

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

Summary of the SDCP 2012 key other development controls which apply to the site			
Section/Standard	Summary of Key Applicable Provisions	Compliance (Y/N)	Comment
Section 2 Locality Statement			
2.1.5 Bridge Street/Macquarie Place/Bulletin Place Special Character Area	<p>Bridge Street was the earliest east-west link across the Tank Stream between George and Macquarie Streets. It is significant for its association with a major colonial government building programme in the 1880's, which included the First Government House and Macquarie Place Reserve. Both the Reserve and Bridge Street represent the early planning of the colony with a street pattern that is reflective of the area's early topography.</p> <p>The area retains evidence of its establishment by Governor Macquarie as the geographic and administrative centre of the colony, with the sandstone obelisk placed at the centre of Macquarie Place to mark the point from which all distances in the colony were measured.</p> <p>A cohesive group of landmark sandstone buildings, some occupying whole blocks, define important public spaces and corners. Bridge Street offers an important vista to the Conservatorium of Music to the east and views to the water.</p> <p>Other views are distinguished by significant buildings within the area, especially those with special roof features.</p> <p>The intact system of supporting lanes, some incorporated within building facades, is rare in the City and improves pedestrian permeability.</p>	Yes	<p>The south-western corner of the site is in the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The proposal is generally consistent with the locality statement and relevant principles for this Character Area as:-</p> <ul style="list-style-type: none"> • it will not affect the outcomes expressed in the character statement and supporting principles; • it will have minimal sun access impact to Macquarie Place, Bridge Street and First Government House Place; • it will not affect existing views to the water, or any significant vistas from the public domain; • it will have no significant effect on the cohesive and rare streetscape character of Bridge Street and Macquarie Place.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

<p>2.1.6 Macquarie Street Special Character Area</p>	<p>Macquarie Street contains a collection of highly significant buildings dating from the early 19th century to the late 20th century. Originally a government precinct, it has expanded to embrace first residential, professional, then commercial and tourism uses.</p> <p>Macquarie Street forms the eastern built edge of the City Centre. It is characterised by two distinct sides: its western built edge consists of medium scale buildings, stepping up to the city high rise beyond, creating a prominent city skyline when viewed from the Botanic Gardens; while the eastern edge includes the Botanic Gardens and to the south a cohesive rare group of public buildings of national significance, that terminate east-west streets and create significant vistas, particularly from Martin Place.</p> <p>Macquarie Street is an important civic street providing a vista terminated to the south by Hyde Park, with views north to the Opera House.</p>	<p>Yes</p>	<p>The eastern side of the site is located within the Macquarie Street Special Character Area. The proposal is consistent with the locality statement and relevant principles for this Character Area as:-</p> <ul style="list-style-type: none"> • it will not affect the outcomes expressed in the character statement and supporting principles; • it will not affect mid-winter lunchtime sun access to Hyde Park, the Royal Botanic Gardens and the Domain; • it will not affect the urban character and scale of Macquarie Street or the sense of built edge definition to the western side of the Royal Botanic Gardens; and • the alterations/additions have been designed and sited to protect the heritage significance of the heritage items and the work is to be carried out in accordance with the two relevant Conservation Management Plans.
<p>Section 3 General Provisions</p>			
<p>3.1.5 Public Art</p>	<p><i>“Integrate public art in essential ecological sustainable infrastructure.</i></p>	<p>N/A</p>	<p>Not relevant at Stage 1.</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>A detailed Public Art Strategy is to be submitted with a site specific DCP or a Stage 1 DA (refer to clause 7.22 of the Sydney LEP 2012),</i></p> <p><i>Public Art is to be provided in accordance with the City of Sydney Guidelines for Public Art in Private Development and the Public Art Policy (available at www.cityofsydney.nsw.gov.au).</i></p>		
3.2.1.1 Sunlight to publicly accessible spaces	<p><i>“(1) Overshadowing effects of new buildings on publicly accessible open space are to be minimised between the hours of 9am to 3pm on 21 June.</i></p> <p><i>(2) Shadow diagrams are to be submitted with the development application and indicate the existing condition and proposed shadows at 9am, 12 noon and 2pm on 14 April and 21 June. If required, the consent authority may request additional detail to assess the overshadowing impacts.’</i></p>	<p>Yes.</p> <p>Yes.</p>	Refer to Section 6.4.7 of the EIS.
3.2.1.2 Public Views	<p><i>(1) Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art.</i></p> <p><i>(2) Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained.</i></p>	Yes.	The proposal will have no effect on public views.
3.2.2 Addressing the street and the public domain	<p>Buildings are to be designed to positively address the street.</p> <p>Buildings are to be designed to maximise the number of entries, visible internal uses at ground level, and include</p>	Yes (to the extent relevant).	

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	high quality finishes and public art to enhance the public domain.		
3.2.3 Active Frontages	Active frontages are to be provided in the locations nominated on the Active frontages map.	Yes	Although not identified on the active frontages map in the DCP, the proposal seeks to better activate the Bridge Street and Macquarie Street frontages.
3.2.4 Footpath Awnings	<i>“Awnings are important for the amenity and attractiveness of streets. They provide protection from the weather and if designed well create visual interest.”</i>	Yes	Improved weather protection is proposed around the hotel.
3.2.6 Wind Effects	<p><i>“These provisions apply to all buildings over 45m high and other development where Council requires wind effects to be considered.</i></p> <p>...</p> <p><i>(1) A wind effects report is to be submitted with a development application for buildings higher than 45m and for other buildings at the discretion of the consent authority. The report is to be prepared by a suitably qualified engineer and is to:</i></p> <p><i>(a) be based on wind tunnel testing, which compares and analyses the current wind conditions and the wind conditions created by the proposed building;</i></p> <p><i>(b) report the impacts of wind on the pedestrian environment at the footpath level within the site and the public domain;</i></p> <p><i>(c) provide design solutions to minimise the impact of wind on the public and private domain; and</i></p> <p><i>(d) demonstrate that the proposed building and solutions are consistent with the provisions of this DCP.</i></p>	<p>Yes.</p> <p>Yes.</p>	See wind report in Appendix 14.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p>(2) Development must not create a ground level environment where additional generated wind speeds exceed:</p> <p>(a) 10 metres per second for active frontages as shown on the Active frontages map; and</p> <p>(b) 16 metres per second for all other streets.</p> <p>(3) New developments are to incorporate design features that will ameliorate existing adverse wind conditions so that the criteria above are achieved.</p> <p>(4) Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments.</p> <p>(5) Balconies are to be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens, pergolas and shutters.</p> <p>(6) Balconies must be recessed on building over 45m where possible.”</p>		
3.2.7 Reflectivity	Generally, light reflectivity from building materials used on facades must not exceed 20%.	Yes.	See reflectivity report in Appendix 15 .
3.2.8 External Lighting	“The external lighting of buildings can enhance the character of buildings at night and enliven an area. However, external lighting can create light pollution, increase energy use and greenhouse gas emissions and affect residential amenity. Often, it is more appropriate to highlight certain architectural features of a building rather than floodlighting entire facades.”	Yes	Not proposed as part of the Stage 1 DA.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

<p>3.3.8 Site specific development control plans and stage 1 development applications</p>	<p><i>A site specific development control plan or a stage 1 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 6.21 Design Excellence of Sydney LEP 2012.</i></p> <p><i>(1) The following documentation is to be provided as part of a site specific development control plan application:</i></p> <ul style="list-style-type: none"> <i>(a) Site, context and development options analysis;</i> <i>(b) Public domain layout including levels, uses, access and circulation and dedications;</i> <i>(c) Built form massing and dimensioned envelopes;</i> <i>(d) Distribution of uses and floor space areas;</i> <i>(e) Overshadowing analysis;</i> <i>(f) Stormwater management strategy;</i> <i>(g) Traffic management and servicing strategy and parking numbers and location;</i> <i>(h) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure);</i> <i>(i) Heritage impact statement;</i> <i>(j) Design excellence strategy;</i> <i>(k) Landscape concept plan;</i> <i>(l) Public art strategy; and a</i> <i>(m) Staging plan</i> <p><i>(2) The site, context and development options analysis is to document at least three different and realistic site</i></p>	<p>Yes.</p>	<p>The proposal complies because it is a Stage 1 DA.</p>
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ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>development options and is to provide an analysis of each option.</i></p> <p><i>(3) A design excellence strategy is to be provided that defines:</i></p> <p><i>(a) the location and extent of each competitive design process, where each competitive design process limited to a single development site or street block.</i></p> <p><i>(b) the type of competitive design processes to be undertaken: an architectural design competition, open or invited; or competitive design alternatives;</i></p> <p><i>(c) the number of designers involved in the processes;</i></p> <p><i>(d) how fine grain and contextually varied architectural design is to be achieved across large sites; and</i></p> <p><i>(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.</i></p> <p><i>(4) 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 Stage 1 DA or Site Specific DCP</i></p>		
<p>3.6.1 Energy efficiency in non residential developments</p>	<p><i>“(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.</i></p>	<p>Yes.</p>	<p>See ESD report in Appendix 11.</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>(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.</i></p> <p><i>(3) 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.</i></p> <p><i>(4) Electricity sub-metering is to be provided for significant end uses that will consume more than 10,000 kWh/a.</i></p> <p><i>(5) Car parking areas are to be designed and constructed so that electric vehicle charging points can be installed at a later time.</i></p> <p><i>(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.”</i></p>		
<p>3.6.2 Water efficiency in non-residential development</p>	<p><i>“(1) All new water fittings and fixtures such as showerheads, water tap outlets, urinals and toilet cisterns, in all non-residential development, the public domain, and public and private parks are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.</i></p> <p><i>(2) Generally, rainwater tanks are to be installed for all non-residential developments, including major alterations and additions that have access to a roof form from which rainwater can be feasibly collected and plumbed to appropriate end uses.</i></p>	<p>Yes.</p>	<p>See ESD report in Appendix 11.</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>(3) Where a non-residential building, the public domain, a public or private open space or a community facility is serviced by a dual reticulation system for permitted non-potable uses such as toilet flushing, irrigation, car washing, fire fighting and certain industrial purposes, the development is to be connected to the system.</i></p> <p><i>(4) Generally, water used for irrigation of public and private open space is to be drawn from reclaimed water or harvested rainwater sources. Possible sources include harvested stormwater, treated greywater and wastewater and water from a decentralised local network.</i></p> <p><i>(5) Separate meters are to be installed for each individual tenancy in commercial or retail buildings over 5,000sqm, such as separate tenant areas within a shopping centre.</i></p> <p><i>(6) Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other major uses.</i></p> <p><i>(7) Where cooling towers are used they are to be connected to a:</i></p> <p><i>(a) recirculating cooling water loop; and</i></p> <p><i>(b) conductivity meter so that the blow down or bleed off system in a cooling tower can be automated based on conductivity. This ensures that the water is being re-circulated an optimum number of times before being discharged to the sewer.</i></p> <p><i>(8) Cooling towers are discouraged where they are a single pass cooling system.”</i></p>		
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ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

3.6.3 Photovoltaic solar panels	<i>“(2) Where possible proposals for new buildings, alterations and additions and major tree plantings are to maintain solar access to existing photovoltaic solar panels having regard to the performance, efficiency, economic viability and reasonableness of their location.</i>	Yes	The proposal will not affect any existing photovoltaic solar panels.
3.9.1 Heritage Impact Statements	<i>“(1) A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting: (a) heritage items identified in the Sydney LEP 2012; or (b) properties within a Heritage Conservation Area identified in Sydney LEP 2012.”</i>	Yes	<p>The site comprises and is located adjacent and/or is in close proximity to items, groups of items, and streetscapes of local and/or state heritage significance. Ensuring that the proposal, and in particular the ballroom addition, can be delivered without unreasonably impacting on all of this heritage fabric is a key objective of the project.</p> <p>The design intent is to minimise the impacts of the project on Transport House and the former NSW Treasury Building on the site, and to ensure a successful and acceptable relationship between the new building volume on the site and adjoining/nearby heritage items, particularly the Justice and Police Museum, and Macquarie Street.</p> <p>The HIS in Appendix 9A addresses the relevant requirements of Section 3.9 of SDCP 2012.</p>
3.9.2 Conservation Management Plans	<i>“(2) The conservation management plan is to include: (a) the investigation of the physical and documentary evidence of the heritage item;</i>	Yes	The draft CMPs in Appendices 9B and 9C address these requirements.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>(b) a comparative analysis and curtilage assessment;</i></p> <p><i>(c) assessment of the significance of the heritage item;</i></p> <p><i>(d) the investigation of the constraints and opportunities for the item</i></p> <p><i>including the owner’s needs and resources, and external constraints;</i></p> <p><i>(e) conservation policies which address the following:</i></p> <p><i>(i) conservation of the fabric and setting of the heritage item;</i></p> <p><i>(ii) appropriate uses of the heritage item;</i></p> <p><i>(iii) appropriate ways to interpret the significance of the heritage item;</i></p> <p><i>(iv) management of the heritage item;</i></p> <p><i>(v) guidelines for future development; and</i></p> <p><i>(f) priorities for instigation of conservation policies.</i></p>		
<p>3.9.4 Development of sites of State heritage significance or containing more than one heritage item</p>	<p><i>(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:</i></p> <p><i>(a) demolition that will result in a reduction of the building envelope of the heritage item by more than 35%;</i></p> <p><i>(b) an increase in the size of the building envelope of the heritage item by more than 20%; or</i></p> <p><i>(c) building over more than 20% of a heritage item’s building footprint within the airspace above the item, but not within the airspace next to the item.</i></p>	<p>See comment.</p>	<p>The proposal involves building over more than 20% of the building within the airspace above the item. The DCP requirement for such a proposal triggers the processes in Clause 3.9.4 (2). SSD is not caught by these requirements. The draft CMPs are the measure against which the proposal should be assessed.</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p>(2) When considering an application for development to which this provision applies, the consent authority is to:</p> <p>(a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;</p> <p>(b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and</p> <p>(c) consider the advice of the committee, but is not bound by the advice of the committee.</p>		
3.11 Transport and Parking	<p><i>“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.”</i></p>	Yes.	No changes are proposed to car parking, loading/unloading facilities or waste management practices.
3.12 Accessible Design	<p><i>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.</i></p>	Yes.	The hotel is and will continue to be highly accessible.
3.14 Waste Management	<p><i>The City of Sydney’s Policy for Waste Minimisation in New Developments 2005 provides indicative waste and recycling generation rates for various uses. The Policy also establishes the design and construction specifications for waste storage areas, and the typical dimensions of collection vehicles. A location for waste collection and storage should be investigated at an early stage in the design process, including the need to accommodate collection vehicles on-site.</i></p>	Yes.	See waste management plan in Appendix 16.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

3.16 Signage and Advertising	<i>This section aims to protect the significant characteristics of buildings, streetscapes, vistas and the city skyline. These provisions are also intended to encourage well-designed and well-positioned signs which contribute to the vitality and legibility of the City of Sydney and respect the amenity of residents and pedestrians and the safety of motorists.</i>	Yes.	No signage is proposed as part of this DA.
Section 4 Development Types			
4.4.8 Visitor accommodation <i>“The following objectives and provisions apply to visitor accommodation including the conversion, alterations or additions to existing visitor accommodation. Visitor accommodation includes hotels, motels, guesthouses, backpacker accommodation, bed and breakfast accommodation and serviced apartments</i>	<i>“(1) New development must be self contained with no common access ways with adjoining properties. (2) A site manager must be on site when guests have access to the premises. For premises with less than 20 residents, a resident caretaker may be acceptable. (3) For safety reasons, sleeping rooms are not to include triple-tier bunks and cooking facilities in sleeping rooms. (4) Internal partitions must be considered within sleeping rooms to provide privacy between beds. (5) All toilet and shower facilities, including communal facilities, are to be screened for privacy. (6) A Plan of Management and a Noise Management Plan must be submitted with the development application.”</i>	N/A	The site accommodates a 5 star international hotel. The standard exceeds these minimum requirements.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

<p><i>for the temporary accommodation of travellers, visitors and tourists.”</i></p>			
<p>4.4.8.3 Additional provisions for hotels, private hotels and motels</p>	<p><i>“(1) The maximum number of persons accommodated in a bedroom or dormitory is to be determined on the basis of a minimum of:</i></p> <p style="padding-left: 40px;"><i>(a) 3.25sqm per person per sleeping room; and</i></p> <p style="padding-left: 40px;"><i>(b) 5.5sqm per person for rooms occupied by guests staying longer than 28 days.</i></p> <p><i>(2) The maximum permitted length of stay is 3 months.</i></p> <p><i>(3) Where accommodation is provided for more than 28 consecutive days, no more than two adults and one child are permitted per room.</i></p> <p><i>(4) Individual, secure, lockable storage facilities of a minimum capacity of 0.6 cubic metres per person is to be provided to allow guests to individually store baggage and travel items within the sleeping room.</i></p> <p><i>(5) Where rooms include a small kitchenette, provide adequate cupboards and shelves.”</i></p>	<p>N/A</p>	<p>See above comment.</p>
<p>Section 5 Specific Areas (Central Sydney)</p>			
<p>5.1.1 Street Frontage Heights</p>	<p>Control relates to new buildings</p>	<p>Yes.</p>	<p>N/A</p>
<p>5.1.2 Building Setbacks</p>	<p><i>“Front setbacks</i></p>	<p>N/A</p>	<p>See (3) below.</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

<p>“For the purpose of this Section, commercial buildings means all non-residential buildings, including hotels and principal window or balcony means the main window or balcony of a living room and main bedroom of a dwelling unit.”</p>	<p><i>(1) Buildings must be set back a minimum weighted average of 8m above the required street frontage height. This setback may be reduced in part by up to 2m provided that the weighted average setback from the street frontage alignment is 8m as shown in Figures 5.4 to 5.6. No part of the building is to be setback less than 6m.</i></p> <p><i>(2) The weighted average setback may be reduced on secondary or minor pedestrian streets, provided that an average weighted setback of at least 8m is maintained on north-south streets and major pedestrian streets.</i></p> <p><i>(3) New buildings or additions above a heritage item must have a setback of at least 10m from the street frontage as shown in Figure 5.7 Minimum setback above a heritage item. However, a conservation management plan required as part of the development application may require a greater setback.</i></p> <p><i>Note: The weighted average setback may be reduced on corner sites and where the secondary or minor street has a minimum width of 6m and the street block has a depth of less than 30m.”</i></p>	<p>N/A</p> <p>No.</p>	<p>The proposed building envelope for the ballroom addition extends to the Phillip Street frontage. This is supported by the HIS in Appendix 9A.</p>
	<p><i>“Side and rear setbacks</i></p> <p><i>(1) Above a height of 45m, windows or balconies of commercial buildings are to be set back at least 3m from side and rear property boundary.</i></p> <p><i>(2) Separate principal windows and balconies of residential buildings and serviced apartments from windows or balconies of commercial buildings by at least 9m. This separation is to be achieved by a setback from the side property boundary of at least:</i></p>	<p>N/A</p>	<p>N/A</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>(a) 6m for residential buildings, serviced apartments or hotels; and</i></p> <p><i>(b) 3m for a commercial building.</i></p> <p><i>(3) In new commercial buildings, windows at the same level as the principal living room windows or balconies of adjacent residential buildings, or above a height of 45m are to be set back from side and rear boundaries by at least 3m. Walls without windows do not need to be set back.</i></p> <p><i>(4) Up to a height of 45m, a minimum setback of 6m is required from the side or rear property boundary for principal windows or balconies for residential buildings, serviced apartments or hotels.</i></p> <p><i>(5) Above a height of 45m, a setback of 12m is required from the side or rear boundary for residential buildings, serviced apartments or hotels to ensure visual privacy is achieved between dwellings.</i></p> <p><i>(6) Setbacks of principal windows or balconies of mixed use buildings are to be the distances specified for particular uses in provisions (1) through to (5) above.</i></p> <p><i>(7) If the specified setback distances cannot be achieved when an existing building is being refurbished or converted to another use, appropriate visual privacy levels are to be achieved in other ways, for example, the inclusion of screens or offsetting windows.</i></p> <p><i>(8) Side and rear setback distances to the property boundary can be reduced with architectural features such as bay windows, or splayed windows with oblique outlooks provided that:</i></p>		
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ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>(a) a minimum separation of 6m between the main walls of each building is maintained;</i></p> <p><i>(b) separation is between sections of building walls that include service room windows; and</i></p> <p><i>(c) oblique views are available to site boundaries.”</i></p>		
5.1.2.3 Setbacks for buildings adjoining or fronting lanes	<p><i>“(1) Where new development fronts a lane or right of way, it is to be built to the street alignment up to the required street frontage height, refer to Figure 5.10.</i></p> <p><i>(2) Residential buildings, serviced apartments or hotels above the street frontage height are to have a minimum setback of 6m from the centre line of the lane or more if required, refer to Figure 5.10.”</i></p>	N/A	N/A
5.1.2.4 Separation of buildings on the same site	<p><i>“(1) Minimum separation distances for buildings on the same site are:</i></p> <p><i>(a) 6m for commercial to commercial;</i></p> <p><i>(b) 9m up to a height of 45m for commercial to residential;</i></p> <p><i>(c) 15m for commercial to residential above 45m;</i></p> <p><i>(d) 12m up to a height of 45m for residential to residential; and</i></p> <p><i>(e) 24m preferred for residential to residential above 45m.”</i></p>	N/A	N/A
5.1.3 Street frontage heights and setbacks for Special Character Areas	<p><i>“(1) Minimum and maximum street frontage heights and front setbacks for buildings in or adjacent to a Special Character Area must be provided in accordance with Table 5.1 and as shown in Figures 5.12 to 5.19. Where</i></p>	No, but considered satisfactory.	The DCP setback requirements which apply in the Macquarie Street Special Character Area in which the site is located are provided in Figure 5 of the EIS.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>the figure shows the entire site as shaded, additional storeys above the street frontage height is not permitted.</i></p> <p><i>(2) For development within a Special Character Area where the setback is not illustrated in Figures 5.12 to 5.19, setbacks above the street frontage height are to be a minimum of 8m. Smaller or weighted average setbacks are not acceptable.</i></p> <p><i>(3) For sites adjacent to a Special Character Area with a maximum building height of 55m, the street frontage height is to be 45m with a setback to the maximum building height as shown in Figure 5.12.</i></p> <p><i>Note: For the street frontage height setback for special character areas refer to Figures 5.12 to 5.19.</i></p> <p><i>(4) The street frontage height of any new development within a Special Character Area, or part thereof, not specified in Table 5.1 must comply with Section 5.1.1 Street frontage heights.”</i></p>		<p>In this section of Macquarie Street, the DCP provides that the top of Transport House is the maximum street frontage height (i.e. around 22.0m above ground level). Tower forms are to be setback 30m from Macquarie Street.</p> <p>The new ballroom addition will be setback around 20m from Macquarie Street and will have a maximum height of only 34m above ground level in Macquarie Street.</p> <p>Although less than 30m, this 20m setback is sufficient to ensure that no significant or unreasonable streetscape or heritage impacts will arise. The proposed 20m setback still maintains and reinforces the urban character and scale of this section of Macquarie Street, which is part of the Macquarie Street Special Character Area. (The proposed ballroom addition is also not a tower form).</p>
<p>5.1.4 Conservation of public domain features in Special Character Areas</p>	<p><i>(1) The following elements of streets, lanes, parks and other areas of the public domain are to be retained if they contribute to the significance of the Special Character Area:</i></p> <p><i>(a) evidence of early road surfaces and associated features;</i></p> <p><i>(b) stone kerbing, guttering and paving;</i></p> <p><i>(c) sandstone steps and retaining walls;</i></p>	<p>Yes.</p>	<p>No changes are proposed to the public domain other than for outdoor seating adjacent to the public domain.</p>

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p>(d) street furniture; (e) cast iron letterboxes; (f) signposts; (g) lightposts; (h) original pavement lights; (i) fences; (j) railings; (k) trachyte or sandstone; and (l) milestones and ward markers.</p> <p>Note: Special Character Areas are defined on The Special Character Area Map Retail Premises Map in Sydney Local Environmental Plan 2012.</p>		
5.1.6 Building exteriors	<p>“(1) Adjoining buildings, particularly heritage buildings must be considered in the design of new buildings in terms of:</p> <p>(a) street alignment; (b) street frontage heights; (c) setbacks above street frontage heights; and (d) facade proportions including horizontal or vertical emphasis and enclosed corners at street intersections.</p> <p>(2) Building exteriors are to be designed so that:</p> <p>(a) the predominant masonry character and articulation of Central Sydney is reinforced, particularly at the lower levels of buildings; and (b) the materials used, including glass, are predominantly light in colour to reflect better quality light into the streets</p>	Yes, but see comment.	The proposal is for Stage 1 approval of a building envelope with design detail to be provided as part of subsequent DA stages.

ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

	<p><i>and respond to characteristic light colours of Central Sydney.</i></p> <p><i>(3) Extensive expanses of blank glass or solid wall on the building facade are to be avoided.</i></p> <p><i>(4) Where development exposes the blank wall of an adjoining building, a visually interesting treatment is required for that wall.</i></p> <p><i>(5) Minor projections from building walls up to a maximum of 450mm that extend into the public space are permitted, provided that there is a public benefit and the projections do not detract from significant views and vistas.</i></p> <p><i>Examples of such projections are expressed cornice lines that can assist in enhancing the streetscape and entry canopies and bay windows that provide distinctive visual articulation.</i></p> <p><i>(6) Provide balconies and terraces on the low rise parts of a building, particularly where the building overlook parks.</i></p> <p><i>(7) The siting and configuration of buildings must consider the impact on surrounding development and public spaces in terms of amenity, shadowing, visual privacy and view sharing for residential buildings.</i></p> <p><i>(8) The top levels of a building are to be designed to integrate with the design of the building and conceal plant and equipment and promote a visually distinctive and interesting Central Sydney skyline.</i></p> <p><i>(9) The top levels of a building, where stepped, must have a minimum height of 2 storeys.”</i></p>		
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ENVIRONMENTAL IMPACT STATEMENT – STAGE 1 DEVELOPMENT APPLICATION

SYDNEY DEVELOPMENT CONTROL PLAN 2012 (SDCP 2012) KEY DEVELOPMENT CONTROLS REVIEW

<p>5.1.10 Sun access planes</p>	<p><i>“(1) Sydney LEP 2012 requires buildings to maximise sunlight access to public places by establishing sun access planes for 8 major public areas including Belmore Park, Hyde Park, Macquarie Place, Martin Place, Pitt Street Mall, the Domain, Royal Botanic Gardens and Wynyard Park. A building must not project above any part of a sun access plane.</i></p> <p><i>(2) Sydney LEP 2012 describes each sun access plane using two points, identified by mapping grid co-ordinates and reduced Levels, and a specified horizontal bearing and vertical angle.</i></p> <p><i>(3) The following diagrams provide an indication of 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 the Sydney LEP 2012 is to be used.”</i></p>	<p>No, but only because alterations are proposed above the sun access plane (even though they are <u>below</u> the existing maximum height of the tower).</p>	<p>Figure 6 in the EIS details the sun access plane, as it relates to the site.</p> <p>The effect of the sun access plane height control is generally as shown on the diagram in Appendix 4E to the EIS.</p> <p>In relation to the height controls which apply to the site:-</p> <ul style="list-style-type: none"> the proposed new ballroom addition has a maximum height above ground of around 40.0m on the Phillip Street side and 34.0m on the Macquarie Street side and, insofar that the new ballroom extends into the 55.0m height zone, is therefore readily compliant with the 55.0m height limit; and the changes to the roof club lounge on the rooftop does not result in increased overshadowing of the Royal Botanic Gardens.
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