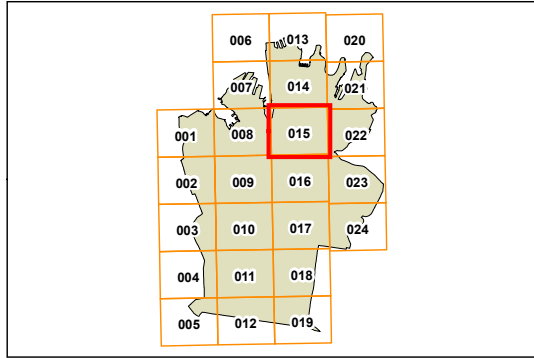
- Legend**
- City Living Areas
 - Late Night Management Areas
 - Local Centre Areas
 - Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



Sydney
Development
Control Plan 2012

Late night trading areas map
Sheet 015

- Legend**
- City Living Areas
 - Late Night Management Areas
 - Local Centre Areas
 - Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



0 200 m
Scale: 1: 5,000 at A3

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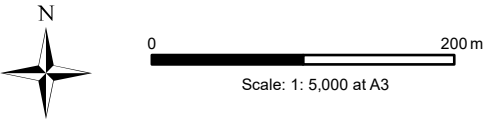
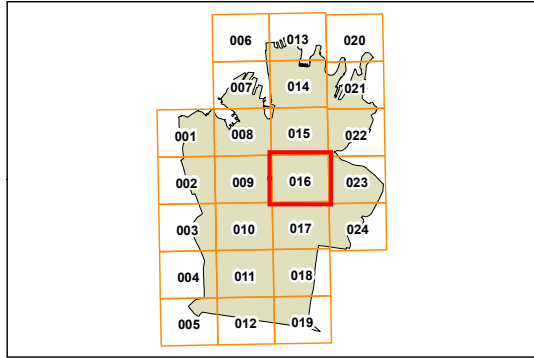
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Printing Date: November 14, 2023
File: SDCP2012_LNTA.mxd



Sydney Development Control Plan 2012

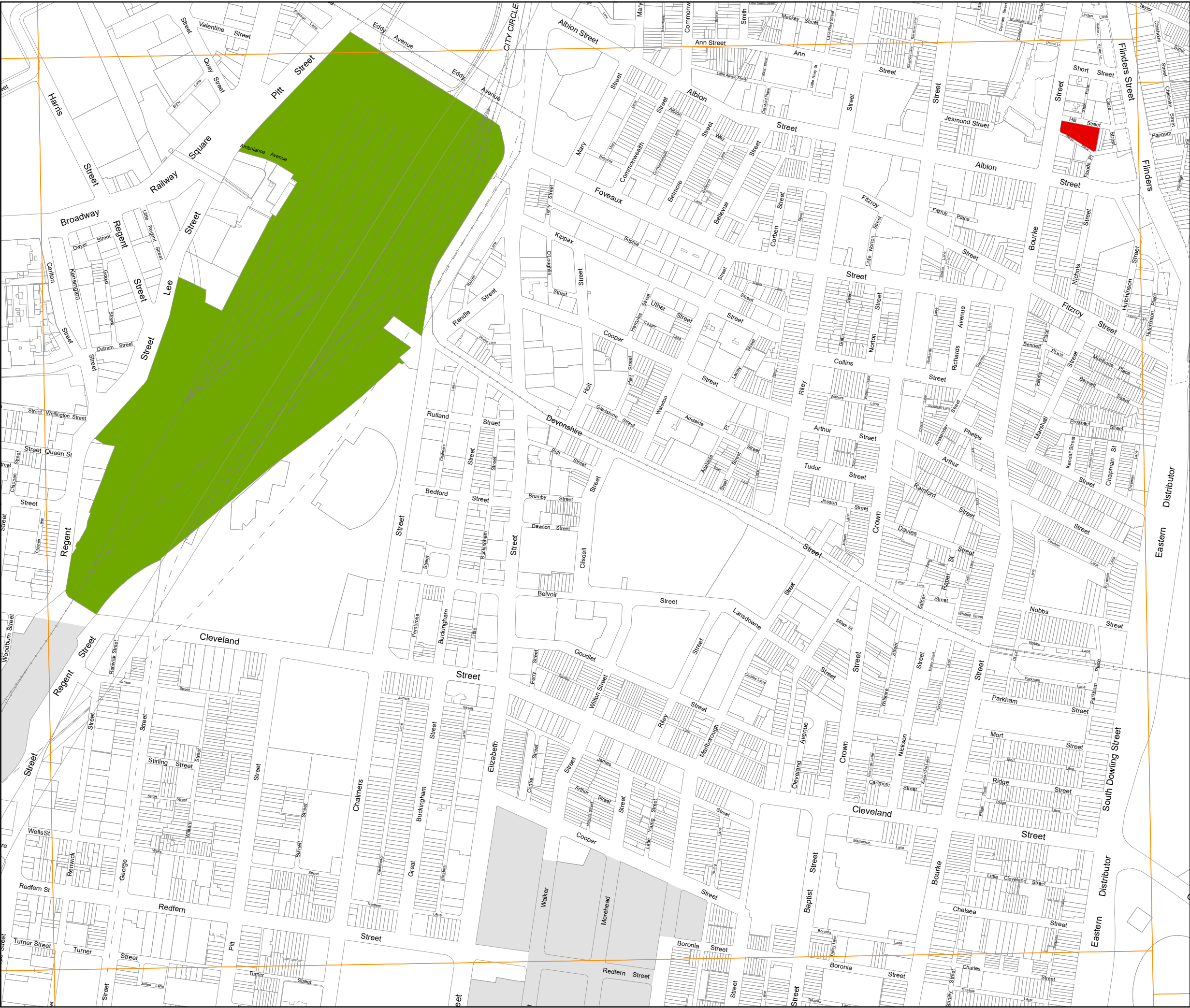
Late night trading areas map Sheet 016

- Legend**
- City Living Areas
 - Late Night Management Areas
 - Local Centre Areas
 - Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



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 Prepared By: SPUD
 Printing Date: November 14, 2023
 File: SDCP2012_LNTA.mxd



Signage precincts

Signage precincts map

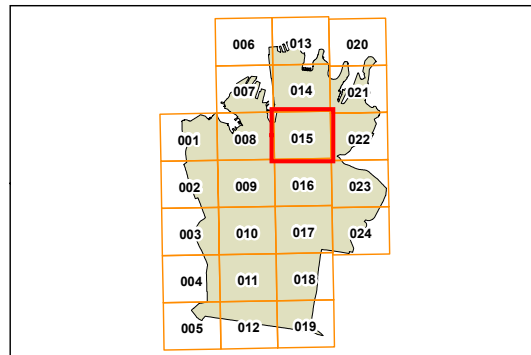
015

Legend

12 Chinatown

18 Darling Harbour

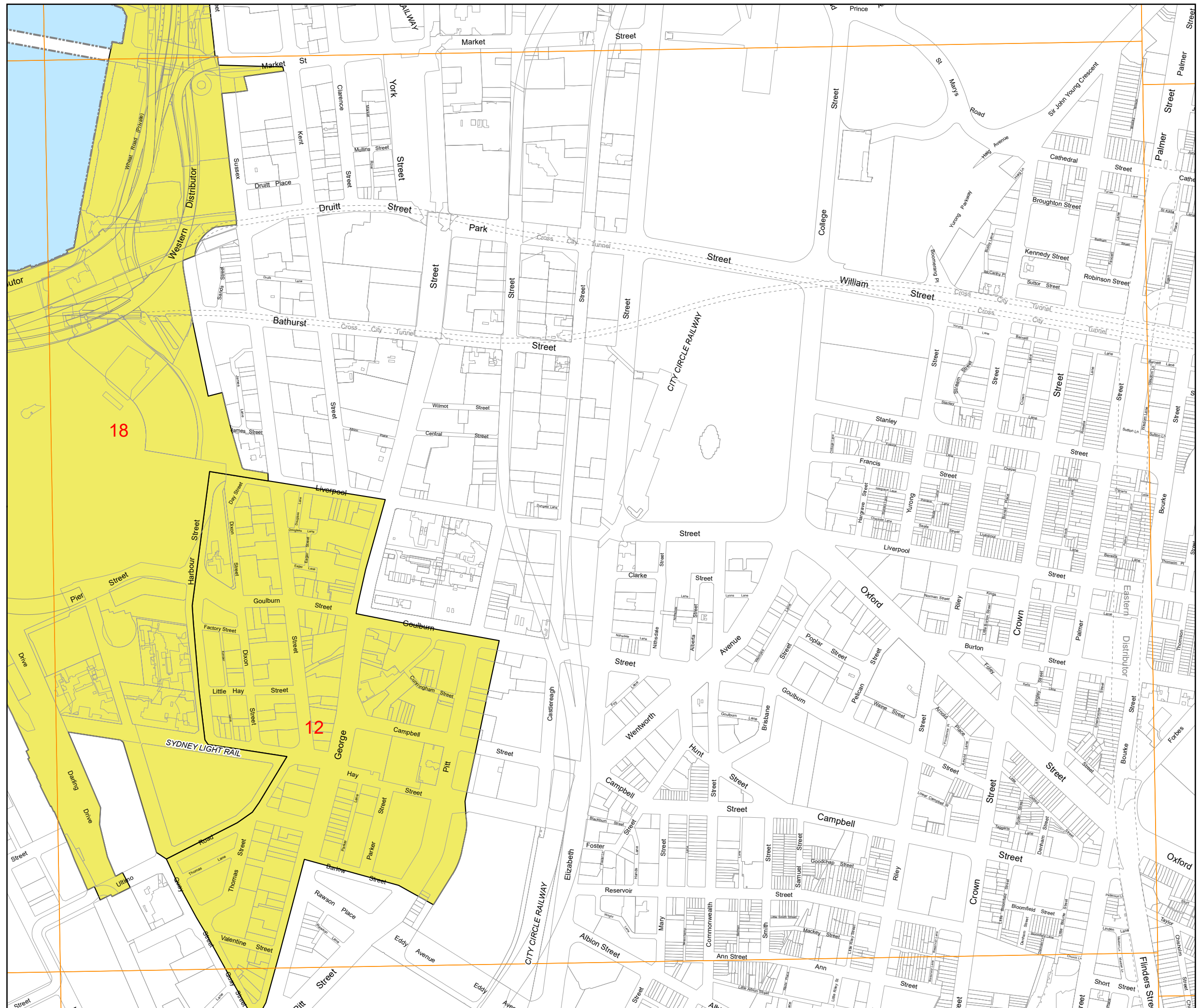
Land excluded from this DCP



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Datum: GDA2020
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Printing Date: November 7, 2023
File: SDCP2012_SP.mxd

Projection: MGA Zone 56
Datum: GDA2020
Paper Size: A3
Prepared By: SPUD
Printing Date: November 7, 2023
File: SDCP2012_SP.mxd



Integration of planning controls - DCP

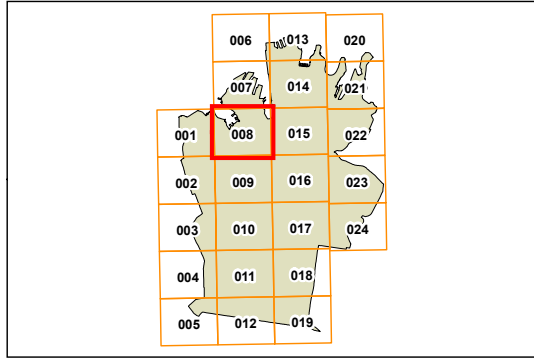
Active frontages map	008, 009, 016
Building contributions map	009, 010, 016, 017
Building setback and alignment map	012, 019
Footpath, awnings and colonnades map	009, 016
Height in storeys map	001, 008, 009, 012, 016, 019
Late night trading areas map	009, 010, 016
Through-site links map	009, 016

Sydney Development Control Plan 2012

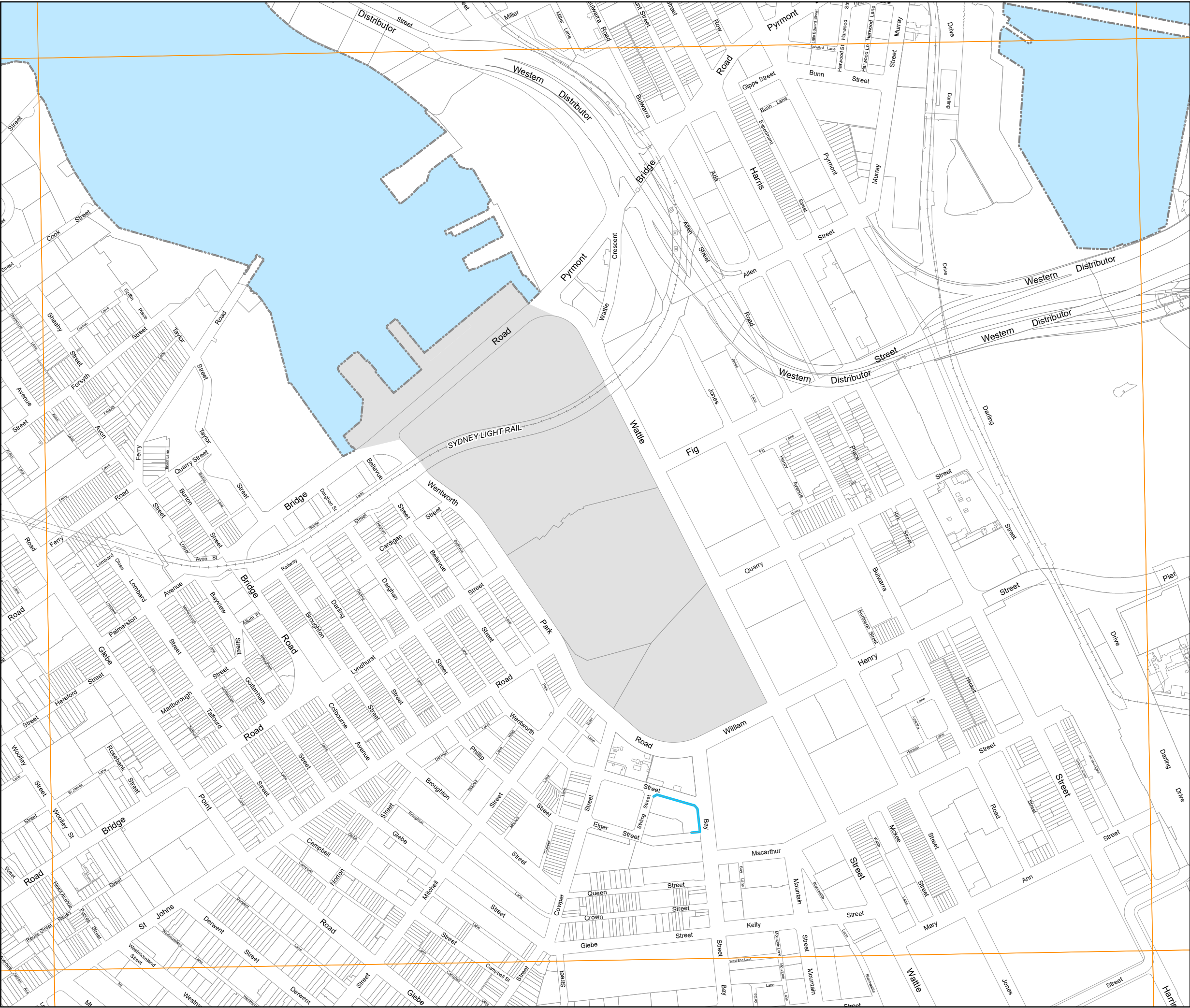
Active frontages map Sheet 008

Legend

- Refer to Table 3.1 Within Central Sydney or Outside of Central Sydney – Category 1
- Proposed streets
- Land excluded from this DCP



0 200 m
Scale: 1: 5,000 at A3

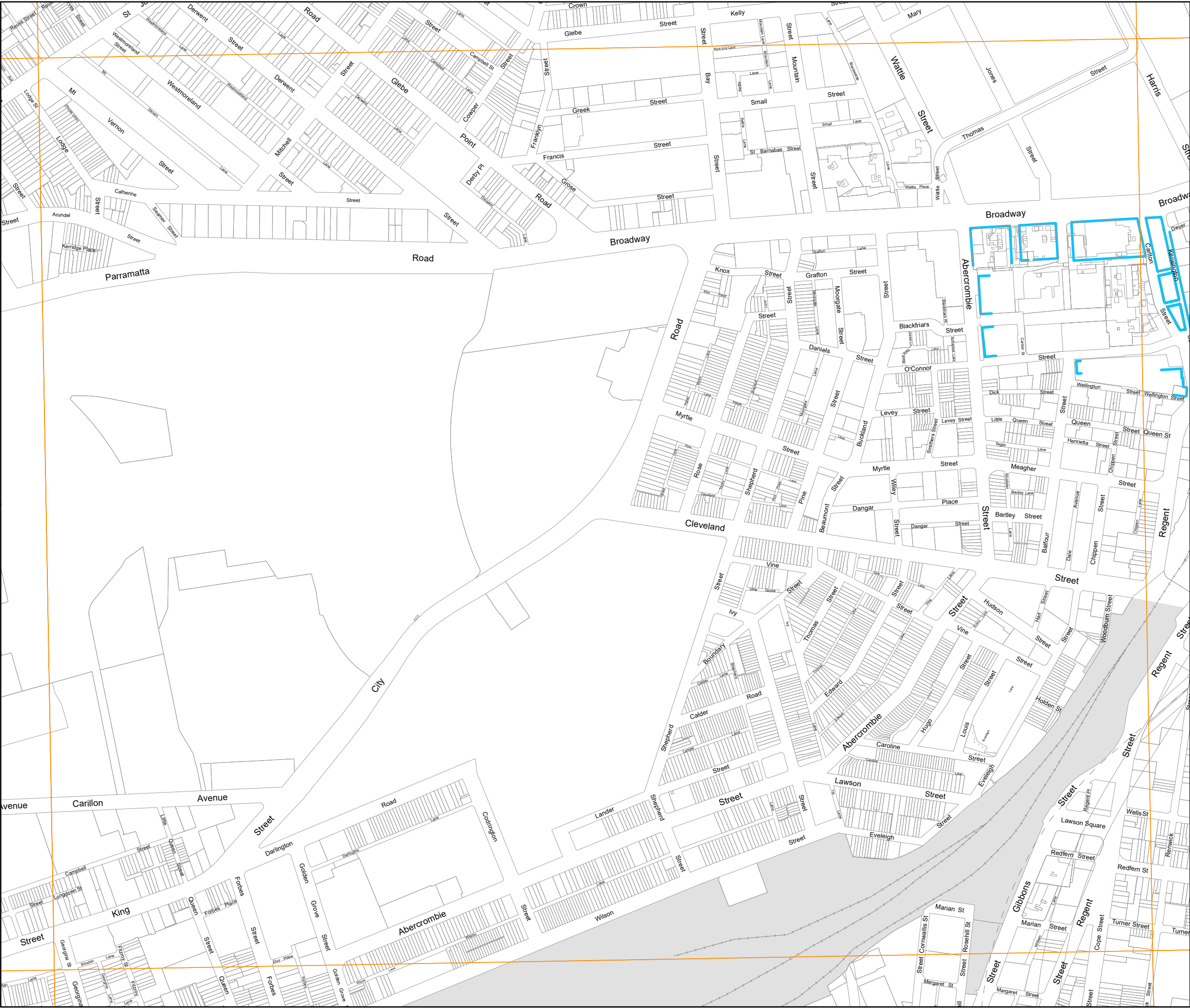
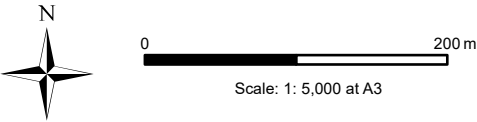
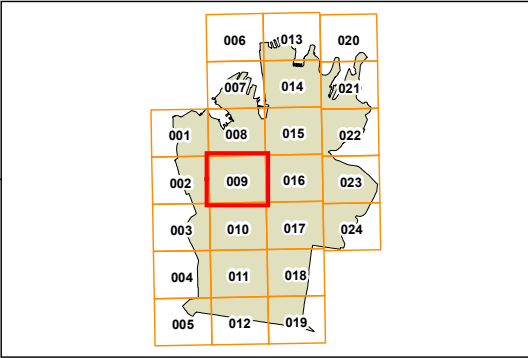


Sydney Development Control Plan 2012

Active frontages map Sheet 009

Legend

- Refer to Table 3.1 Within Central Sydney or Outside of Central Sydney – Category 1
- Land excluded from this DCP

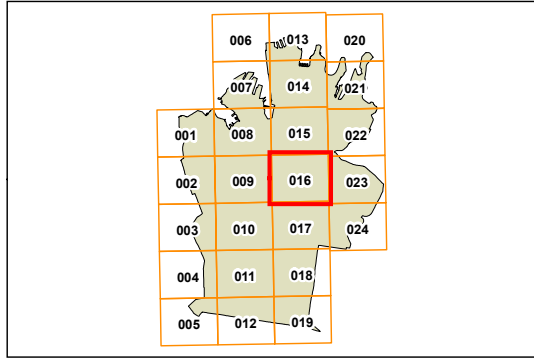


Sydney Development Control Plan 2012

Active frontages map Sheet 016

Legend

- Refer to Table 3.1 Within Central Sydney or Outside of Central Sydney – Category 1
- Land excluded from this DCP



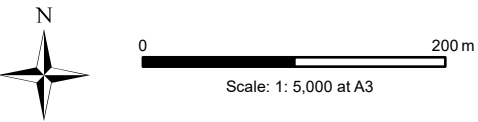
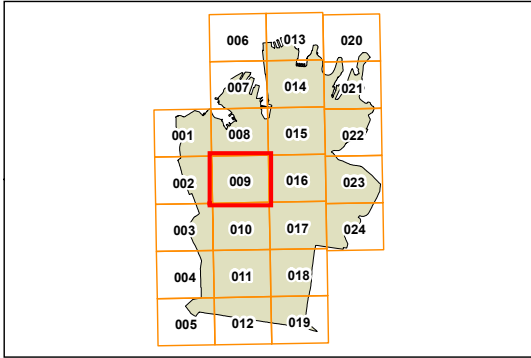
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Scale: 1: 5,000 at A3



Sydney Development Control Plan 2012

Building contributions map Sheet 009

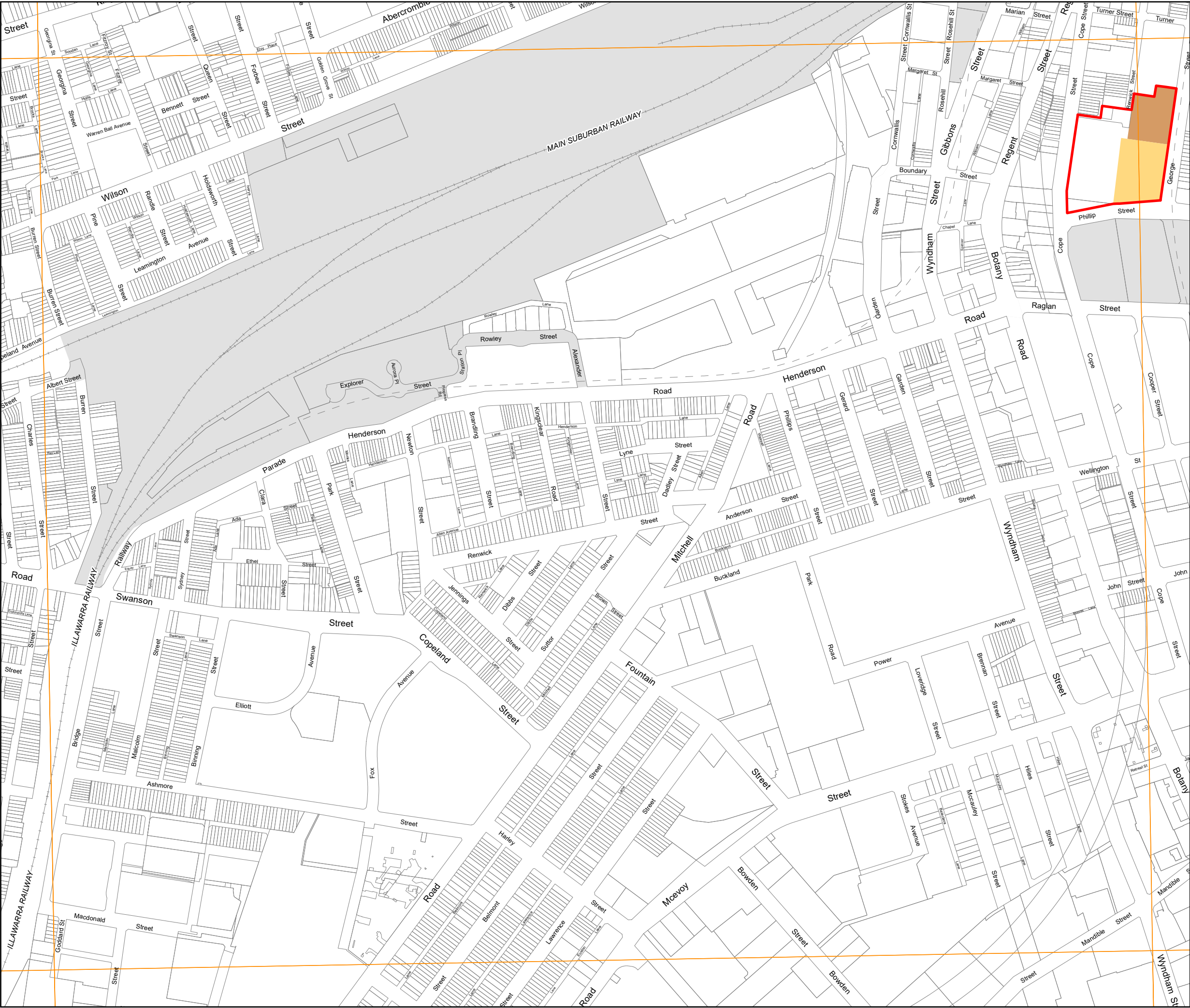
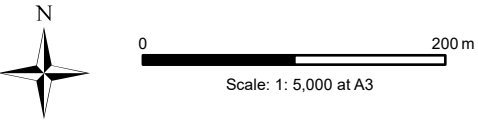
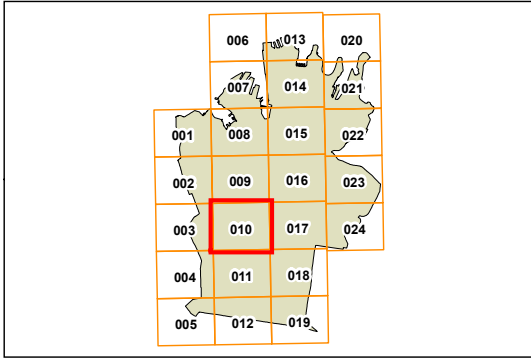
- Legend**
- Contributing
 - Detracting
 - Neutral
 - Conservation Area - General (for information)
 - Land excluded from this DCP



Sydney
Development
Control Plan 2012

Building contributions map
Sheet 010

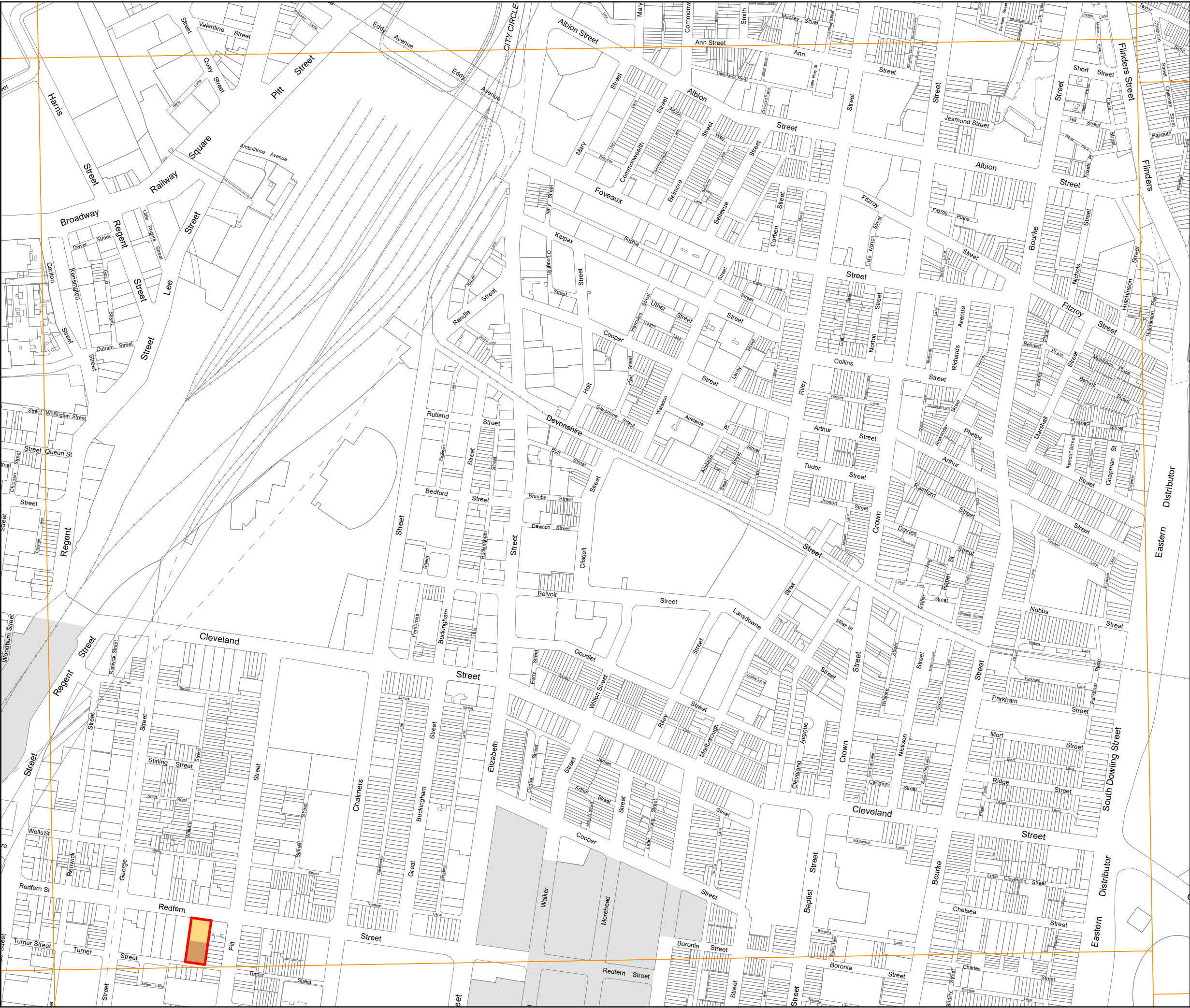
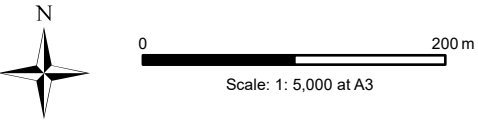
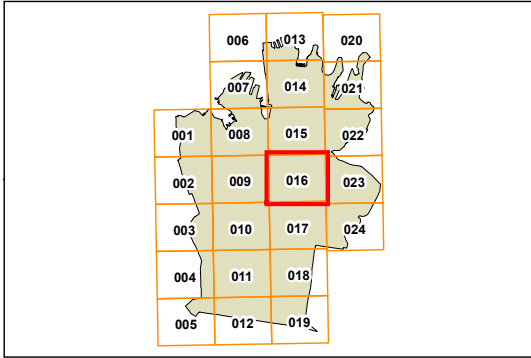
- Legend**
- Contributing
 - Detracting
 - Neutral
 - Conservation Area - General (for information)
 - Land excluded from this DCP



Sydney Development Control Plan 2012

Building contributions map Sheet 016

- Legend**
- Contributing
 - Detracting
 - Neutral
 - Conservation Area - General (for information)
 - Land excluded from this DCP

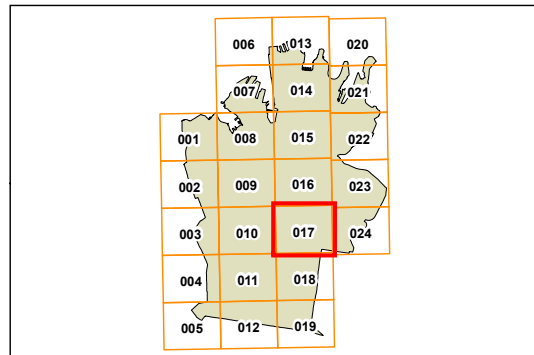


Sydney Development Control Plan 2012

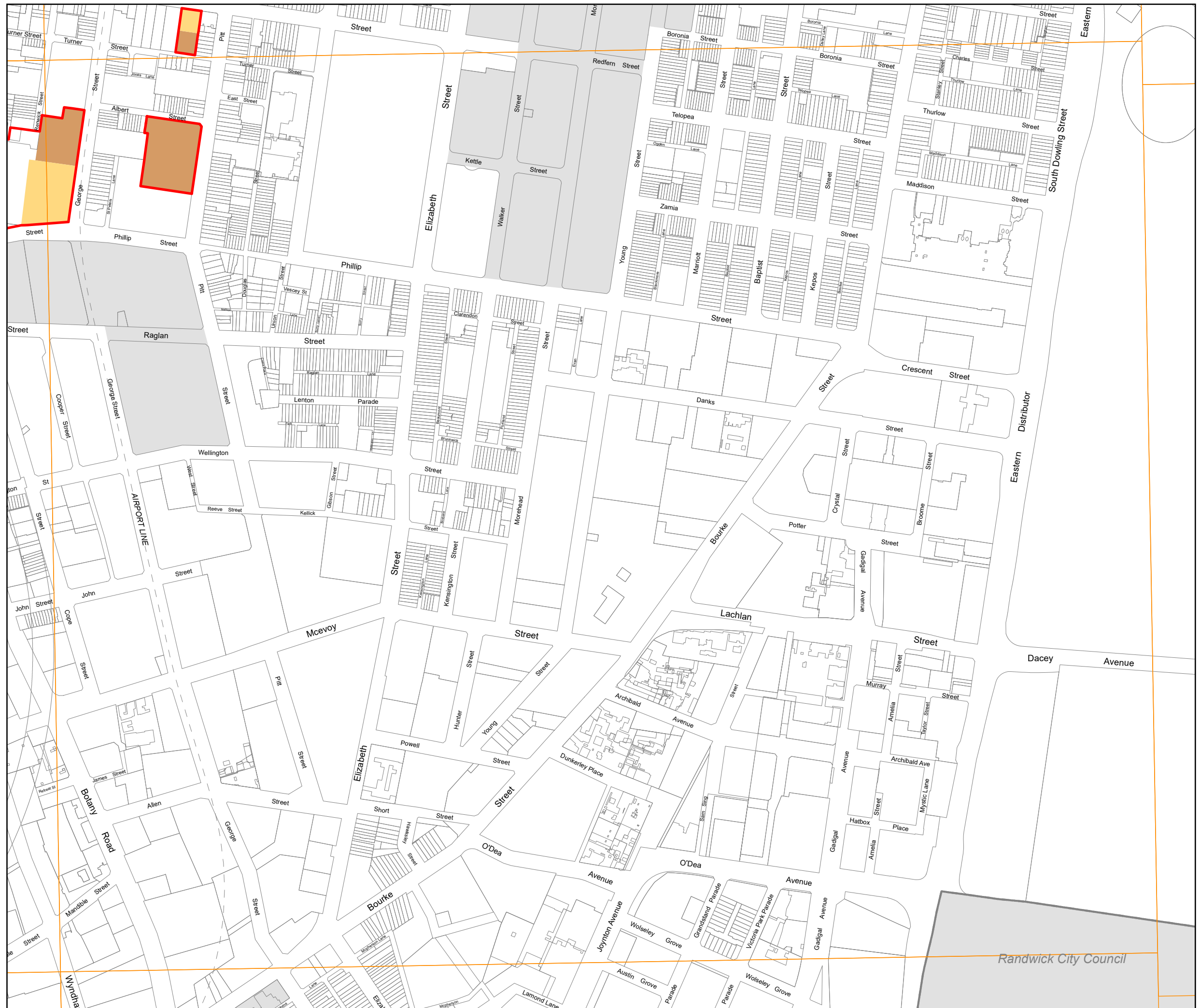
Building contributions map Sheet 017

Legend

- Contributing
- Detracting
- Neutral
- Conservation Area - General (for information)
- Land excluded from this DCP



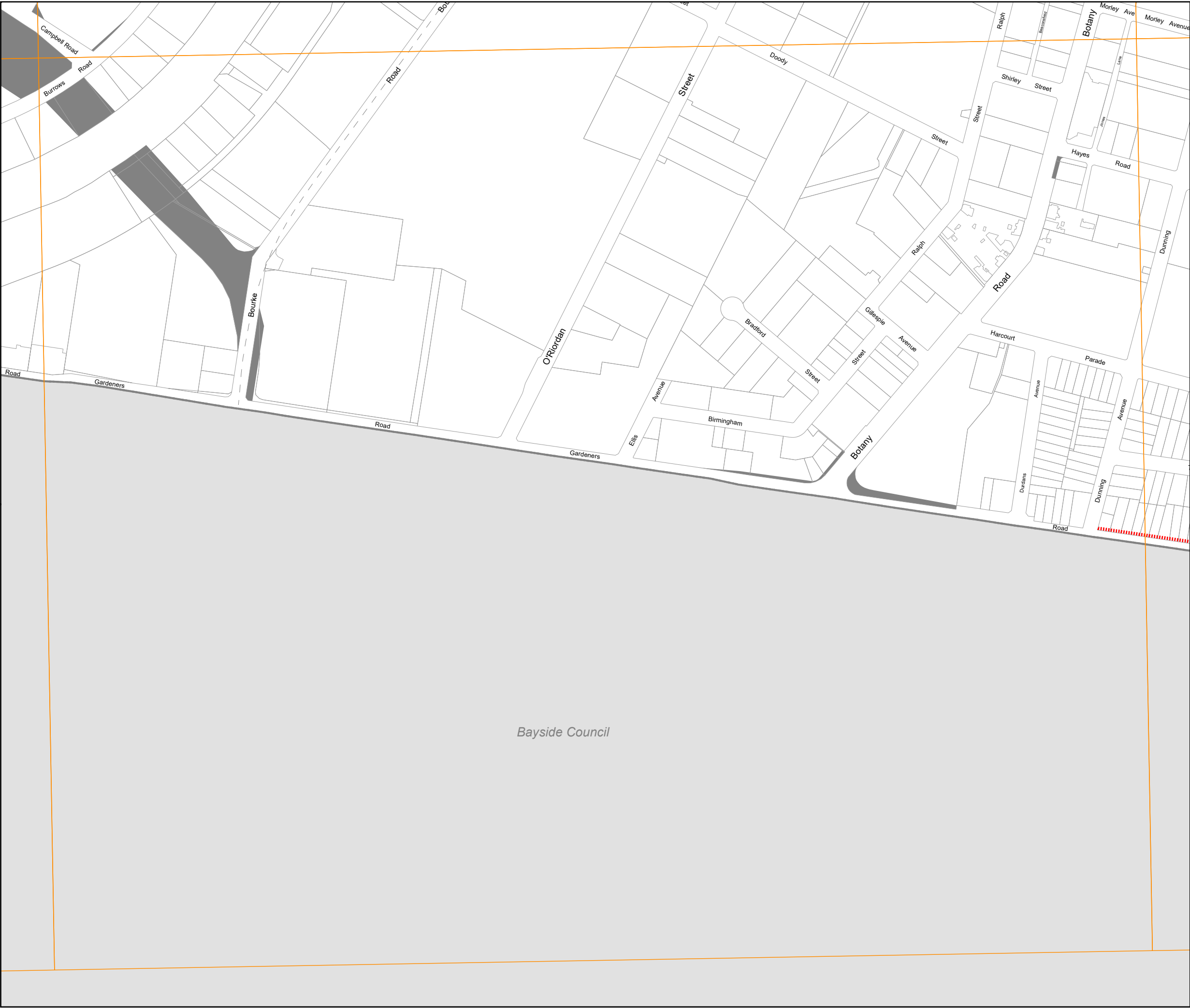
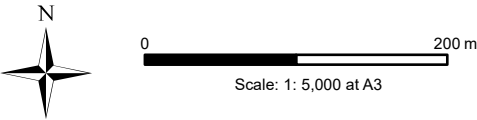
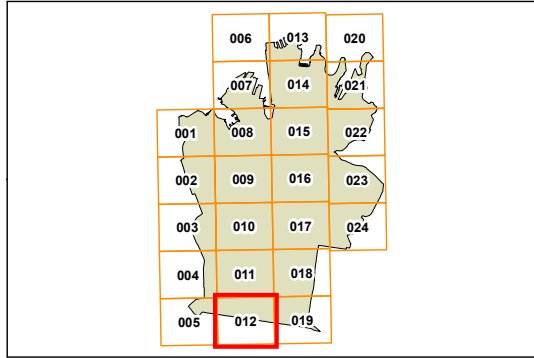
0 200 m
Scale: 1: 5,000 at A3



Sydney Development Control Plan 2012

Building setback and alignment map Sheet 012

- Legend**
- 3m Side setback
 - Dedication - Roads and Maritime Services
 - Land excluded from this DCP

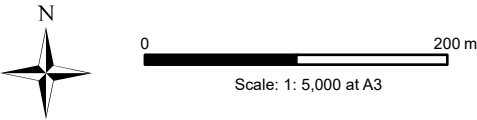
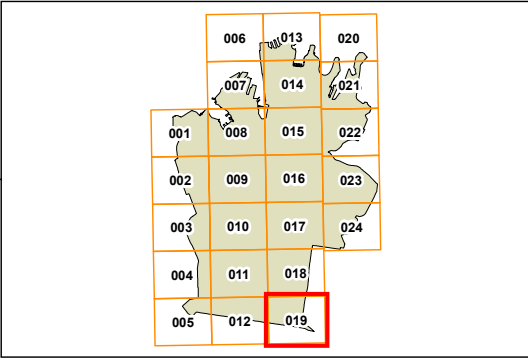


Sydney Development Control Plan 2012

Building setback and alignment map Sheet 019

Legend

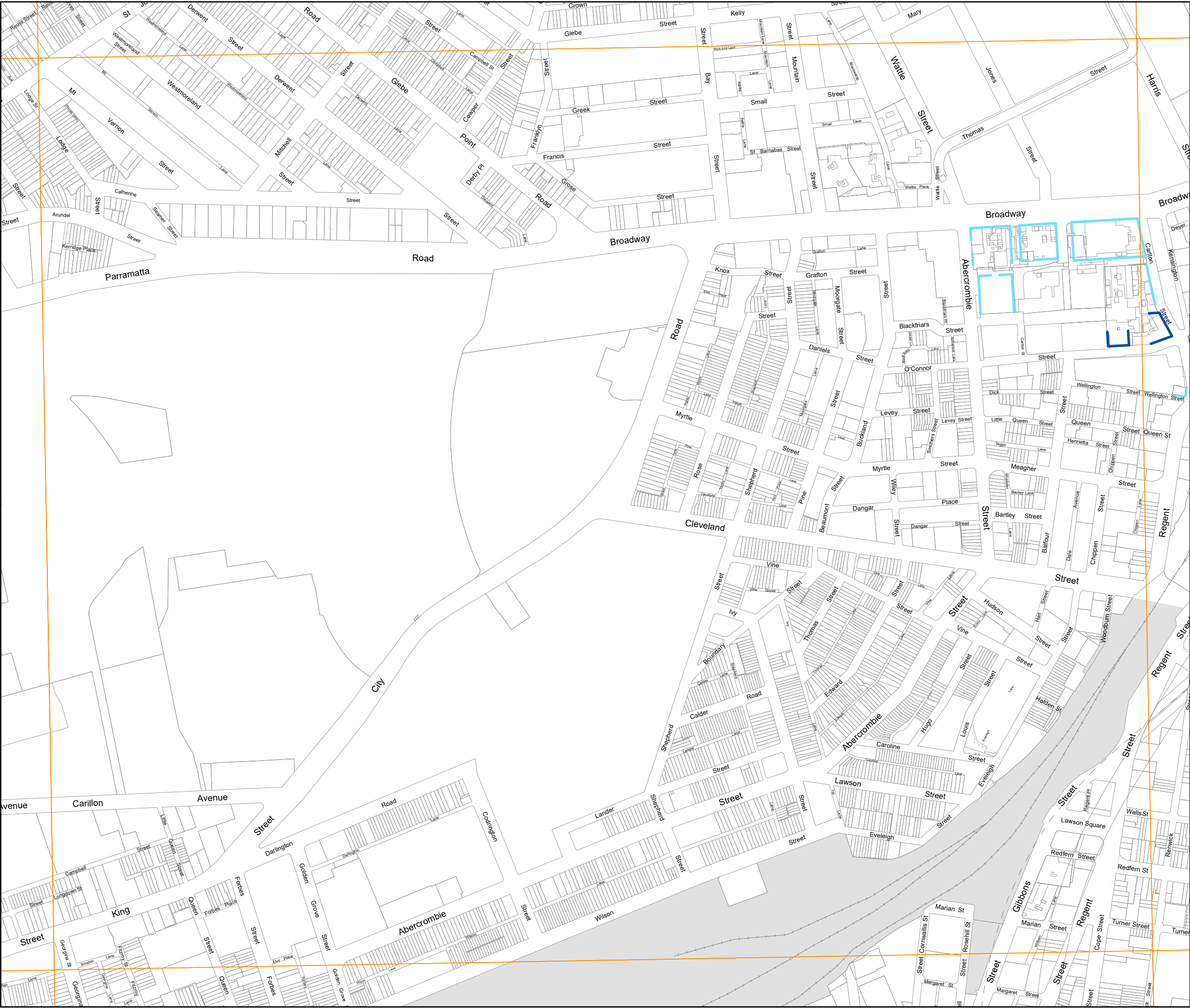
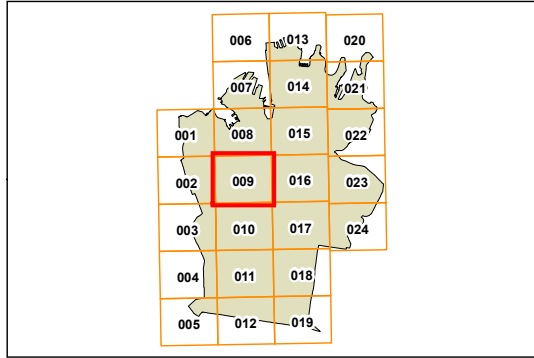
- 3m Side setback
- Dedication - Roads and Maritime Services
- Land excluded from this DCP



Sydney Development Control Plan 2012

Footpath awnings and colonnades map Sheet 009

- Legend**
- Colonnades
 - Continuous awning
 - Land excluded from this DCP

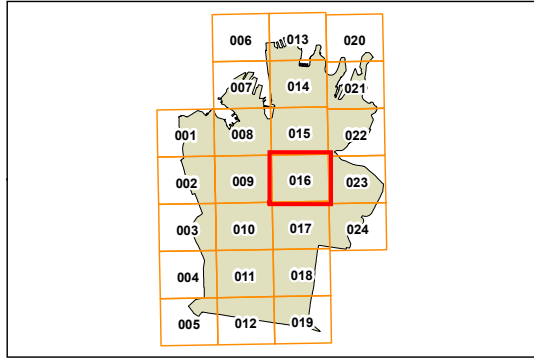


Sydney
Development
Control Plan 2012

Footpath awnings and colonnades
map
Sheet 016

Legend

- Colonnades
- Continuous awning
- Land excluded from this DCP

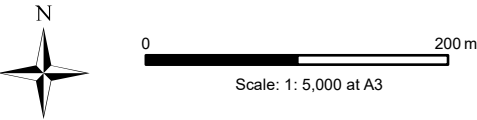
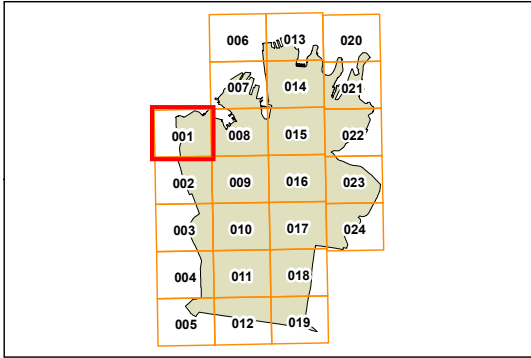


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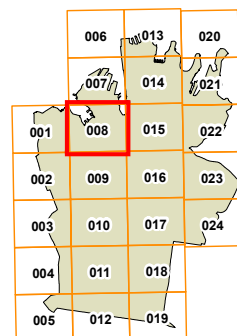
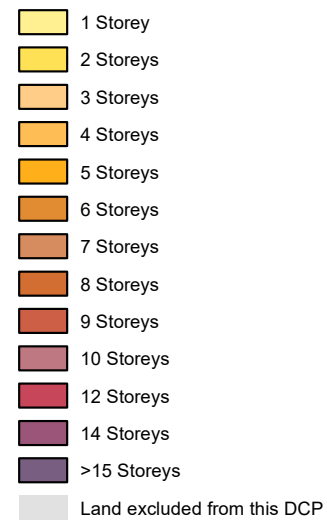


Height in storeys map
Sheet 001

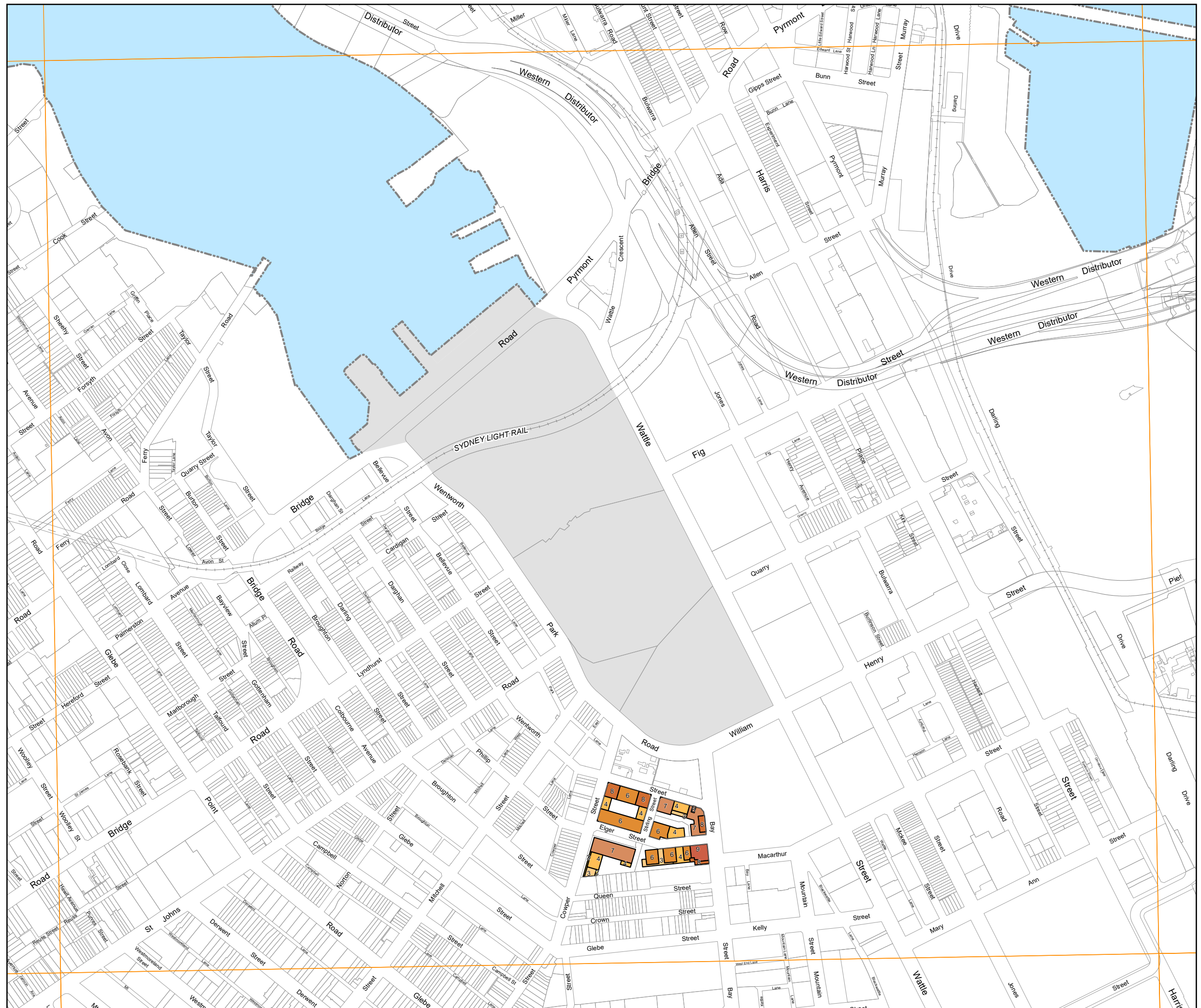
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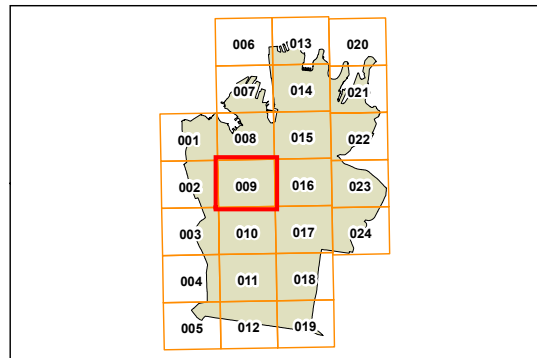


Sydney Development Control Plan 2012

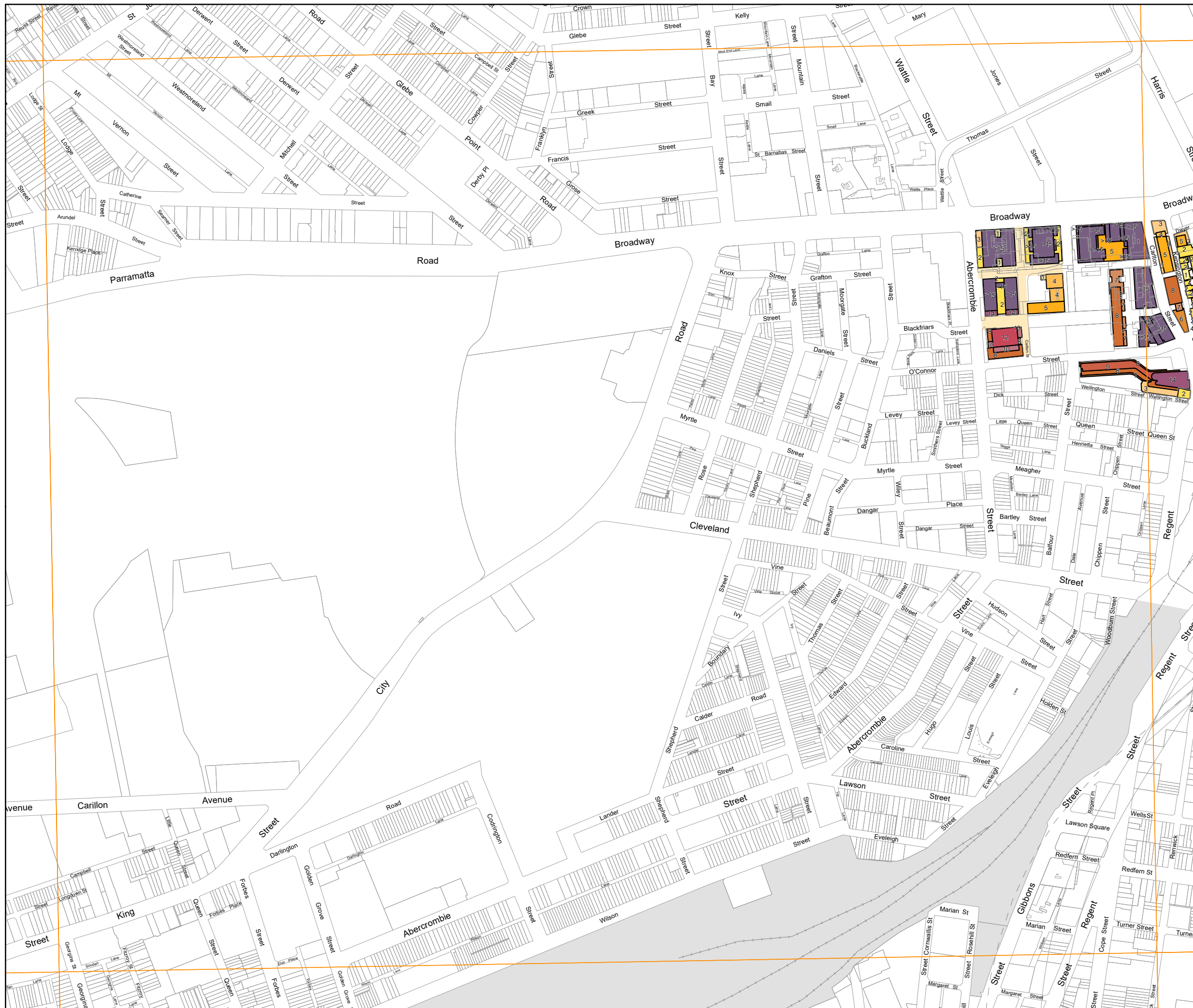
Height in storeys map Sheet 009

Legend

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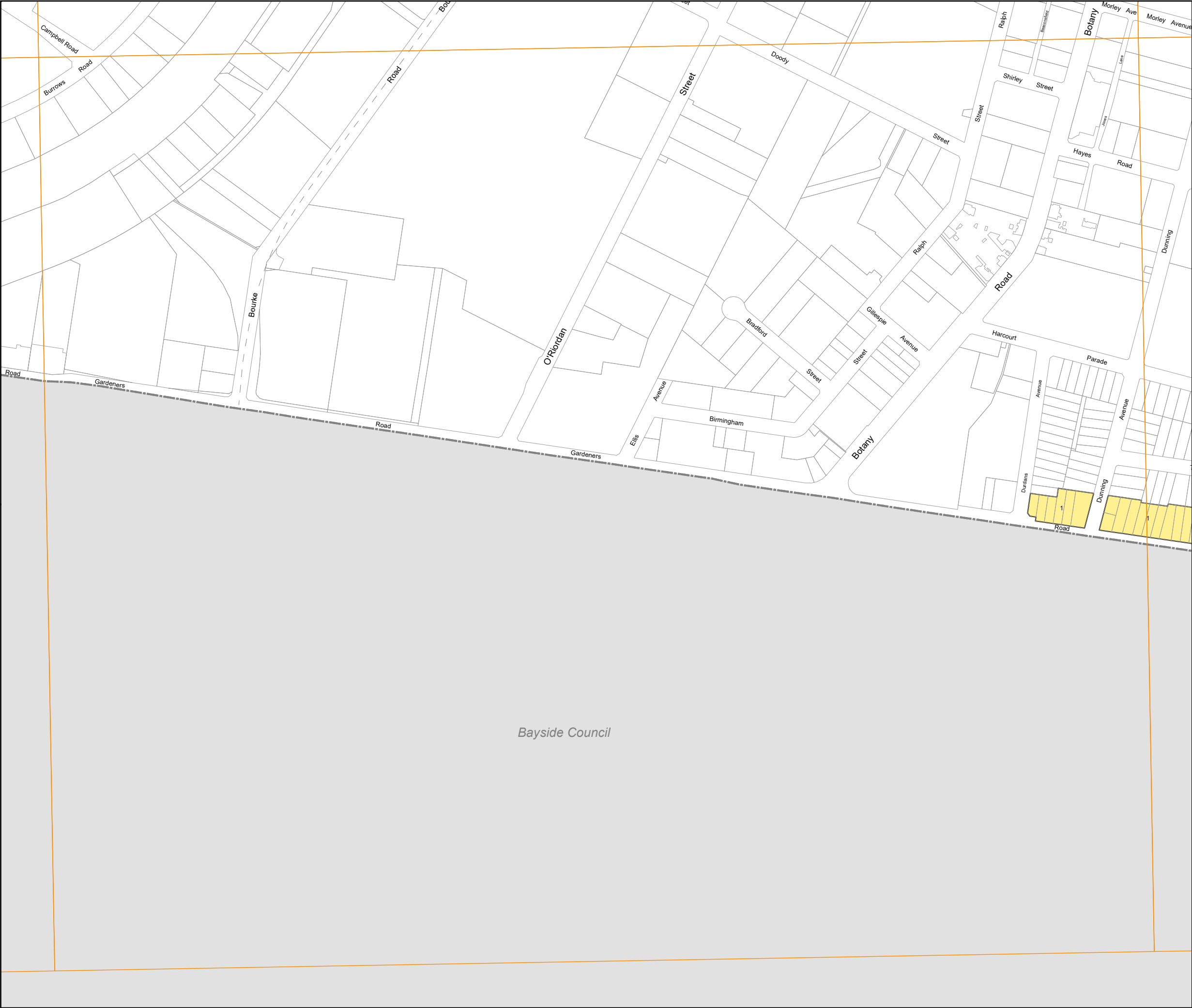
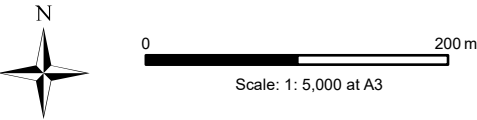
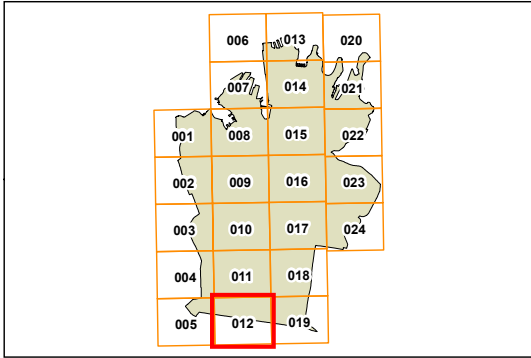


Sydney Development Control Plan 2012

Height in storeys map Sheet 012

Legend

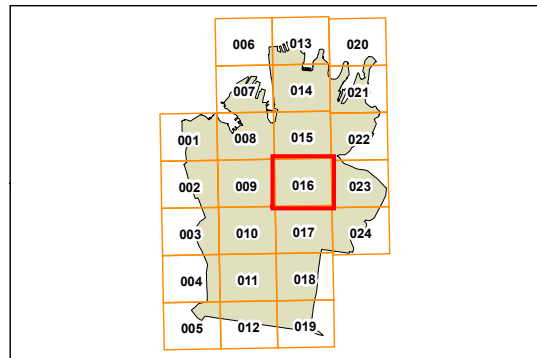
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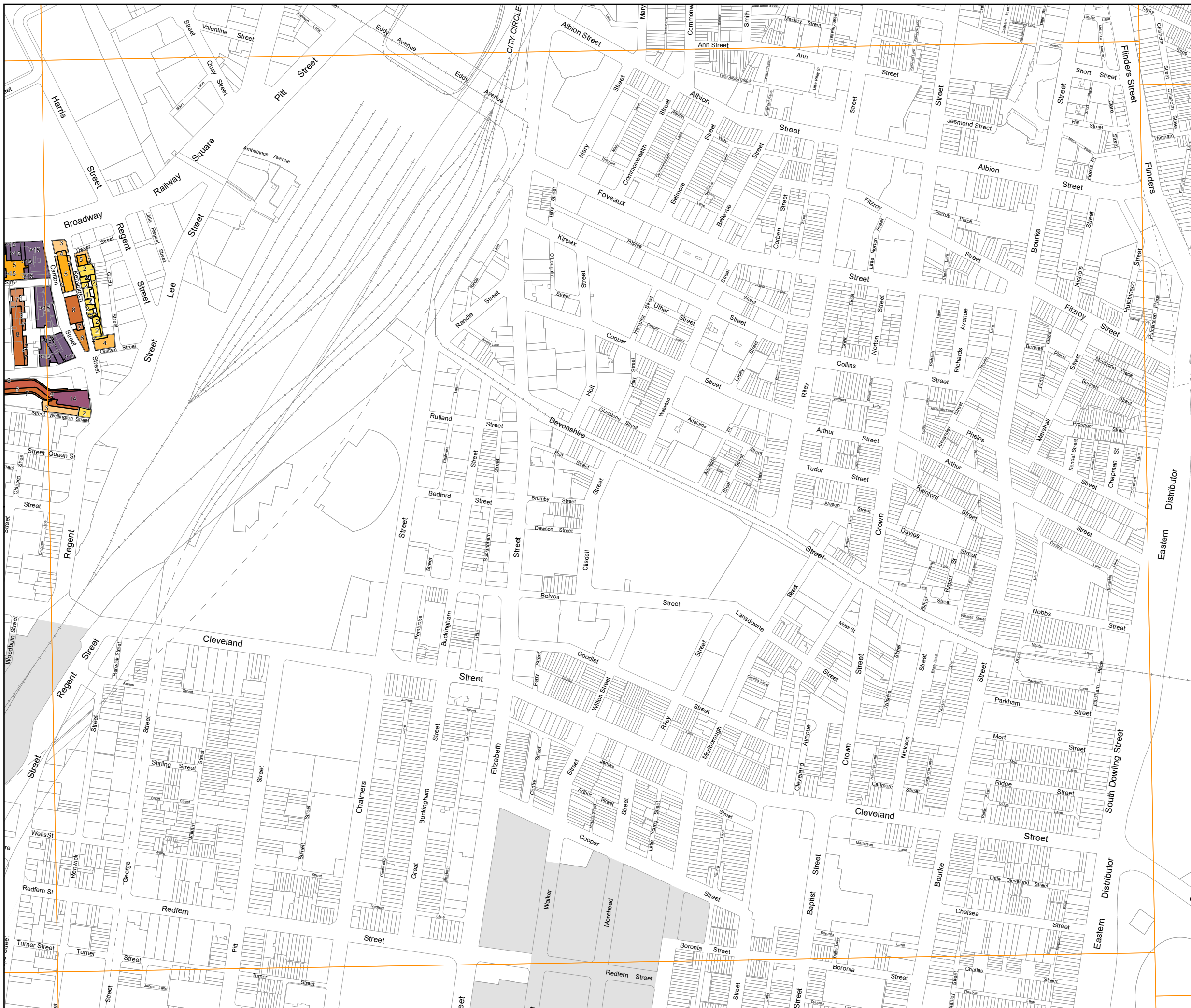
Sydney Development Control Plan 2012

Height in storeys map Sheet 016

Legend



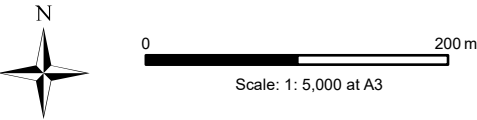
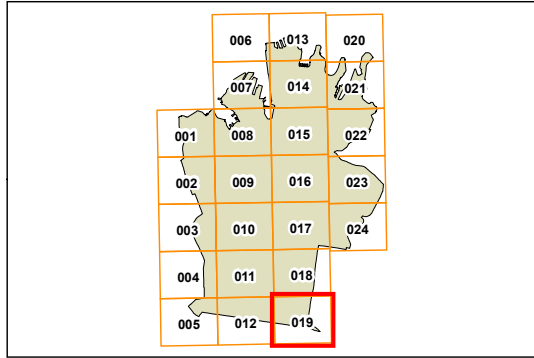
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Sydney
Development
Control Plan 2012

Height in storeys map
Sheet 019

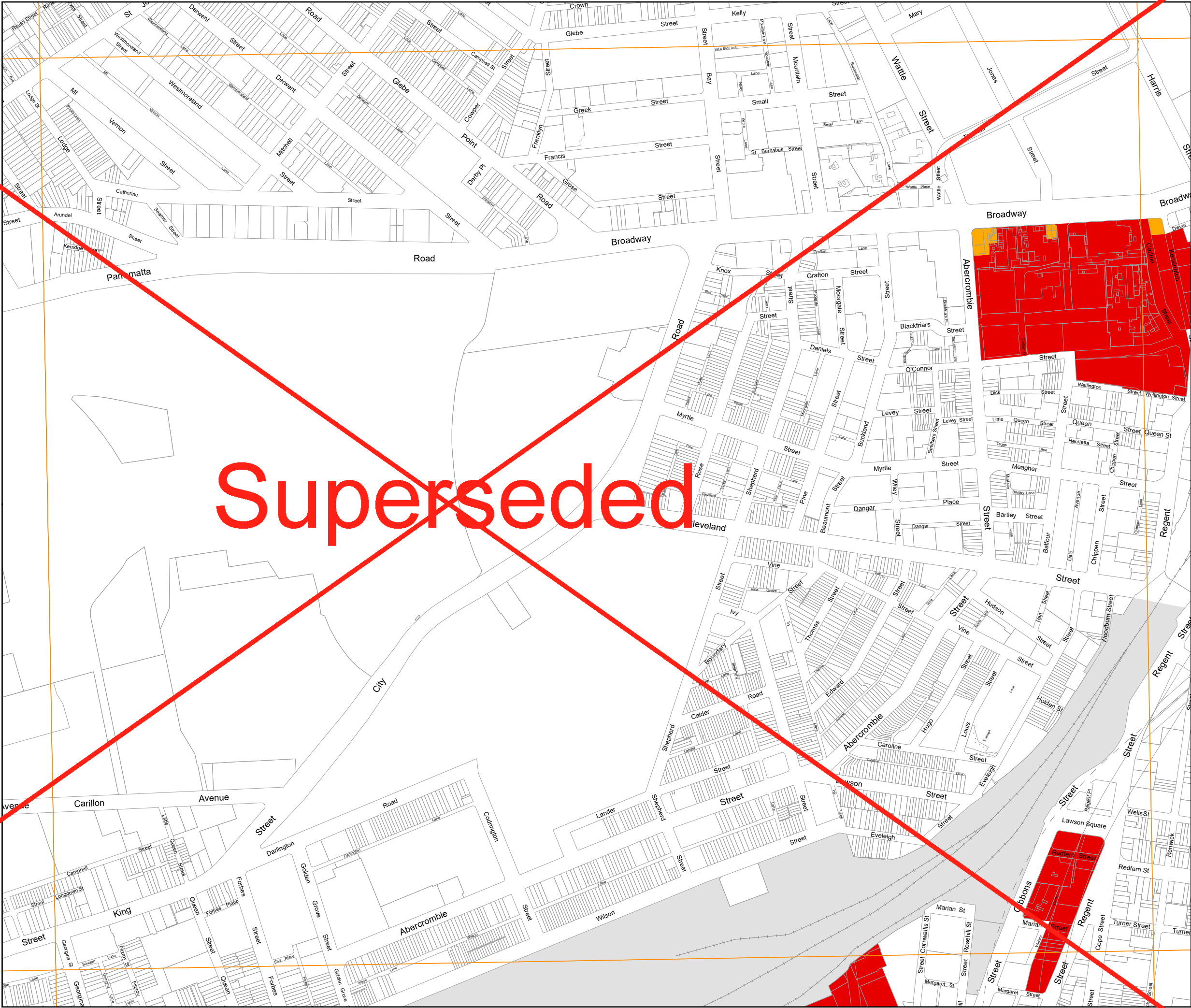
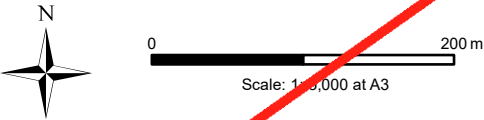
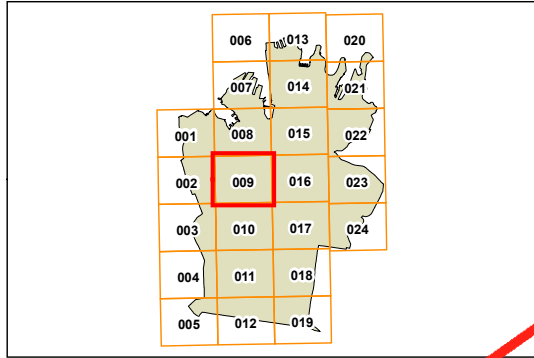
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 - Land excluded from this DCP



Sydney
Development
Control Plan 2012

Late night trading areas map
Sheet 009

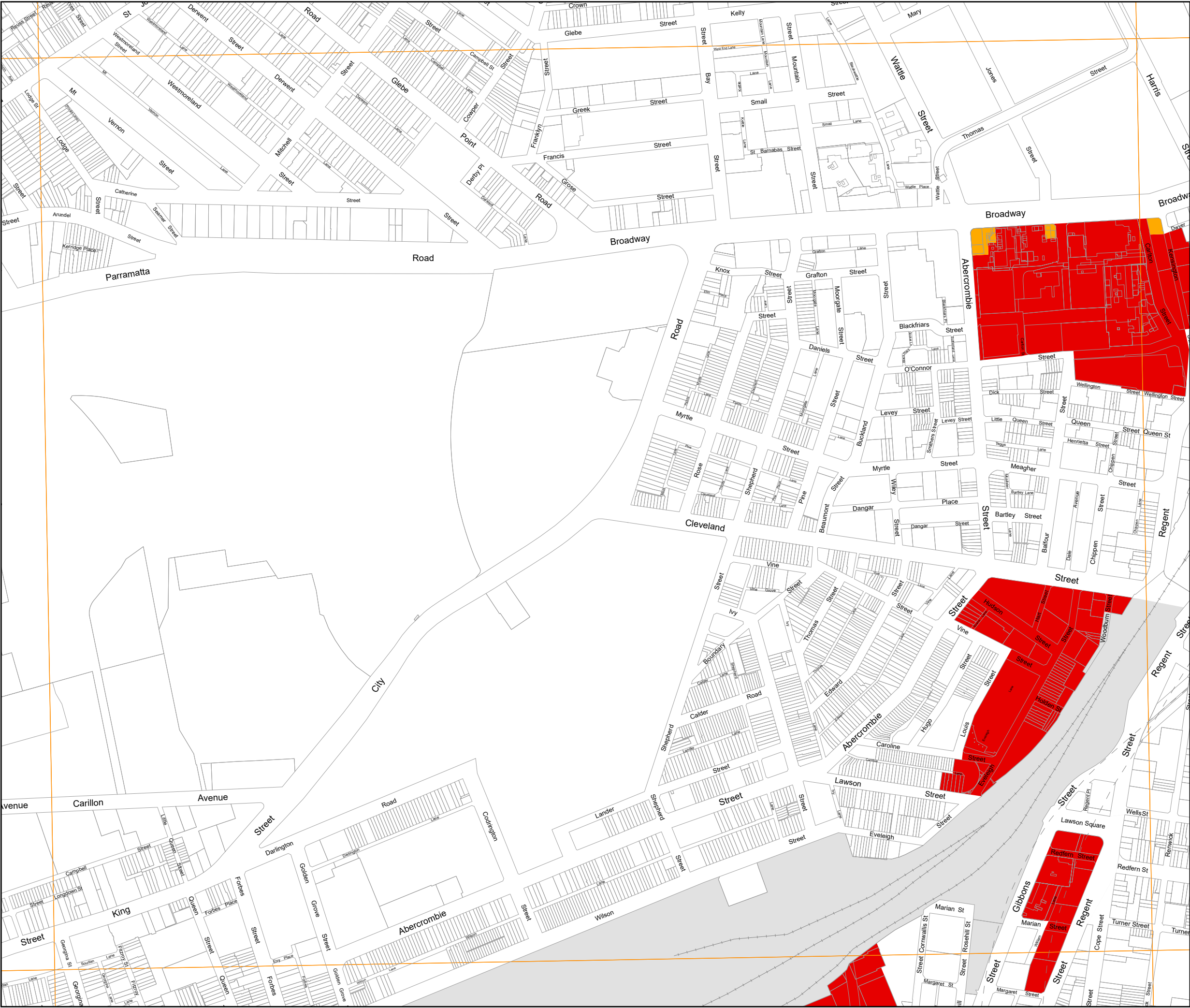
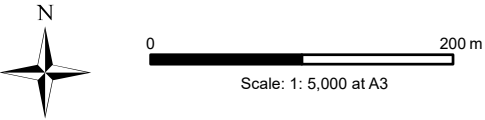
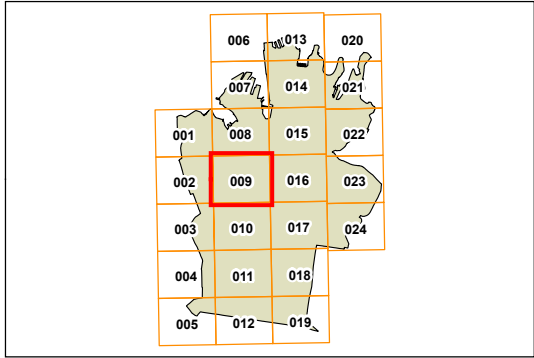
- Legend**
- City Living Areas
 - Late Night Management Areas
 - Local Centre Areas
 - Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



Sydney Development Control Plan 2012

Late night trading areas map Sheet 009

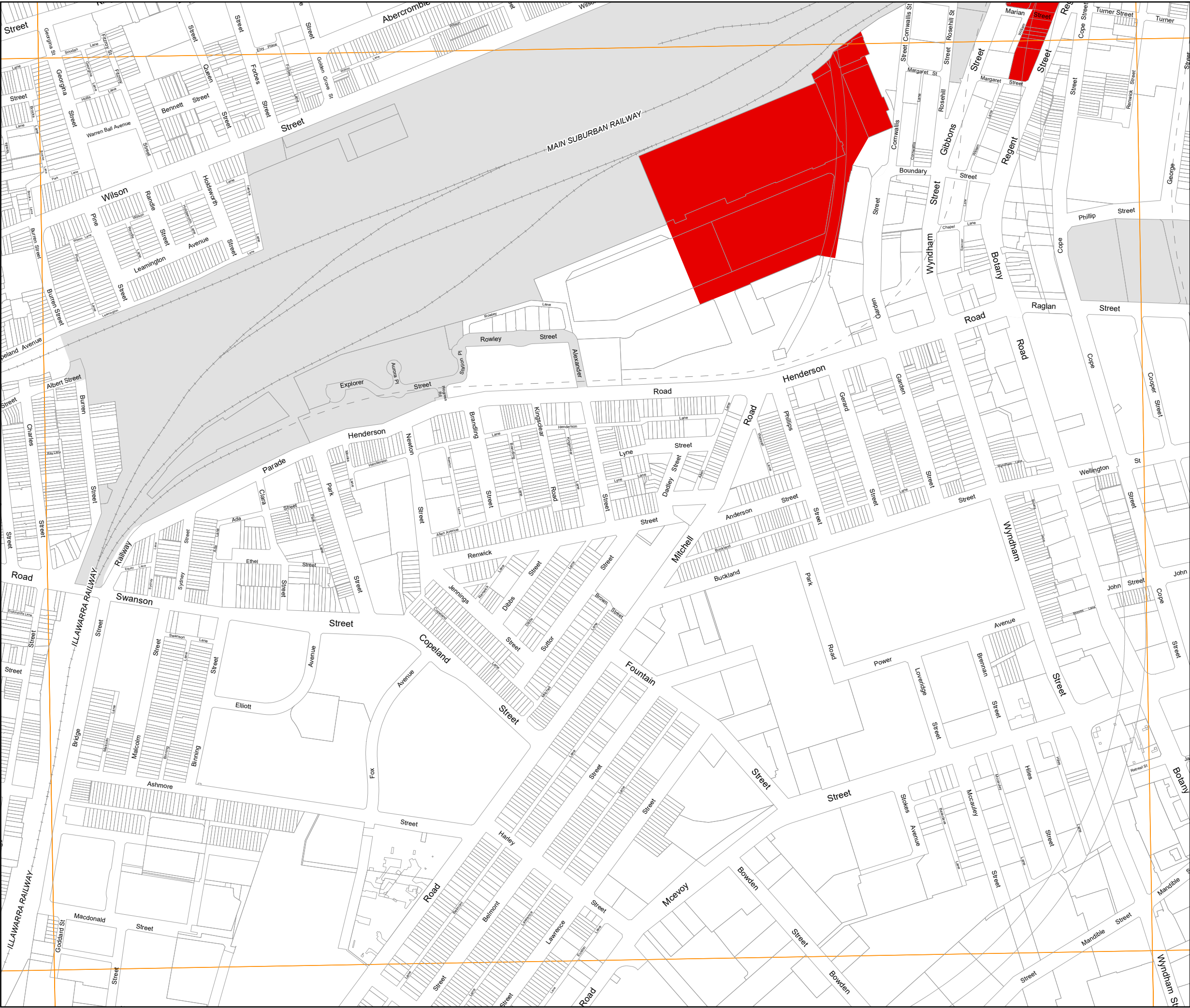
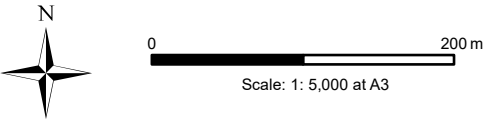
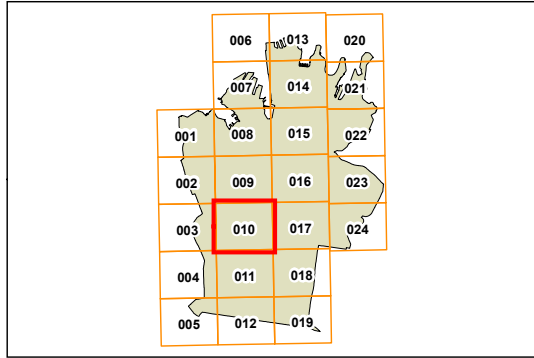
- Legend**
- City Living Areas
 - Late Night Management Areas
 - Local Centre Areas
 - Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



Sydney
Development
Control Plan 2012

Late night trading areas map
Sheet 010

- Legend**
- City Living Areas
 - Late Night Management Areas
 - Local Centre Areas
 - Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012

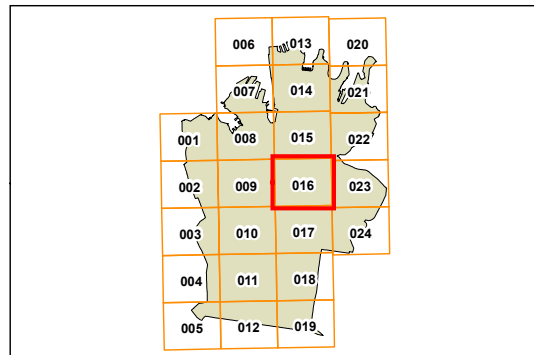


Sydney Development Control Plan 2012

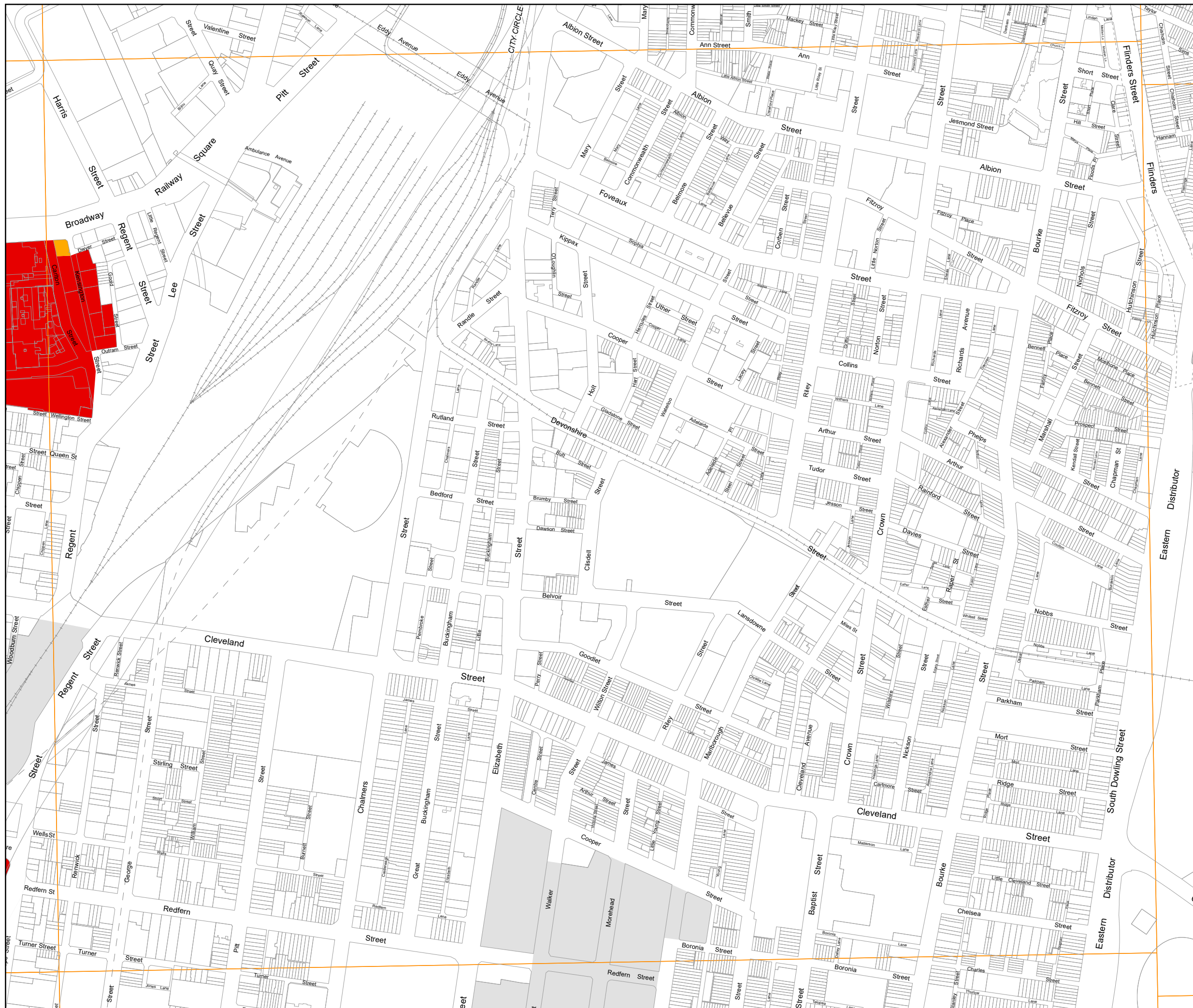
Late night trading areas map Sheet 016

Legend

- City Living Areas
- Late Night Management Areas
- Local Centre Areas
- Land excluded from this DCP refer to Late Night Trading DCP 2007 and Green Square Town Centre DCP 2012



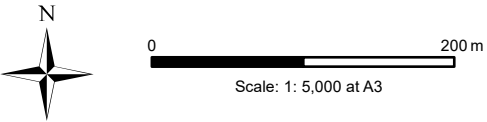
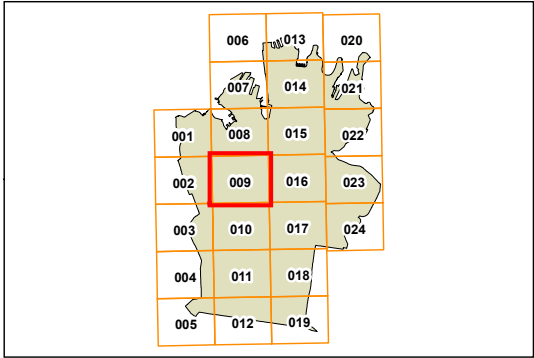
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Sydney Development Control Plan 2012

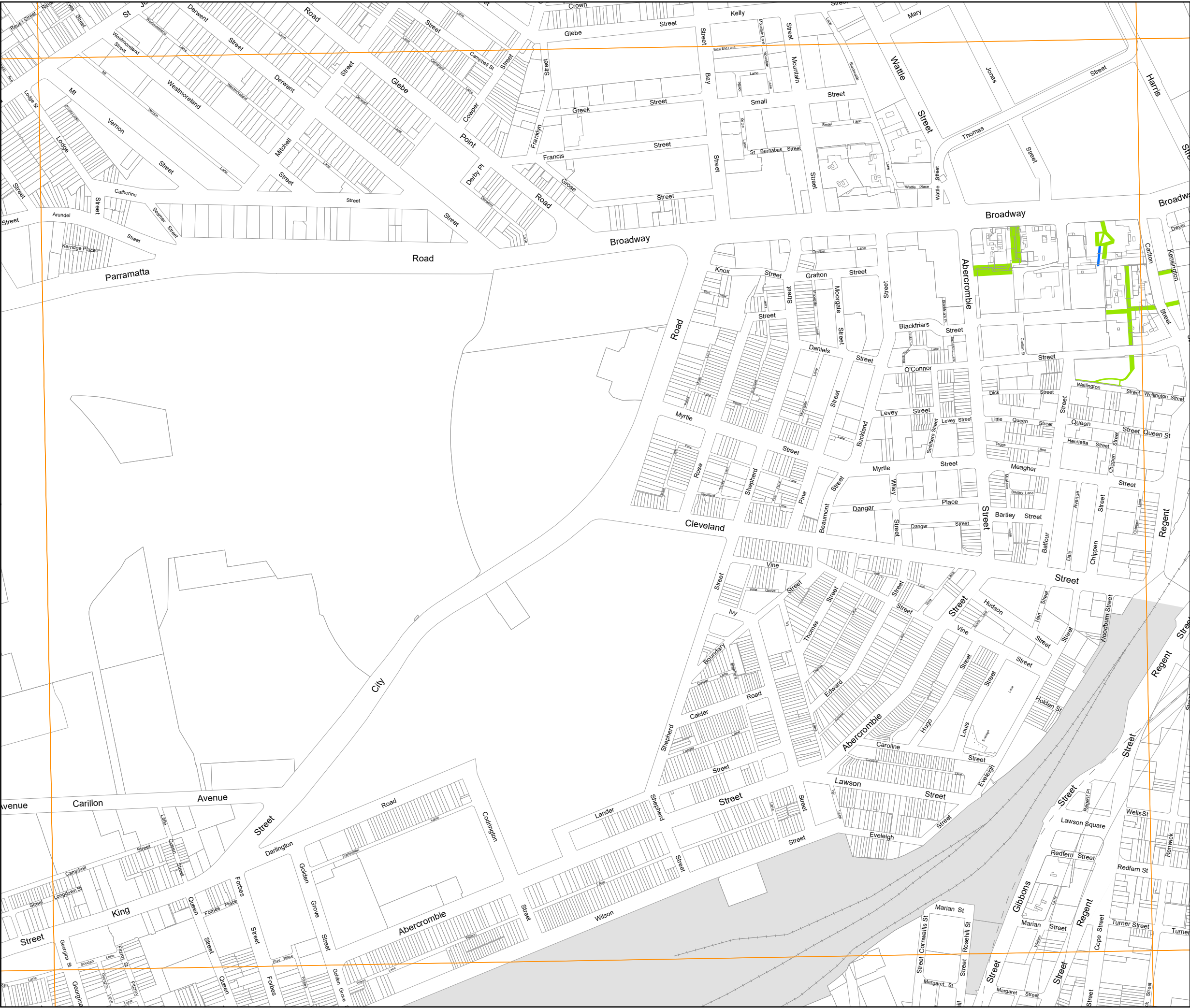
Through site links map Sheet 009

- Legend**
- Existing through site link
 - Existing underground through site link
 - Proposed streets
 - Land excluded from this DCP



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Prepared By: SPUD
Printing Date: September 21, 2023
File: SDCP2012_TSL.mxd

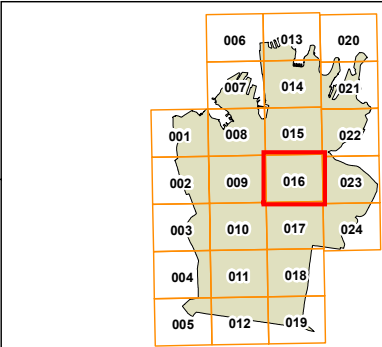


Sydney Development Control Plan 2012

Through site links map Sheet 016

Legend

- Existing through site link
- Existing underground through site link
- Proposed streets
- Land excluded from this DCP



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Scale: 1: 5,000 at A3

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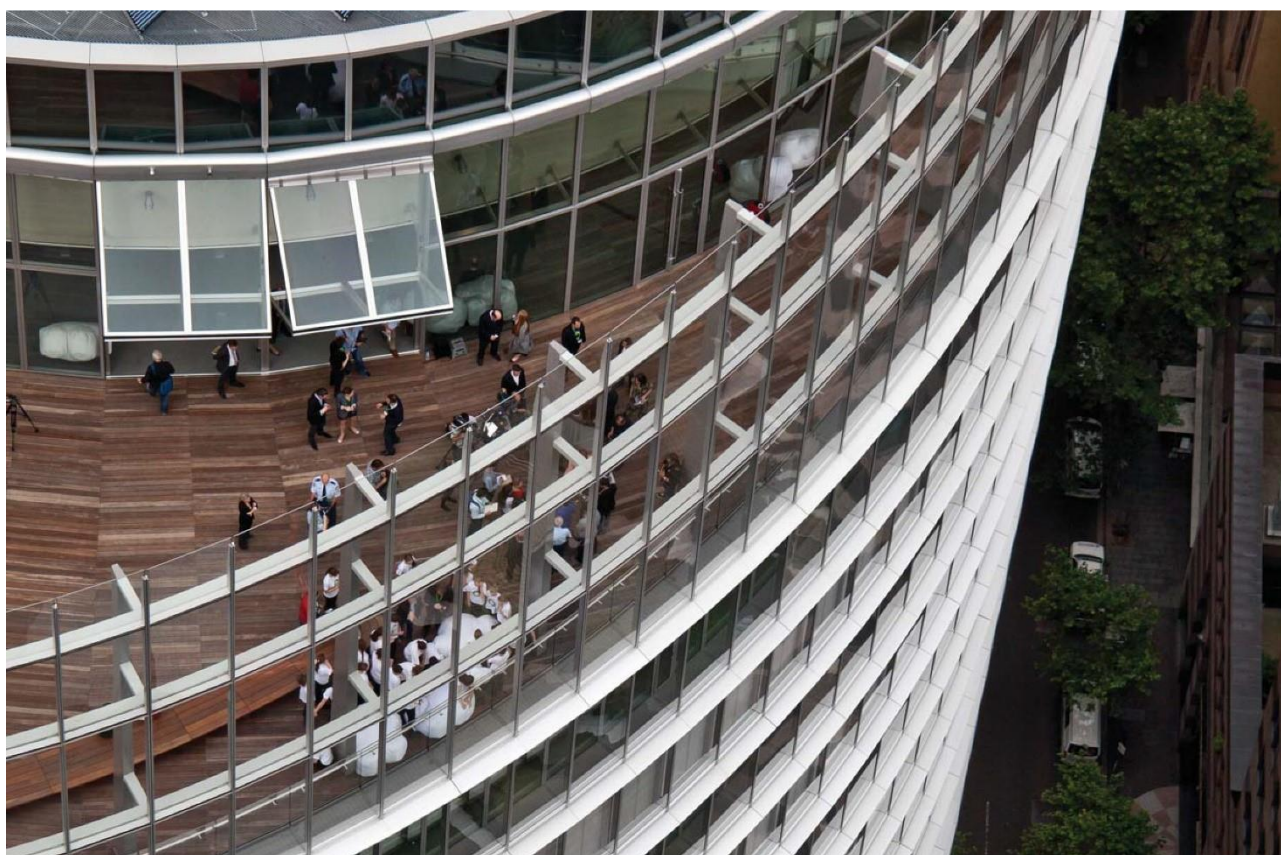
Attachment C1

**Sydney Development Control Plan
Map Book**

Attachment D

**City of Sydney Competitive Design Policy –
as amended**

Competitive Design Policy



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Note: Amendments to the existing Competitive Design Policy are shown with deletions in ~~strikethrough~~ and additions and edits in underline.

Post-exhibition amendments are shown in red, with deletions in ~~strikethrough~~ and additions and edits in underline.

Purpose of this Policy

1. The City of Sydney Competitive Design Policy (Policy), adopted by the Council on XX XX XXXX, establishes the processes an applicant is required to undertake to demonstrate that a proposed development is the result of a competitive design process.
2. Clause 6.21D (1) of the Sydney Local Environmental Plan 2012 (LEP) specifies the types of development that are required to undertake a competitive design process.
3. Clause 6.21D (1) of the ~~LEP Sydney Local Environmental Plan 2012~~ states that consent must not be granted to those types of development specified unless the proposed development is the result of a 'competitive design process'.
4. Competitive design process means either an 'open' or 'invited' architectural design competition or, in accordance with this policy, an optional alternative design review process. ~~Or the preparation of design alternatives on a competitive basis.~~
5. A competitive design process must be undertaken in accordance with an approved Design Excellence Strategy.
6. Clause 6.21D (3) of the LEP allows the consent authority to consider granting an additional amount of building height, or floor space, or both up to 10 per cent of the maximum permissible to a development that is the result of a competitive design process and exhibits design excellence.
7. If the development is located within Central Sydney and is the result of an architectural design competition it is eligible to receive a discount on the amount of Heritage Floor Space that is required to be allocated in accordance with Clause 6.11 (2) of the LEP, ~~up to a maximum of 1,000 square metres.~~ Eligibility is on the basis of the architectural design competition meeting the criteria set out at section 3.5 7.2 and 79.2 of this Policy.
8. If a development is located in a tower cluster area as identified in the Locality and Site Identification Map in the LEP, under Clause 6.21E (2) of the LEP it is eligible for up to 50 per cent additional floor space of the maximum permissible if it is the result of an architectural design competition and exhibits design excellence.

Objectives

- a. Establish the steps an applicant is required to undertake to demonstrate that a proposed development is the result of a competitive design process
- b. Clarify the timing of a competitive design process in a staged development application process
- c. Ensure that the competitive design process works within the framework of an approved Design Excellence Strategy
- d. Establish a competitive design process brief that ensures:
 - i. the ~~consent authority's~~ City of Sydney's (City) design excellence requirements are balanced with the ~~developer's~~ proponent's objectives, and
 - ii. procedural fairness for competitors
- e. Set out the ~~different~~ requirements for architectural design competitions ~~and competitive design alternatives processes.~~
- f. Detail the approach for assessment, decision making and dispute resolution within the competitive design process
- g. Ensure that design excellence integrity is continued into detailed development proposals through to completion of the project
- h. Clarify that the rationale for granting up to 10% additional floor space and/or building height under Clause 6.21D (3) of the LEP ~~Sydney Local Environmental Plan 2012~~ is to cover the cost of the competitive design process

Provisions

1. Demonstrating a competitive design process

- 1.1 An applicant can demonstrate that a competitive design process required by the LEP Sydney Local Environmental Plan 2012 has been achieved by undertaking an architectural design competition or an alternative design review process in accordance with this Policy. ~~Or the preparation of design alternatives on a competitive basis.~~
- 1.2 The competitive design process is to be undertaken prior to the detailed development application stage (Stage 2 development application).

2. Design Excellence Strategy

- 2.1 The competitive design process is to be undertaken in accordance with a Design Excellence Strategy approved by:

- (a) The consent authority, as part of an associated site-specific development control plan or concept development application (Stage 1 development application), or
- (b) The City/consent authority where no Design Excellence Strategy has been previously approved.

- 2.2 The Design Excellence Strategy is to define:

- (a) The location and extent of each competitive design process
- (b) The number and type of competitive design process(es) to be undertaken ('open' or 'invited')
~~(i) an architectural design competition, open or invited; or~~
~~(ii) the preparation of design alternatives on a competitive basis.~~
- (c) The number of designers involved in the process(es)
- (d) How fine grain and contextually varied architectural design ~~variety~~ is to be achieved across large sites
- (e) Whether the competitive design process is pursuing additional floor space ~~or~~, additional building height or both
- (f) Options for distributing any additional floor space ~~area~~, building height, or both which may be granted by the consent authority for ~~demonstrating design excellence through a competitive design process~~ a building demonstrating design excellence, as defined under 6.21A of the LEP

3. ~~Three~~ Types of competitive design process

- 3.1 A ~~developer~~ proponent can undertake:

- (a) an 'open' architectural design competition, or
- (b) an 'invited' architectural design competition.
- ~~(c) an 'invited' competitive design alternatives process~~

- 3.2 In an 'open' competition, the ~~developer~~ proponent is to publicly notify the architectural design competition and call for expressions of interest. All respondents are then supplied with the competitive design process brief and invited to participate.

- 3.3 The call for expressions of interest for an 'open' competition is to state:

- (a) the form and purpose of the competition

Competitive Design Policy

- (b) any prizes to be awarded, and
- (c) the minimum submission requirements.

3.4 In an 'invited' architectural design competition, the ~~developer~~ proponent invites a minimum of ~~five (5)~~ three (3) competitors to participate in the competition and supplies each with the competitive design process brief.

3.5 A minimum of five (5) competitors must be invited to participate in an 'invited' competition where:

- (a) a heritage floor space discount is being sought, or
- (b) the subject building has, or will have, a height above ground level (existing) greater than 100 metres

~~3.5 In an 'invited' competitive design alternative process the proponent invites a minimum of three (3) competitors to participate in the process and supplies each with the competitive design process brief.~~

~~3.6 Each competitor in a competitive process must be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of interstate or overseas competitors, eligible for registration with their equivalent association.~~

3.6 The competitive design process must allow the competitors at least 28 days to complete their designs.

4. Competitor requirements

4.1 Invited competitors are to have demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects **architecture** award or commendation or, in the case of international competitors, the same with their equivalent association.

4.2 Each competitor must be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of interstate or overseas competitors, eligible for registration with their equivalent association.

4.3 A minimum of 50 per cent of invited competitors must be Australian based architects.

4.4 The selection of competitors should include a mix of emerging and established architectural practices.

4.5 The City encourages a balanced gender mix within each competitors' design and leadership teams

4.6 The City encourages competitors to include Aboriginal and/or Torres Strait Islander peoples, people who are culturally diverse and people with disability.

5. Documentation requirements and costs

5.1 To ensure probity, the ~~applicant~~ proponent is to ensure that the documentation of the competitive design process is sufficient to enable an audit to be carried out by an independent person or body such as the Australian Institute of Architects if required by the ~~consent authority~~ City.

~~5.2 The architectural design competition or competitive design alternatives process is to be paid for by the developer proponent. In the event of an architectural design competition, the Consent Authority will convene the competition jury, including the provision of administrative and secretarial services for the recording of the jury proceedings and preparation of the Design Competition Report.~~

6. The competitive design process brief

6.1 All details about the conduct and requirements of the competitive design process ~~brief~~ are to be contained within the competitive design process brief and no other document.

- 6.2 The competitive design process brief is to be reviewed and endorsed by the ~~consent authority~~ City/consent authority prior to its distribution to competition entrants.
- 6.3 The competitive design process brief is to be in accordance with the ~~Council's~~ City's Model Competitive Design Process Brief.
- 6.4 The competitive design process brief is to include a disclaimer stating that the jury's or ~~developer's~~ decision will not fetter the discretion of the consent authority since the consent authority will not form part of the judging process.
- 6.5 If the proposed competitive design processes brief is not ~~approved~~ endorsed by the ~~consent authority~~ City/consent authority, the ~~consent authority~~ City/consent authority is to give its reasons within 14 days of the lodgement of the competitive design process brief.
- 6.6 The competitive design process brief must clearly set out the fees and/or prizes offered to participants in the competition.

≡

Note: ~~Council's~~ The City's Model Competitive Design Process Brief was prepared by ~~Council~~ in consultation with the Australian Institute of Architects. It aims to ensure procedural fairness for competitors. Proposed variations of the Model Competitive Design Processes Brief must be reviewed and endorsed by the ~~consent authority~~ City.

~~7. Architectural Design Competitions (Open and Invited)~~

~~7.1 Judging the competition entries — jury establishment~~

7. Jury establishment

7.1 The jury is to comprise a minimum of four (4) members and a maximum of six (6) members.

7.2 The jury is to comprise six (6) members where:

- (a) a heritage floor space discount is being sought, or
- (b) the subject building has, or will have, a height above ground level (existing) greater than 100 metres

7.3 The jury is to comprise of:

- (a) half the members nominated by the ~~consent authority~~ City, who have no pecuniary interests in the development proposal or involvement in the approval processes, ~~and~~
- (b) half the members nominated by the ~~developer~~ proponent, ~~and~~
- (c) a gender representation target ratio of 40% male, 40% female and 20% any gender.

7.4 The City encourages juries to include Aboriginal and/or Torres Strait Islander peoples, people who are culturally diverse and/or people with disability.

7.5 Jury members are to:

- (a) represent the public interest
- (b) be appropriate to the type of development proposed
- (c) include only persons who have expertise and experience in the design and construction professions and industry
- (d) include a majority of registered architects with urban design expertise.

Note: More detail regarding the jury obligations is contained in the City's Model Competitive Design Process Brief.

8. Heritage-related applications

- 8.1 If the proposed development includes a building listed in Schedule 5 of the LEP, or where a site is located within a conservation area, or in the vicinity of a heritage item, then at least one member of the jury is to ~~be an appropriately qualified heritage consultant~~ have appropriate heritage expertise.

9. Assessment and decision

- 9.1 A minimum of ~~five (5)~~ three (3) competitive submissions must be considered.
- 9.2 A minimum of five (5) competitive submissions must be considered where:
- (a) a heritage floor space discount is being sought, or
 - (b) the building has, or will have, a height above ground (existing) greater than 100 metres.
- 9.3 At least a week prior to the convened jury meeting a copy of the submissions will be distributed to the jury members and a site inspection will be carried out ~~for them~~ by the jury.
- 9.4 The competitors must present their entry to the jury in person. The presentation must be no longer than 30 minutes followed by questions from the jury.
- 9.5 Each competitor's submission may be graded (i.e. 1st, 2nd, 3rd, etc.) by the jury according to the City's assessment criteria.
- 9.6 The jury's decision will be via a majority vote. Unanimous agreement is not required.
- 9.7 The decision of the jury will not fetter the discretion of the consent authority in its determination of any subsequent development applications associated with the development site that is the subject of the competition.
- 9.8 In the event that a winner is not selected, the jury may request clarification or recommend amendments to address design excellence matters to that further refinements be made to one or more of the submissions ~~the top two submissions~~. The jury is expected to reach a decision on whether to request amendments within 14 days. For these submissions ~~they~~ the jury will list in writing the design issues for the first and second ranked scheme and request they ~~redesign their entry and~~ re-present the entry within 21 days of the initial presentation. Upon completion of the second presentation to the jury, the jury will rank the competition submissions (first and second).
- 9.9 The jury may decline to declare a winner of the architectural design competition if none of the entries exhibit design excellence. If the jury declines to declare a winner, the jury may recommend that none of the entries exhibit design excellence and accordingly end the process.

10. Architectural design competition report

- 10.1 Following its determination, the jury is required to prepare an architectural design competition report ~~(to be referred to as the Architectural Design Competition Report)~~ detailing:
- (a) the competition process and incorporating a copy of the competition brief
 - (b) the jury's assessment of the design merits of each of the entries
 - (c) the rationale for the choice of preferred design which must clearly demonstrate how it best exhibits the potential to achieve design excellence in accordance with the provisions of Clause 6.21C (2) of the LEP and the approved Design Excellence Strategy
 - (d) an outline of any further recommended design amendments ~~or proposed conditions of development consent~~ that are relevant to the achievement of design excellence.
- 10.2 ~~The jury is expected to reach a decision on whether the request to redesign within 14 days and will submit a jury report (referred to as the architectural design competition report) to the~~

Competitive Design Policy

~~developer and the consent authority~~, The architectural design competition report is to be submitted to the proponent and the City/consent authority within 14 days of the jury's decision.

10.3 Following the jury's decision, the ~~consent authority~~ City may require the ~~developer~~ proponent to hold a public exhibition of the design competition entries.

10.4 The architectural design competition report is to be submitted with the detailed development application.

11. Procedure where there is an outstanding resolution of a preferred design

11.1 In the event that:

- (a) the jury does not reach a decision,
- (b) the ~~developer~~ proponent is not satisfied with the nomination,
- (c) the ~~developer~~ proponent wishes to make a substantive modification,
- (d) the ~~consent authority~~ City considers the project submitted for approval (or as subsequently modified) to be substantially different, or
- (e) the ~~consent authority~~ City indicates it ~~will~~ would not ~~grant~~ recommend consent to the design nominated,

then either the ~~developer~~ proponent or the ~~consent authority~~ City may request that the jury reconvene and make a recommendation as to what further competitive processes or requirements would be necessary to permit an alternative or revised design to satisfy the design excellence provisions.

11.2 The jury shall make such recommendations within 28 days of a request.

11.3 The cost of such review is to be borne by the ~~developer~~ proponent.

11.4 In the event that the ~~developer~~ proponent decides not to proceed with the architect of the winning entry, the ~~developer~~ proponent will –

- (a) provide the ~~consent authority~~ City with written reasons for this decision, and
- (b) restart the architectural design competition.

12. Completion of the architectural design competition process

12.1 The LEP requirement that an architectural design competition be held in relation to a proposed development is deemed to be satisfied upon:

- (a) the issue of a report by the competition jury acknowledged by the City/consent authority, or
- (b) the completion of any further competitive processes recommended by the jury following a requested review, or
- (c) should the jury make no further recommendations, 28 days after such a request for review is made.

13. Observer

13.1 The City will nominate at least one observer to the competitive design process, including any Design Integrity Assessment process, at its discretion. The observer(s) must be provided with reasonable notice to attend all meetings involved with the competitive design process.

13.2 The role of the observer is to verify that the competitive process has been followed appropriately and fairly.

Competitive Design Alternatives Process

1. The design alternatives are to be prepared in response to a Competitive Design Process Brief by a minimum of three (3) different architectural firms who can demonstrate experience in the design of high quality buildings. Each alternative should provide, at a minimum, an indicative design solution for the site, with sufficient detail to demonstrate that it is a feasible development option and achieves design excellence in accordance with the approved Design Excellence Strategy.
2. The consent authority will nominate at least one independent person as observer of the competitive design alternatives selection process. The observer must be provided with reasonable notice to attend all meetings involved with the competitive design alternatives selection process.
3. The role of the observer is to verify that the competitive process has been followed appropriately and fairly.
4. The developer determines the outcome of the selection process.

Assessment and decision

1. A minimum of three (3) competitive submissions must be considered.
2. A presentation of the design alternatives is to be made to the developer's selection panel. A copy of the submissions will be provided to the consent authority a week prior to the convened presentation of alternatives.
3. The developer may rank the competition submissions (i.e. 1st, 2nd, 3rd, etc).
4. The decision of the developer will not fetter the discretion of the consent authority in its determination of any subsequent development application associated with the development site that is the subject of the competition.
5. In the event that a winner is not selected, the developer may recommend that further refinements be made to up to two (2) of the submissions. For these submissions they will list the design issues for the first and second ranked scheme and request they redesign their entry and represent the entry within 21 days of the initial presentation. Upon completion of the second presentation to the developer, the developer will rank the competition submissions (first and second).

Competitive Design Alternatives Report

1. When competitive design alternatives have been prepared and considered, the consent authority requires the applicant to submit a Competitive Design Alternatives Report prior to the submission of the relevant Stage 2 Development Application.
2. The Competitive Design Alternatives Report shall:
 - a. include each of the design alternatives considered;
 - b. include an assessment of the design merits of each alternative;
 - c. set out the rationale for the choice of preferred design and clearly demonstrate how this best exhibits design excellence in accordance with the provisions of Clause 6.21C(2) of the *Sydney Local Environmental Plan 2012* and the approved Design Excellence Strategy;
 - d. include a copy of the brief issued to the architectural firms.
3. The consent authority will advise the applicant whether it endorses the process and outcome and whether it fulfils the requirements of the competitive design alternatives process in the form of pre-development application advice.
4. The consent authority may need to determine whether the resulting development application or subsequent Section 96 modification is equivalent to, or through design development, an

~~improvement upon the design qualities of the endorsed outcome. If necessary, further competitive processes may be required to satisfy the design excellence provisions.~~

14. Design Integrity

- 14.1 The designer of the winning scheme (as chosen via the competitive design process) is to be appointed as the design architect to:
- (a) prepare a development application for the preferred design
 - (b) prepare the design drawings for a construction certificate for the preferred design
 - (c) prepare the design drawings for the contract documentation
 - (d) maintain continuity during the construction phases to the completion of the project.
- 14.2 The winning architect may work in association with other architectural practices but is to retain a leadership role over design decisions.

15. Design Integrity Assessment

- 15.1 Where a competitive design process winning scheme is ~~subsequently developed or substantially modified, the City may, at its sole discretion, require~~ a Design Integrity Assessment (DIA) ~~will be required~~ to be submitted to the consent authority with the application.
- 15.2 The purpose of the DIA is to inform the consent authority on whether the proposal (development application or ~~Section 96~~ modification) is equivalent to, or through design development, an improvement upon the design excellence qualities of the winning competition scheme.
- 15.3 The DIA will be prepared by the jurors or an independent panel appointed by the consent authority at the cost of the ~~developer~~ proponent.
- 15.4 Where a continuation of design integrity has not occurred, the competition jurors appointed by the ~~consent authority~~ City or an independent panel established by the ~~consent authority~~ City will make a recommendation as to what further competitive processes or requirements would be necessary to permit an alternative, or revised design to satisfy the design excellence provisions.
- 15.5 The jury or independent panel shall make such recommendations within 28 days of a request ~~by the City~~.
- 15.6 The cost of such review is to be borne by the consent authority.

15. ~~AMP Circular Quay Precinct~~

- 15.1 ~~The objective of this section is to recognise the specific characteristics of the AMP Circular Quay Precinct and its intended redevelopment by setting out a site specific architectural design competition framework which will achieve:~~
- ~~(a) an integrated design excellence outcome for the whole precinct,~~
 - ~~(b) competition winning design excellence for the Bridge and Alfred Block tower, and~~
 - ~~(c) fine grain design excellence and architectural diversity for the Young and Loftus Block.~~
- 15.2 ~~For development subject to the provisions of clause 6.26 AMP Circular Quay Precinct of Sydney Local Environmental Plan 2012 an architectural design competition, subject to an approved Design Excellence Strategy, may include two components as follows:~~
- ~~(a) an initial phase where an international architectural design competition is undertaken for the whole of the site where:~~
 - ~~(i) each competitor must submit a detailed design for the Bridge and Alfred Street Tower and other related development within the Bridge and Alfred Street Block; and~~

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- ~~(ii) each competitor must also submit preliminary design concepts and principles for building projects within the Young and Loftus Street Block;~~
- ~~(iii) the designer of the winning scheme for the initial phase of the international architectural design competition is to be appointed as Design Architect in accordance with clause 5.1 13 of this Policy for the Bridge and Alfred Street Block.~~
- ~~(b) a second phase where:~~
 - ~~(i) separate design architects are appointed for each building project within the Young and Loftus Street Block, and are to be selected by an Expressions of Interest Process, the terms of which are to be agreed to by the consent authority through an approved Design Excellence Strategy; and~~
 - ~~(ii) successful architects selected through the Expressions of Interest Process will be appointed as Design Architect for each building project within the Young and Loftus Street Block and are to carry out the tasks identified in section 5.1 13 of this policy for their assigned building project(s).~~

16. Central Sydney Tower Cluster Areas Competitive Design Process

The objective of this section is to recognise the specific characteristics of high density development in Tower Cluster Areas included on the Locality and Site Identification Map ~~Site Locality map~~ in the Sydney LEP 2012. This Section applies to the areas identified on the Locality and Site Identification Map, Key Sites Map, Foreshore Building Line Map as 'Tower Cluster Areas' in the Sydney Local Environmental Plan 2012 and their intended redevelopment by setting out a specific design excellence framework which will:

- (a) drive innovation through would class sustainable design
- (b) make an exceptional contribution to the Sydney skyline
- (c) increase the extent and quality of the public domain and make a high quality contribution above and beyond standard requirements
- (d) promote adaptive renewal of existing structures.

Where there is an inconsistency between this section and any other section of this policy, this section prevails to the extent of the inconsistency.

For development subject to the provisions of clause 6.21E of the LEP, an architectural design competition, subject to an approved Design Excellence Strategy as part of an associated concept DA or site specific development control plan, must be conducted in accordance with this policy.

For any competition matters not addressed in this section, all other relevant City of Sydney Competitive Design Policy provisions apply.

16.1 Jury establishment

The jury is to comprise six (6) members in the following composition:

- (a) Three (3) members nominated by the City of Sydney, who have no pecuniary interests in the development proposal or involvement in the approval processes
- (b) Three (3) members with architecture and urban design expertise nominated by the proponent including one (1) independent member*, ~~and~~
- (c) at least one (1) of the above members is to have sustainability expertise, and
- (d) is to meet a gender representation target ratio **target** of 40% male, 40% female and 20% any gender.

* an independent member means a person who is not a contracted employee of consultant to the proponent except for the purposes of being a juror for the subject design competition.

16.2 Competitors

- 16.2.1 The proponent invites a minimum of six (6) competitors to participate in the competition.
- 16.2.2 A Each competitor shall have demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) commendation or award in the past 5 10 years. In the case of overseas competitors, the same with their equivalent professional association.
- 16.2.3 A minimum of 50 per cent of competitors must be Australian based architects.
- 16.2.4 At least one (1) competitor is an emerging architect, or all competitors must be in partnership with emerging architects.
- 16.2.5 Competitors must demonstrate:
- (a) their experience on projects that have either received an environmental sustainability award or achieved high Green Star Design & As Built or NABERS Energy/Water ratings
 - (b) they meet a gender representation ratio of 40% male, 40% female and 20% any gender in both their design team and leadership.
- 16.2.6 The competitive design process must allow the competitors at least ~~4 weeks~~ 28 days to complete their designs.
- 16.2.7 The proponent is to pay each competitor/team at least \$AUD 150,000 (from 2020 adjusted by CPI)
- 16.2.8 Each competitor must be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003 or, in the case of interstate or overseas competitors, eligible for registration with their equivalent professional association.

16.3 Design Excellence Tower Cluster Areas Strategy

- 16.3.1 A concept (Stage 1) DA or a Central Sydney site-specific DCP prepared as part of a Planning Proposal, that seeks additional floor space under clause 6.21E of the Sydney LEP 2012 must demonstrate compliance with Division 4 Design Excellence LEP 2012 and the provisions under Section 3.3 of Sydney DCP 2012 and undertake an architectural design competition. The Design Excellence Strategy must be approved with the concept development application.
- 16.3.2 In accordance with the requirements set out in Section 3.3.8 of the Sydney DCP 2012, the concept (Stage 1) DA must document:
- (a) a complying base case massing envelope
 - (b) at least 3 alternative massing envelopes
 - (c) (d) environmental testing of all massing envelopes including
 - (i) overshadowing of protected public places
 - (ii) public view protection planes
 - (iii) Sydney Airport Prescribed Airspace
 - (iv) Special Character Area street frontage heights, setbacks and tower heights
 - (v) compliance with tower massing and tapering requirements of any relevant development control plan or guide
 - (vi) wind tunnel testing
 - (vii) wind and daylight equivalence form testing
 - (viii) underground infrastructure
 - (ix) indicative floor space ratio for each massing envelope

- 16.3.3 The massing envelopes, environmental testing and indicative floor space ratio will form part of the competitive design brief.
- 16.3.4 The consent authority will amend the indicative floor space ratio based on the assessment of the concept development application.

17 Optional alternative design review process – social housing and affordable housing

- 17.1 Eligible development is development for the purposes of affordable housing, ~~as defined by the Environmental Planning and Assessment Act 1979, and provided in perpetuity,~~ with no market or other types of housing included. Non-residential floor space on the ground and first floor may be included ~~where required under the City's planning controls or~~ for noise-affected sites.
- 17.2 Eligible community housing providers must be ~~not-for-profit and~~ registered as Tier 1 or ~~Tier 2~~ in the National Register for Community Housing Providers maintained by the National Regulatory System for Community Housing.
- 17.3 This section applies to eligible development by eligible community housing providers where a competitive design process is required under 6.21D(1)(a) to (c) of the LEP.
- 17.4 For eligible development of affordable housing by an eligible community housing provider, the requirement for a competitive design process may be satisfied by undertaking an architectural design competition or an alternative design review process where:
- (a) an architect, that is the recipient of an Australian Institute of Architects award or commendation, is appointed by an eligible community housing provider to prepare a development application
 - (b) a Design Excellence Strategy, addressing the matters set out in 2.2 of this Policy, is approved by the City in accordance with 2.1 of this Policy
 - (c) an independent design review panel (panel) is established before development application lodgement to review and provide design advice to the City on the initial concept and on the developed proposal and how it has addressed the panel's advice
 - (d) a statement from the panel is submitted with the development application setting out how the proposal demonstrates ~~the potential to achieve~~ design excellence under 6.21C(2) of the LEP
 - (e) the panel comprises:
 - (i) three members nominated by the City
 - (ii) a majority of registered architects, including two members from: the State Design Review Panel or equivalent, or the City's Design Advisory Panel or Design Advisory Panel Residential Subcommittee
 - (f) panel costs are met by the City
 - (g) Secretariat will be provided by the City
- 17.5 The decision of the panel will not fetter the discretion of the consent authority in its determination of any subsequent development applications associated with the development site.
- 17.6 No other provisions of this Policy apply to this section, except for sections 2 *Design Excellence Strategy* and ~~143~~ *Design Integrity*, where:
- (a) competitive design process in section 2 is taken to be a reference to the alternative design review process set out at ~~17.42~~
 - (b) designer of the winning scheme (as chosen via the competitive design process) in ~~143.1~~ and winning architect in ~~143.2~~ is taken to be a reference to the architect appointed by the community housing provider ~~described~~ in 17.2.



Attachment E

Landscape Code – as amended

Landscape Code Amendment

Amendment to Sydney Landscape Code

1. Insert tree species selection schedule similar to the sample provided
2. Insert species planting selection for developments mapped on the DCP Biodiversity Maps similar to the sample provided
3. Insert a habit selection schedule for developments mapped on the DCP Biodiversity Maps similar to the sample provided
4. Insert a DA checklist for developments mapped on the DCP Biodiversity Maps similar to the sample provided

a. Insert tree species selection schedule similar to the sample provided

Sample tree species schedule

Naming + Origin				Size					Characteristics				Growing Considerations							
Family	Genus	Species	Variety	Common Name	Origin	Size Classification	Nominal Height (metre)	Nominal Spread (diameter in metres)	Shape	Growth Rate	Special Amenity Value	Dormancy	Light	Exposure	Soil Moisture	Reliability	Availability	Climate Readiness 2050	Climate Readiness 2070	
Fabaceae	Calliandra	haematocephala		Red Powder Puff	Exotic	Small	4	4	Spreading	Moderate	Prominent Flowers	Evergreen				Somewhat Reliable	Common			
Proteaceae	Banksia	marginata		Silver Banksia	Locally Indigenous	Small +	6	5	Spreading	Fast	Prominent Flowers	Evergreen				Somewhat Reliable	Common			
Myrtaceae	Callistemon	citrinus		Crimson Bottlebrush	Australian Native	Small +	6	4	Rounded	Moderate	Prominent Flowers	Evergreen		Wind	Wet	Very Reliable	Common			
Malvaceae	Hibiscus	syriacus		Syrian Ketmia	Exotic	Small +	5	3	Conical/Columnar/Upright	Moderate	Prominent Flowers	Deciduous Winter				Very Reliable	Advanced Procurement			
Proteaceae	Buckinghamia	celsissima		Ivory Curl	Australian Native	Medium	8	5	Rounded	Moderate	Prominent Flowers	Evergreen	Part Shade			Very Reliable	Common			
Lythraceae	Lagerstroemia	indica		Crepe Myrtle	Exotic	Medium	8	8	Vase	Moderate	Prominent Flowers	Deciduous Winter			Dry	Very Reliable	Common			
Myrtaceae	Melaleuca	styphelioides		Prickly-Leaved Paperbark	Locally Indigenous	Medium	10	8	Rounded	Fast	Interesting Bark	Evergreen		Salt + Wind	Wet	Very Reliable	Common			
Araucariaceae	Agathis	robusta		Queensland Kauri	Australian Native	Large +	25	8	Conical/Columnar/Upright	Moderate	Interesting Bark	Evergreen		Salt + Wind	Dry	Very Reliable	Common			
Myrtaceae	Eucalyptus	punctata		Grey Gum	Locally Indigenous	Large +	25	15	Open	Fast	Interesting Bark	Evergreen				Very Reliable	Common			
Salicaceae	Populus	deltoides		Cottonwood	Exotic	Large +	25	15	Spreading	Moderate	Deciduous Winter				Wet	Somewhat Reliable	Advanced Procurement			
Myrtaceae	Angophora	costata		Sydney Red Gum	Locally Indigenous	Large	20	12	Irregular	Moderate	Interesting Bark	Evergreen		Salt + Wind	Dry	Very Reliable	Common			
Magnoliaceae	Liriodendron	tulipifera		Tulip Tree	Exotic	Large	18	8	Conical/Columnar/Upright	Moderate	Interesting Foliage	Deciduous Winter				Very Reliable	Common			
Myrtaceae	Lophostemon	confertus		Brush Box	Australian Native	Large	20	12	Rounded	Moderate		Evergreen	Part Shade	Wind	Dry	Very Reliable	Common			

b. Insert species planting selection for developments mapped on the DCP Biodiversity Maps similar to the sample provided

Sydney Landscape Code Amendment

Sample species planting schedule

TALL SHRUBS									
Name / Common Name	Flowering Time	Soil Type	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Acacia falcata / Sickle Wattle	Apr – Aug	any	sun		fast growing; nitrogen-fixing; short-lived (4–10 years)		Low		Native
Acacia terminalis / Sunshine Wattle	Feb – Oct	sand	sun		fast growing; nitrogen-fixing; short-lived (4–10 years)		Low		Local
Allocasuarina littoralis / Black She-oak	May – May	sand	sun				Low		Native
Breynia oblongifolia / Coffee Bush	Sep – Feb	any	dappled light or shade	*	has a tendency to sucker		Low		Native
Bursaria spinosa / Sweet Bursaria	all year	any	sun		very hardy		Low		Local
Ceratopetalum gummiferum / NSW Christmas Bush	Nov – Jan	sand	sun or dappled light		requires very well-drained soil		Average		Local
Grevillea longifolia / Fern-leaf Spider Flower	Aug – Nov	any	sun		various cultivars available		Low		Local
Leptospermum laevigatum / Coast Tea Tree	Aug – Oct	sand	sun	*	very hardy; salt and wind tolerant		Low		Native
Melaleuca nodosa / Ball Honey Myrtle	Sep – Feb	any	sun or dappled light	*	tolerant of sea spray and poor drainage		Low		Local
Synoum glandulosum / Scentless Rosewood	all year	any	dappled light or shade	*	limited availability		Low		Native
Viminaria juncea / Native Broom	Sep – Nov	sand	sun	*	prefers moist soil		Average		Native
Elaeocarpus reticulatus / Blueberry Ash	Sep – Nov	any	sun or dappled light		adaptable, fast growing and hardy		Low		Local
Banksia integrifolia / Coast Banksia	Mar - Nov	any	sun		salt and temperature tolerant		Low		Local

Sydney Landscape Code Amendment

MEDIUM SHRUBS										
Name / Common Name	Flower Description	Flowering Time	Soil Type	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Acacia longifolia / Sydney Golden Wattle	yellow flowers	Jun - Oct	sand	sun		fast-growing; nitrogen-fixing; short-lived (4-10 years)		Low		Local
Acacia linifolia / White Wattle	yellow flowers	All year	sand	sun		fast-growing; nitrogen-fixing; short-lived (4-10 years)		Low		Local
Acacia myrtifolia / Myrtle Wattle	yellow flowers	Jun - Oct	sand	sun		fast-growing; nitrogen-fixing; short-lived (4-10 years)		Low		Local
Acacia suaveolens / Sweet Wattle	creamy-yellow flowers	Apr - Sept	sand	sun		fast-growing; nitrogen-fixing; short-lived (4-10 years)		Low		Local
Acacia ulicifolia / Prickly Moses	pale yellow flowers; spiky leaves	Apr - Oct	sand	sun		fast-growing; nitrogen-fixing; short-lived (4-10 years)		Low		Native
Allocasuarina distyla / Scrub She-oak	woody cone	Apr - Sept	sand	sun		salt tolerant		Low		Native
Banksia ericifolia / Heath-leaved Banksia	orange-red flowers; dainty leaves	Apr - Aug	sand	sun		salt tolerant		Low		Local
Banksia robur / Swamp Banksia	yellow-golden brown flowers; large ornamental	Jan - Jul	sand	sun	*	requires well-drained moist soil		Average		Local
Banksia spinulosa / Hairpin Banksia	yellow-orange flowers; dainty leaves	Apr - Aug	sand	sun		requires well-drained soil		Average		Local
Bauera rubioides / River Rose	pink flowers	Sept - Feb	sand	dappled light or shade	*	rambling shrub; good hedge plant; grows via suckers; prefers moist soil		Average		Native
Callistemon citrinus / Crimson Bottlebrush	bright red flowers	Nov - Mar	sand	sun	*	very hardy		Low		Local
Ozothamnus diosmifolius / Sago Bush	cream-white flowers; foliage emits pleasant fragrance	Aug - Nov	sand	sun		tolerates well drain soil, full sun and moderate frost		High		Local
Pomaderris ferruginea / Rusty Pomaderris	cream-yellow flowers; new growth rusty	Sept - Oct	sand	sun		can tolerate dry soil for extended periods		Low		Native
Pultenaea daphnoides / Bush Pea	yellow and red flowers	Aug - Nov	sand	sun		tolerates drought, lime and moderate frost		Low		Native
Telopea speciosissima / Waratah	red flowers	Oct - Nov	sand	sun or dappled light		requires well-drained soil and watering during prolonged dry conditions; prune vigorously after flowering		High		Local
Buddleja species / Butterfly Bush	purple flowers	Varies	any	sun or dappled light	*	not native; prefers moist soil		Average		Exotic
Lemon and other Citrus	white flowers	Varies	any	sun		not native		High		Exotic
Plumbago auriculata / Plumbago	pale blue flowers	Nov - Mar	any	sun		good hedge plant; not native		High		Exotic
Callistemon linearis / Narrow-leaved Bottlebrush	pale red flowers	Sept - Nov	sand	sun	*	tolerates acidic, moist and well-drained soils		Average		Native
Dodonaea triquetra / Large-leaf Hop-bush	fruit is green or reddish	Jun - Oct	any	sun	*	very hardy; fast-growing; short-lived		Low		Native
Eriostemon australasius / Pink Wax Flower	pink flowers	Sept - Nov	sand	sun		tolerates light frost		Low		Local
Grevillea linearifolia / White Spider Flower	white flowers	July - Oct	sand	sun		frost hardy		Low		Local
Hakea dactyloides / Finger Hakea	cream-white flowers	Sept - Oct	any	sun		good hedge plant		Low		Local
Hakea sericea / Silky Hakea	prickly leaves	Jun - Sep	any	sun		tolerates drought and moderate frost		Low		Local
Hakea teretifolia / Needlebush	prickly leaves	Aug - Oct	sand	sun		suitable to well-drained sites		Average		Native
Indigofera australis / Austral Indigo	pink-purple flowers	Sept - Nov	any	sun		nitrogen fixing		High		Native
Kunzea ambigua / White Kunzea	white flowers with honey-like fragrance	Sept - Nov	any	sun	*	can grow on rock shelves and shallow soils		Low		Local
Leptospermum polygalifolium / Tantoon	white flowers	Sept - Dec	clay	sun	*	well-suited to areas that are temporarily inundated		Average		Local
Leptospermum squarrosum / Peach Blossom Tea-tree	pale-deep pink flowers; prickly leaves	Mar - Sep	sand	sun		salt tolerant		Low		Native
Olearia microphylla / Small-leaved Daisy Bush	white flowers	Jun - Oct	any	sun	*	tolerates light frost		Low		Native

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SMALL SHRUBS										
Name / Common Name	Flower Description	Flowering Time	Soil Type	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Correa alba / White Correa	white flowers	Apr - Jun	sand	sun		salt tolerant		Low		Native
Correa reflexa / Common Correa	red and green flowers	May - Nov	sand	sun		tolerates extended dry periods once established		Low		Local
Crinum pedunculatum / Swamp Lily	white flowers	Aug - Jan	any	sun	*	will grow in large pot if watered regularly; prefers moist or wet soil		High		Native
Dillwynia retorta / Egg and Bacon	yellow and red flowers	Jul - Sept	sand	sun		prefers light well-drained soil in open sunny position		High		Local
Goodenia ovata / Hop Goodenia	yellow flowers	Oct - Mar	any	sun or shade	*	cooperates with temporary inundation		Low		Native
Grevillea buxifolia / Grey Spider Flower	grey flowers	Aug - Apr	sand	sun		tolerates extended dry periods and moderate frost once established		Low		Local
Grevillea sericea / Pink Spider Flower	pink flowers	Aug - Dec	any	sun		adaptable to full sun to part shade and prefers well-drained soil		High		Local
Red Spider Flower Grevillea speciosa	red flowers	Aug - Nov	sand	sun		prefers well-drained soil		Average		Local
Melaleuca thymifolia / Thyme Honey Myrtle	purple flowers; flowers frequently	Nov - Jul	any	sun	*	long-lived		Low		Native
Westringia fruticosa / Coast Rosemary	white flowers	Most of the year	sand	sun		good hedge plant		Low		Native
Zieria smithii / Sandfly Zieria	white flowers	Sept - Nov, Mar - May	sand	sun or dappled light		natural insect repellent		Average		Native
Lavandula spp. / Lavender	blue-purple flowers	Jun - Jul	any	sun		good hedge plant; not native		Low		Exotic
Lambertia Formosa / Mountain Devil	red flowers	All year	sand	sun or dappled light		frost hardy		Low		Local
Woolstia pungens / Snow Wreath	white flowers	Jun - Nov	sand	sun or dappled light		prefers well-drained soil with regular moisture		Average		Native
Bossiaea heterophylla / Variable Bossiaea	yellow flowers	Apr - May	any	sun or dappled light		thrives in dry, sandy and rocky locations		Low		Native
Philotheca buxifolia / Box-leaf Waxflower	pink flowers	Aug - Nov	sand	sun or dappled light		suits rocky or sandy locations		Low		Native

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GRASSES										
Name / Common Name	Flower Description	Flowering Time	Soil Type	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Aristida vagans / Three-awned Speargrass		Dec – Feb	sand	sun		grows in difficult soils		Low		Local
Rytidosperma tenuius / Wallaby Grass		Oct – Jan	any	sun		very hardy and persistent		Low		Native
Cymbopogon refractus / Barbed Wire Grass		Sept – May	any	sun		can survive long periods of drought		Low		Local
Dichelachne crinita / Long-hair Plume Grass	pale fluffy flower head	Sept – Nov	sand	sun		prefers well-watered sites		Low		Native
Dichelachne micrantha / Short-hair Plume Grass	pale fluffy flower head	Sept – Nov	any	sun		tolerates high winds and light frost		Low		Local
Echinopogon ovatus / Forest Hedgehog Grass		Sept – Nov	clay	dappled light or shade	*	shady areas under trees		Low		Native
Entolasia marginata / Right Angle Grass		Most of the year	sand	sun or shade		limited availability		Low		Native
Imperata cylindrica / Blady Grass	pale fluffy flower head	Dec – Feb	any	sun	*	spreads readily, via rhizomes as well as seed		Low		Native
Weeping Grass Microlaena stipoides		Sept – Feb	any	dappled light or shade	*	tolerates heavy shading		Low		Native
Oplismenus imbecillis / Creeping Beard Grass		Most of the year	any	dappled light or shade	*	suitable for no-mow lawn		Low		Native
Poa affinis / Tussock Grass		Oct - Feb	sand	sun or shade		low maintenance and no irrigation once established		Low		Native
Themeda australis / Kangaroo Grass	rusty red flower head	Sept - Mar	any	sun		grows in full to part sun on sandy and clay soils and need minimal watering once established		Low		Local
Lomandra longifolia / Basket Grass	pale yellow spikey flower head	Aug - Nov	any	sun or shade		tolerates dryness and all soil types		Low		Native
Xanthorrhoea resinosa / Dwarf Tree Grass			any	sun or shade		drought tolerant		Low		Native
Baumea juncea / Bare Twig-rush	fluffy brown flower head	Sep - Apr	any	sun or shade	*	ideal planting around ponds and coastal landscapes		Low		Native
Baumea articulata / Jointed Rush	fluffy brown flower head		any	sun or shade	*	ideal planting around ponds and coastal landscapes		Low		Native

Sydney Landscape Code Amendment

HERBS & GROUNDCOVERS										
Name / Common Name	Flower Description	Flowering Time	Soil Type	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Actinotus helianthi / Flannel Flower	creamy white flowers	Sep – Feb	any	sun		tolerates mild frost once established		Low		Native
Centella asiatica / Centella	white pink (very small)	Jul – Aug	any	shade	•	suitable for no-mow lawn; edible		Average		Native
Dianella caerulea / Blue Flax-lily	blue flowers; edible purple berries	Sep – Nov	any	sun or shade	•	very hardy; spreads readily via rhizomes as well as seed; various cultivars available		Low		Native
Dianella revoluta / Black-anther Flax-lily	blue flowers; edible purple berries	Sep – Nov	any	sun or shade	•	very hardy; spreads readily via rhizomes as well as seed; various cultivars available		Low		Native
Dichondra repens / Kidney Weed	white	Most of the year	any	dappled light or shade	•	suitable for no-mow lawn		Low		Local
Hydrocotyle peduncularis / Pennywort	very small	Dec – Feb	any	dappled light or shade	•	suitable for no-mow lawn		Low		Native
Lobelia purpurascens / White Root	white flowers	Sep – Jan	any	dappled light or shade	•	suitable for no-mow lawn		Low		Native
Lomandra longifolia / Spiny Headed Mat Rush	prickly flower heads	Sep – Nov	any	sun or shade	•	very hardy; various cultivars available		Low		Native
Plectranthus parviflorus / Cockspur Flower	peppermint-like fragrance	Most of the year	any	shade	•	avoid direct sunlight		Low		Native
Viola hederacea / Native Violet	white and purple flowers	All year	any	dappled light or shade	•	suitable for no-mow lawn; edible flowers		Low		Local
Wahlenbergia gracilis / Sprawling Bluebell	pale pink-mauve flowers	Sep – Feb	any	sun or shade		grows well in rockeries		Low		Local
Gonocarpus teucrioides / Raspwort	red flowers	Oct - Jan	sand	semi shade	•	prefers well-drained soils in semi shade		Low		Native
Pomax umbellata	red flowers	Aug - Dec	sand	sun		prefers sandy and stony soils		Low		Native
Dampiera stricta / Blue Dampiera	blue flowers	All year	sand	sun or shade		Lepidosperma laterale / Sword Sedge		Low		Local
Haemodorum planifolium / Blood Rot			sand	sun		drought tolerant		Low		Native
Lepidosperma laterale / Sword Sedge			sand	sun		prefers well-drained sandy soils and rocky hillside locations		Low		Native
Xanthosia pilosa / Woolly Xanthosia	pale yellow flowers	Aug - Feb	sand	sun		prefers well-drained sandy soils and rocky hillside locations		Low		Local

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CLIMBERS										
Name / Common Name	Flower Description	Flowering Time	Soil Type	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Clematis aristata / Old Man's Beard	white flowers	Oct – Nov	sand	sun or dappled light		prefers moist to wet well-drained soil in cool forests and gullies		Average		Native
Clematis glycinoides / Forest Clematis	prolific white flowers	Aug – Oct	sand	dappled light or shade		prefers moist soil moist soil and semi shade to dappled shade		Average		Native
Hardenbergia violacea / False Sarsparilla	purple flowers	Sep – Oct	sand	sun		very hardy; also grows as a groundcover		Low		Native
Hibbertia dentata / Guinea Flower	yellow flowers	Sep – Dec	sand	sun or dappled light	*	also grows as a groundcover		Low		Native
Hibbertia scandens / Climbing Guinea Flower	yellow flowers	Sep – Jan	any	sun	*	also grows as a groundcover		Low		Native
Kennedia rubicunda / Dusky Coral Pea	red and black flowers	Sep – Nov	any	sun		grows vigorously; short-lived		Average		Native
Pandorea pandorana / Wonga Wonga Vine	prolific white flowers (cultivars available with pinkish flowers)	Sep – Nov	any	sun or dappled light	*	tolerates light frost		Low		Native
Bougainvillea glabra / Bougainvillea	pink-red-purple flowers	Oct – Jan	sand	sun		not native		Low		Exotic
Trachelospermum jasminoides / Star Jasmine	white flowers with pleasant fragrance	Oct – Dec	any	sun or shade		not native		Low		Exotic
Cissus antarctica / Kangaroo Vine	very small cream flowers with a small grape-like berry (not edible)	Sep– May	any	dappled light or shade		hardy and fast growing; can be used as a groundcover or climber; also good for containers and indoors		Low		Native
Passiflora spp. / Passionfruit	white flowers	Nov – Feb	any	sun		not native		Average		Exotic
Roses — various climbing varieties	various	Varies	any	sun		not native, need rich soils — if planting in sand, add mulch; not native		High		Exotic
Wisteria sp. / Wisteria	mauve flowers	Sept – Feb	any	sun	*	not native; prefers moist soil		Average		Exotic
Parsonsia straminea / Silkpod	white flowers	Sep - Dec	-	shade	*	grows in shady spots as well as floodplains and sandstone-based soil		Average		Native
Stephania japonica / Snake Vine	white flowers	all year	any	sun or shade		not native		Average		Exotic

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<i>FERNS</i>							
Name / Common Name	Position	Tolerates Moisture	Other Attributes	Photo	Maintenance Level	Density	Native/Local
Adiantum aethiopicum / Common Maidenhair Fern	dappled light or shade	•	spreads readily; prefers moist soil		Average		Native
Calochlaena dubia / Common Ground Fern	dappled light or shade	•	once established, can be spread by dividing clumps; prefers moist soil		Average		Native
Cyathea australis / Rough Tree Fern	dappled light or shade	•	limited availability; can tolerate full sun if soil is permanently moist		Average		Native
Cyathea cooperi / Coopers Tree Fern	dappled light or shade	•	can tolerate full sun if soil is permanently moist		Average		Native
Doodia aspera / Prickly Rasp Fern	dappled light or shade	•	once established, can be spread by dividing clumps; prefers moist soil		Average		Native
Hypolepis muelleri / Ground Fern	dappled light or shade	•	spreads readily; prefers moist soil		Average		Native
Blechnum indicum / Swamp Water Fern	dappled light or shade	•	frost hardy		Low		Native

<i>BIODIVERSE ROOF</i>								
Name / Common Name	Flower Description	Position	Tolerates Moisture	Attributes	Photo	Maintenance Level	Density	Native/Local
Senecio serpens / Blue Chalksticks	-	sun		full sun		Low		Exotic
Mesembryanthemum orange / Pigface	orange flowers	sun		full sun		Low		Native
Echeveria agavoides / Molded Wax Agave	-	sun		full sun		Low		Native
Gazania 'Double Gold' / Double Gold	yellow flowers	sun		full sun		Low		Native
Chryscephalum apiculatum / Everlasting Daisy	yellow flowers	sun		full sun		Low		Native
Carpobrotus edulis / Hottentot-fig	purple flowers	sun		full sun		Low		Native
Lampranthus / Dewplant	pruple flowers	sun		full sun		Low		Native
Convolvulus sabatius / New Blue Moon	pruple flowers	sun		full sun		Low		Native
Crassula falcata / Airplane Plant	red flowers	sun	•	full sun		Low		Exotic
Brachyscome multifida / Rock Daisy	purple, pink or white dflowers	sun		full sun		Low		Native
Poa labillardieri / Tussock Grass	-	sun	•	full sun		Low		Native
Lomandra longifolia tanika / Lomandra Tanika	-	sun	•	full sun		Low		Native
Westringia fruticosa 'mundi' / Westringia Mundi	small white flowers	sun	•	full sun		Low		Native
Themeda triandra 'Mingo' / Kangaroo Grass	-	sun	•	full sun		Low		Native
Imperata cylindrica 'Yalba' / Yalba Imperata	-	sun	•	full sun		Low		Native
Austrodanthonia racemosa / Slender Wallaby-grass	-	sun		full sun		Low		Native
Carpobrotus glaucescens / Angular sea-fig	purple flowers	sun		full sun		Low		Native

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RIPARIAN						
Name / Common Name	Flowering Time	Attributes	Photo	Maintenance Level	Density	Native/Local
Nymphoides crenata / Crenated Water Fringe	Sep – May	native to western NSW		Low		Native
Nymphaea Gigantea / Giant Water Lily	Varies	native to western NSW		Low		Native
Ottelia ovalifolia / Swamp Lily	Nov – Mar			Average		Native
Myriophyllum caput-medusae / Coarse Water-milfoil	All year	spreads readily; clear periodically to maintain open water		Average		Native
Myriophyllum tenellum / Slender Water-milfoil	All year	spreads readily; clear periodically to maintain open water		Average		Native
Myriophyllum verrucosum / Red Water-milfoil	All year	spreads readily; clear periodically to maintain open water		Average		Native
Carex appressa / Tall Sedge	-	very hardy; also tolerates periods of wet and dry		Low		Native
Carex fascicularis / Knob Sedge	-	needs standing water		Average		Native
Caustis flexuosa / Curly Wig	-			Low		Local
Ficinia nodosa / Knobby Club Rush	-	very hardy; salt tolerant; also tolerates periods of wet and dry		Low		Native
Lythrum salicaria / Purple Loosestrife	-	very hardy, tolerates temporary inundation; prefers moist soil		Low		Native
Philydrum lanuginosum / Frogsmouth	-	standing water		Low		Native
Gahnia sieberiana / Red-fruit Saw-sedge	-	also tolerates periods of wet and dry		Low		Native
Gahnia clarkei / Tall Saw-sedge	-	also tolerates periods of wet and dry		Low		Native
Juncus continuus / Sand Rush	-	also tolerates periods of wet and dry		Low		Native
Juncus usitatus / Common rush	-	also tolerates periods of wet and dry		Low		Native
Phragmites australis / Common Reed	-	also tolerates periods of wet and dry		Low		Native
Entolasia marginata / Bordered Panic Grass	-	-		Low		Native
Triglochin procera / Water Ribbons	Summer	Oxygenator - helps maintain a clean and healthy pond		Low		Native
Gahnia sieberiana / Red-fruit Saw-sedge	-	Popular feeding for insect larvae		Low		Native
Gonocarpus micranthus / creeping Raspwort	Oct - Feb	Perennial. Moist peaty soils and boggy ground in a range of habitats. Tolerates dry periods.		Low		Native
Lomandra Longifolia / Spiny-headed Mat-rush	Sep - March	Strap-like leaves with distinctive ragged notched tip, often dry and brownish. Lightly scented flowers.		Low		Native
Lomandra hystrix / Tropic Belle	Sept - Nov	clumping grass-like perennial with broad shiny green foliage and masses of fragrant yellow flowers in Spring		Low		Native
Imperata cylindrica / Blady Grass	-	vigorously spreading		Low		Native
Dichelachne micrantha / Longhair Plumegrass	Oct - Dec	sparse open tufted grass with plume like flower stems		Low		Native
Banksia robur / Swamp Banksia	Apr - Aug	needs full sun for best flowering		Low		Local
Doryanthes excelsa / Gynea Lily	Sept - Apr	upright, clumping growth habit and large sword shapes leaves		Low		Native
Melaleuca thymifolia / Thyme honey-myrtle	All year	low maintenance, tolerates frost and drought		Low		Native
Acmena smithii / Lily pilly	Sept - Nov	fast growing shrub		Low		Native
Correa alba / White Correa	Mar - Aug	suits sandy soils and salty winds		Low		Native
Callistemon / Bottlebrush	All year	grows on a range of soil types and positions		Low		Local
Westringia fruticosa / Native Rosemary	Sep - Mar	adaptable and extremely tough		Low		Native

c. Insert a habit selection list for developments mapped on the DCP Biodiversity Maps similar to the sample provided

Sample habitat selection list

Bird box

Bat box

Beehives

Insect nest blocks

Ponds

Log piles

Rock piles

Bird baths

d. Insert a DA checklist for developments mapped on the DCP Biodiversity Maps similar to the sample provided

Sample significant habitat DA checklist

The Significant Habitat Checklist is used to ensure that a development area has been inspected, and all habitat features that make up a significant urban habitat have been accounted for.

Inspection details

Date of inspection:	
Inspection completed by:	
Position title:	
Proposed development:	
Site location:	
Site Area (m2)	

PART A – Desk top inspection

If yes to questions below, then site may be considered to have significant habitat value.

Habitat features	Yes	No	N/A	Additional Notes
Is the site representative of an Endangered Ecological Community?	☐	☐	☐	

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Are threatened/endangered fauna or flora species known to be found on the site?	☐	☐	☐	
Are priority fauna (as listed in the UESAP) known to be found on the site?	☐	☐	☐	
Does the development impact upon any trees, as registered as Significant Trees under the City's Tree management Plan?	☐	☐	☐	
Is the site within an identified biodiversity connectivity corridor as per figure 17 in the UESAP.	☐	☐	☐	
Is there connectivity with neighbouring sites with significant habitat values i.e. parks, reserves.	☐	☐	☐	

PARTB – Site Inspection

Please assess what habitat features are present:

Habitat features	Rank	Observed	Not observed	Count	Comments
Tall trees > 20 m	4	☒	☐		
Small trees 2-20 m	3	☐	☐		
Shrubs <2 m	2	☐	☐		
Tree hollows	4	☐	☐		
Standing and/or fallen trees	2	☐	☐		
Nest boxes	2	☐	☐		
Ephemeral creek/flow paths	4	☐	☐		
Permeant pond/waterbody	4	☐	☐		
Macro fauna observed	4	☐	☐		
Rock piles	2	☐	☐		
Sandstone outcropping	4	☐	☐	Approx. area	

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Logs > 10 cm diameter	2	☐	☐		
Is vegetation primarily composed of exotic weed species.	1	☐	☐	% cover	
Presence of fungi/lichen/moss	2	☐	☐		
Native grass/groundcover	3	☐	☐		
Leaf litter	2	☐	☐	% ground cover	
Other		☐	☐		

Conservation value of habitat features ranking

Conservation Value	Score	Description
High/Priority	4	Feature must be conserved, as feature cannot be replaced or recreated
Moderate	3	Feature should be conserved, but could be replaced or recreated
Low	2	Feature could be replaced and/or recreated
Limited	1	Feature can be replaced, and could be improved to offer better habitat value

Person conducting inspection to sign off and confirm the inspection is complete:

Signature:		Date:	
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Attachment F

**Gateway Determination
dated 23 February 2024**

Gateway Determination

Planning proposal (Department Ref: PP-2023-2785): to make policy and housekeeping amendments to Sydney Local Environmental Plan 2005, Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013 and repeal Sydney Local Environmental Plan (Harold Park) 2011, Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011 and South Sydney Local Environmental Plan 1998.

I, the acting Director, City of Sydney and Eastern District, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that the above planning proposal should be resubmitted.

Gateway Conditions

1. The planning proposal is to be revised to remove the proposed amendments to the planning controls for build-to-rent and co-living housing.
2. The revised planning proposal is to be resubmitted no later than 1 month from the date of the Gateway determination.
3. The proposed amendments to the planning controls for build-to-rent and co-living housing are to be included in a separate planning proposal.

Dated 23 February 2024



Emma Hitchens
Acting Director, City of Sydney and
Eastern District
Planning, Land Use Strategy and
Housing
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces

Attachment G

**Gateway Determination
dated 8 October 2024**

Gateway Determination

Planning proposal (Department Ref: PP-2024-709): *To make policy and housekeeping amendments to Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013 and Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013 and transfer the planning controls for various sites from legacy local environmental plans and State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021 into Sydney Local Environmental Plan 2012.*

I, the Acting Executive Director, Local Planning & Council Support, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the EP&A Act) that the above planning proposal should proceed subject to the conditions listed below.

The LEP should be completed on or before 28 November 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to:
 - (a) Resolve inconsistencies between the explanation of provisions and the example drafting provided in Appendix A.
 - (b) Clarify that the 'drafting instructions' provided in Appendix A are only one example of how the proposed amendments could be worded, with the final wording subject to drafting and agreement by the Parliamentary Counsel's Office.
 - (c) Clarify whether the planning proposal seeks to repeal Sydney LEP 2005.
 - (d) Remove the proposal to add a definition of a deep soil zone that differs from the one in the Housing SEPP.
 - (e) Remove the proposal to add a new deep soil clause to the Sydney LEP 2012 and the Green Square Town Centre LEPs 2013
 - (f) Remove the following detailed design requirements for structures associated with rooftop gardens and communal open space:
 - i. The solar reflectivity of non-glazed surfaces.
 - ii. The percentage of the roof that must be used as a communal open space and gardens.
 - (g) Clarify the proposed car parking rates for co-living housing.
 - (h) Remove the following detailed design requirements for community electric vehicle chargers:
 - i. A payment system to charge users.

- ii. Net zero emissions from energy used, including by renewal energy generated on-site and off-site.
- (i) Clarify where the proposed exempt development provision for bicycle parking devices would apply.
- (j) Remove the proposed exempt development provision for electric vehicle charging units in existing car parking spaces.
- (k) Provide a detailed justification for the proposed restrictions on overshadowing of Gunyama Park and Cook and Phillip Park, including the times of day and year when overshadowing would be limited.
- (l) Provide a detailed assessment of the potential impacts of the proposed restrictions on overshadowing of Gunyama Park and Cook and Phillip Park on existing and future development in the surrounding area.
- (m) Remove the land shown as 'Central Station' from the draft Sun Access Protection Map.
- (n) Align the approach to incentivising basement intensive plant agriculture with existing clauses in Part 6 of the Sydney LEP 2012.
- (o) Clarify that Council would be responsible for granting exemptions for competitive design processes for DAs that are to be determined by Council, the Local Planning Panel, or the Central Sydney Planning Committee.
- (p) Clarify that Council would be responsible for granting exemptions for site-specific DCPs where the detailed DA is to be determined by Council, the Local Planning Panel, or the Central Sydney Planning Committee.
- (q) Provide additional justification for the proposed changes to the planning controls for the Powerhouse Museum.
- (r) Provide additional justification for removing the application of clause 5.3 from land zoned SP1 Special Activities.
- (s) Clarify the circumstances where affordable housing contributions would apply to applications to modify development consents.
- (t) Simplify the proposed planning controls for the integration areas and make them more consistent with how principal development standards are expressed elsewhere in the LGA.
- (u) Include the amendments to the Eastern Harbour City SEPP needed to give effect to the transfer of the planning controls for the Redfern-Waterloo Authority Sites into the Sydney LEP 2012.
- (v) Remove the proposed exclusion to clause 4.6 of the Sydney LEP 2012.
- (w) Clarify ownership and any existing agreements for land proposed to be zoned for a public purpose in the Sydney LEP 2012.
- (x) Confirm whether any additional amendments are required to the Land Reservation Acquisition Map and clause 5.1 of the Sydney LEP 2012.

- (y) Consider the potential impacts of the proposed building heights and FSR for 257 Sussex Street, Sydney.
 - (z) Remove any proposed heritage items or additions to heritage conservation areas that are not conserved by an existing or draft LEP or SEPP, or have not been assessed against the Assessing Heritage Significance guidelines (NSW Environment and Heritage, 2023) and found to meet the threshold for local heritage listing.
 - (aa) Remove the proposal to limit development for the purposes of shops and food and drinks premises on land zoned R1 General Residential to buildings that were originally designed and constructed for the purposes of a shop or a pub.
 - (bb) Provide additional supporting analysis for the proposed car parking rates.
 - (cc) Provide further information addressing the planning proposal's consistency with the following section 9.1 Directions: 1.4 Site Specific Provisions; 4.1 Flooding; 5.2 Reserving Land for Public Purposes; 5.3 Development Near Regulated Airports and Defence Airfields; 6.1 Residential Zones; and 7.1 Employment Zones.
2. The planning proposal is to be updated prior to the LEP being made to address consistency with section 9.1 Direction 5.3 Development Near Regulated Airports and Defence Airfields.
 3. Council is to write to the Department prior to the LEP being made to formally approve the listing of land at 9-13 and 22 O'Riordan Street, Alexandria on the Land Reservation Acquisition Map and the identification of Council as the relevant acquisition authority under clause 5.1.
 4. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the EP&A Act as follows:
 - (a) the planning proposal is categorised as principal as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
 5. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the EP&A Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
 - NSW Department of Creative Industries, Tourism, Hospitality and Sport
 - NSW Environment Protection Authority
 - Placemaking NSW
 - Transport for NSW
 - Government Architect NSW.

- NSW Land and Housing Corporation
- Heritage NSW (part of the NSW Department of Climate Change, Energy, the Environment and Water)
- Sydney Airport Corporation
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Civil Aviation Safety Authority.

Each public authority and government agency is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 8 October 2024



Madeleine Thomas
Acting Executive Director
Local Planning & Council Support
Planning, Land Use Strategy, Housing
and Infrastructure
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning
and Public Spaces

Attachment H

Summary of Post Exhibition Amendments

<u>Summary of LEP Amendments</u>	
<u>Name of amendment</u>	<u>Recommended change to the provisions</u>
Amendment 1 – Deep Soil	No post-exhibition LEP changes
Amendment 2 – Structures associated with green roofs	No post-exhibition LEP changes
Amendment 3 – Parking in new developments	<u>Clause 1.8A Savings provisions relating to development applications</u> – Insert a savings provision for land in Waterloo Estate (South) with respect to car parking rates. <u>Clause 7.9 Car Parking ancillary to other development – Other land uses</u> – Serviced apartments deleted from draft provisions.
Amendment 4 – Sun access to Gunyama and Cook and Phillip Parks	No post-exhibition LEP changes
Amendment 5 – Exempt Development – Solar energy systems	No post-exhibition LEP changes
Amendment 6 – Basement plant agriculture	No post-exhibition LEP changes
Amendment 7 – Superseded sustainability targets	No post-exhibition LEP changes
Amendment 8 – Design excellence	Proposal to include of ESD target benchmarks in Design Excellence Strategies has been deleted from Planning Proposal
Amendment 9 – Change to Metropolitan Centre zone	No post-exhibition LEP changes
Amendment 10 – Additional uses for accommodation floor space	No post-exhibition LEP changes
Amendment 11 – Removal of Opportunity floor space	No post-exhibition LEP changes
Amendment 12 – Heritage floor space	<u>Clause 6.10(2)(d) Heritage floor space</u> – Update draft provision from 200m ² to <u>300m²</u> to or 5 per cent, whichever is the lesser.
Amendment 13 – Rezoning of land in Alexandria	Amendment deleted from Planning Proposal
Amendment 14 – Development near zone boundaries	No post-exhibition LEP changes
Amendment 15 – 257 Sussex St, Sydney	No post-exhibition LEP changes
Amendment 16 – Affordable housing contributions	No post-exhibition LEP changes
Amendment 17 – Cross City Tunnel ventilation stack	Amendment deleted from Planning Proposal
Amendment 18 - Integration Areas	No post-exhibition LEP changes

<u>Summary of DCP Amendments</u>	
<u>Name of amendment</u>	<u>Recommended change to the provisions</u>
Amendment 1 – Co-living and boarding houses	<u>Section 4.4.1 Boarding houses and co-living houses</u> – Additional detail clarifying the intent and application of these provisions across the local area – Strengthening the objective and simplifying the provisions for communal facilities.
Amendment 2 – Flexible and adaptable dwellings	<u>Section 4.2.3.12 Dwelling mix and accessibility</u> – Change 3 bedroom dwellings for families with children on ground floor or same level as communal open space to <u>50</u> from all dwellings – Bedroom size description corrected from 12 square metres to 10 square metres excluding wardrobe – Seniors housing included to the types of development exempt from the above provision – Provisions updated to replace LHD Silver reference with <u>Australian Building Construction Board Livable Housing Design Standard Silver</u> – Provisions amended to replace references to ‘Platinum Standard’ with ‘Australian Standard (Adaptable Housing AS4299)’. <u>Section 4.2.3.8 Common open space and communal indoor spaces</u> – Amended to apply to larger developments, with more than 21 dwellings – Types of developments exempt from these provisions – seniors housing, build-to-rent housing, social housing, affordable rental housing, boarding houses or co-living, and Development with 20 or fewer dwellings. <u>Section 5.12 Waterloo Estate (South)</u> – Insert provision advising that when the Design Guide references Sydney DCP 2012, it is the DCP version saved as at a particular date available on our website.
Amendment 3 – Urban ecology	<u>Section 3.5.5 Tree management</u> – Edit provision (9) to clarify the process for removing dead or dying trees without the need for a permit or approval. <u>Biodiversity map</u> – Future Biodiversity Corridor changed not to include Tumbalong Park.
Amendment 4 – Parking	<u>Section 3.11.2 Car share scheme parking spaces</u> – Updated to ensure the pedestrian route to car share spaces is included in development application information – New provision requiring evidence of car share infrastructure is provided to accommodate a car share scheme operator <u>Section 3.11.3 Bike parking</u> – Australian Standard reference updated to AS2890.3:2015 <u>Section 3.11.4 Vehicle parking</u> – Provision updated to include more detail for angle-parking dimensions. <u>Section 3.11.9 Accessible parking</u> – Provision updated to replace adaptable units with <u>Platinum level units</u> for accessible parking. <u>Section 3.11.13 Design and location of loading docks and waste collection points</u> – Amendments removed from draft DCP. <u>Schedule 7.8.1 Service Vehicles</u> – New provision clarifying first service vehicle parking space can be shared with waste collection point. – Insert notes advising no service vehicle parking for land uses with minimal GFA subject to consent authority agreement. – Potential to also add “or site specific constraints”, for more flexibility in providing vehicles smaller than MRV. <u>Schedule 7.8.5 Accessible car parking spaces</u> – Provision changed to reference updated DCP section and change ‘adaptable’ to ‘platinum’ with reference to the unit type.

	<u>Schedule 7.8.3 Passenger pick up and set down areas</u> – Amendments removed from draft DCP. <u>Schedule 7.9 Delivery Service Plan requirements</u> – Incorrect description of the relationship between a Loading Dock Management Plan and a Delivery Service Plan removed.
Amendment 5 – Locality statements	<u>Section 2.2.4 Haymarket/Chinatown Special Character Area</u> – Locality statement updated to include more detail about Haymarket development history and context – Updated heritage context of Christ Church St Laurence and misspelling corrected.
Amendment 6 - Urban design	<u>Section 3.2.4 Floor-to-floor heights</u> – Objective updated to reference achieving ADG-compliant ceiling heights
Amendment 7 – Environmental noise	<u>Sections 3.18.1 Environmental Noise and 3.18.2 Development in noisy environments and streets with active frontages</u> – Updated to include clarification regarding sound criteria. – Clauses reordered and renumbered.
Amendment 8 – Sun protection of public parks and places	No post-exhibition DCP changes
Amendment 8A – Indoor air quality	<u>Section 3.13.4 Indoor air quality</u> – Objective updated to amend objective to state improve indoor air quality by reducing exposure to pollutants. – Provision updated to commence in January 2027 and to include efficient electric systems.
Amendment 9 – Ecologically sustainable development	No post-exhibition DCP changes
Amendment 10 – Water and flood management	<u>Section 3.7 Water and flood management</u> – Update provisions to reference guidelines that were released while the DCP was on exhibition – The amendments introduce references to the new Guidelines and ensure consistency with them.
Amendment 11 – Competitive design processes	No post-exhibition DCP changes
Amendment 12 – Central Sydney Chinatown special character area	<u>Section 5.1.2 Development outlook and demonstrating amenity compliance</u> – Provision (6) will be updated to remove unnecessary references to other parts of the DCP, clarifying drafting of the provision and allowing it to operate as intended. <u>Figure 5.9 - Haymarket / Chinatown Special Character Area</u> – Update figure to indicate variable setbacks may be considered for 90-100 Hay Street, Haymarket – Attribute a 15m street wall height to 806-808 George Street, Haymarket.
Amendment 13 – Late night trading	No post-exhibition DCP changes
Amendment 14 – Signs and advertisements Chinatown signage precinct	<u>Section 3.16.12.9 - Chinatown and Thai Town signage precinct</u> – Updates to the draft controls to address feedback received in submissions.
Amendment 15 – Miscellaneous	<u>Section 3.13.2 Air Quality for development near the Cross City Tunnel</u> – Delete proposed amendment to draft DCP as provisions are being retained. <u>Section 4.2.3.7 Private open space and balconies</u> – New objective inserted clarifying the intent of the provisions

	<u>Section 5.1.6.1 Heritage Floor Space</u> – Updated provision from 200m ² to <u>300m²</u> to ensure consistency with draft LEP amendment.
Amendment 16 – Integration of planning controls	<u>Late Night Trading map</u> – Sheet 9 updated to transfer omitted Redfern Local Centre shown in the 2007 Late Night Trading DCP to Sydney DCP 2012

Amendments to Development guidelines

<u>Name of Guideline</u>	<u>Recommended change</u>
Competitive Design Policy	– Amend references to state City/ <u>consent authority</u> to allow City of Sydney, NSW Government Architect, or Department of Planning, Housing and Industry to administer the Policy in regards State Significant Development where required. – Optional design review process – social housing and affordable housing - Replace qualifier that the relevant development must be in perpetuity', by a requirement that the developer be a not-for-profit Community Housing Provider. – Minor amendments to correct omissions and references.
Waste Guidelines in New Developments	Updates to Guidelines not proceeding at this time, pending a more detailed review.
Landscape Guide	No post-exhibition changes