SYDNEY DEVELOPMENT CONTROL PLAN 2012 – CENTRAL SYDNEY PLANNING REVIEW AMENDMENT

1. The purpose of the Development Control Plan

The purpose of this Development Control Plan (DCP) is to amend the Sydney Development Control Plan 2012 (SDCP2012), adopted by Council on 14 May 2012 and which came into effect on 14 December 2012.

The draft provisions progress key planning controls proposed in the City of Sydney’s Central Sydney Planning Strategy (the Strategy). The provisions relate only to those matters to be contained in the SDCP2012, with supporting planning controls contained in the Central Sydney Planning Proposal which has been prepared concurrently with this DCP.

For a more complete understanding of the land use and planning controls being proposed for Central Sydney, this draft DCP should be read in conjunction with the Planning Proposal, the Strategy, its technical appendices and other supporting documentation.

The proposed provisions in this DCP constitute the initial phase of amendments to SDCP2012 and reflect the priority actions identified in the Strategy.

2. Citation

This amendment may be referred to as the Sydney Development Control Plan 2012 – Central Sydney Planning Review Amendment.

3. Land Covered by this Plan

This plan applies to land identified as ‘Central Sydney’ on the SLEP2012 Locality and Site Identification Map. This land is shown in pink in Figure I below.
Figure I – Central Sydney Area

4. Relationship of this plan to Sydney Development Control Plan 2012

This plan amends the *Sydney Development Control Plan 2012* in the manner set out in *Schedule 1* below.
Schedule 1 – Amendment to Sydney Development Control Plan 2012

[1] Glossary of Terms

Replace and include the following glossary of terms:

**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.

**Public Place** has the same meaning as in the Local Government Act and includes streets, lanes (i.e. narrow streets) and public open space.

**Street Frontage Height** means the vertical height above ground level of that part of the building closest to a Public Place and any other part of the building built to the site boundaries. Where multiple street frontage heights apply each height extends to the centre of the site. Street Frontage Height is the development control that sets the desired street wall or podium height.

**Street Setback** 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).

**Wind Safety Standard** is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

**Wind Comfort Standard for Walking** is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

**Wind Comfort Standard for Sitting in Parks** is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

**Wind Comfort Standards for Sitting and Standing** is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.
[2] Figure 2.1

Amend existing Figure 2.1: City locality areas map, inserting the following amended Special Character Area and locality boundaries:

Figure 2.1: City locality areas map
[3] Section 2 – Locality Statements

Introduction

Amend Central Sydney introduction to Special Area Locality Statements as follows:

Special Character Areas nominated within Central Sydney are considered to be of significance and important to the identity and quality of Central Sydney and include 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; and
- A widely acknowledged public identify.

Development within a Special Character Area must achieve and satisfy the outcomes expressed in the Special Character Area Locality Statements and be consistent with supporting Principles as well as the following objectives:

(a) retain and enhance the unique character of each Special Character Area;
(b) ensure development has regard to the fabric and character of each area in scale, proportion, street alignment, materials and finishes and reinforce distinctive attributes and qualities of built form;
(c) conserve and protect heritage items and their settings;
(d) maintain a high level of daylight access to streets, lanes, parks and other public domain spaces;
(e) encourage active street frontages to the public domain;
(f) conserve, maintain and enhance existing views and vistas to buildings and places of historic and aesthetic significance.

The City maintains a database containing a Heritage Inventory Assessment Report for each Special Character Area which includes a description of the item or area, a Statement of Heritage Significance and Recommended Management provisions.

Heritage Inventory Assessment Reports are available by contacting the City or online through the NSW Heritage Office at: www.heritage.nsw.gov.au.

The Heritage Inventory Assessment Report will be considered by the consent authority as part of its assessment of development applications. The recommendations in the Report should form the basis of all applications for development.
Special Area Locality Statements

Replace Central Sydney Locality Statements, Principles and Maps from 2.1.1 to 2.1.13, and Maps for 2.3.1 and 2.11.1 as follows:

2.1.1 York Street Special Character Area including Clarence Street and Kent Street

Locality Statement

York Street and the streets and lanes surrounding it contain evidence of one of the early warehousing areas in Sydney that developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by nineteenth and early twentieth century warehouse development interspersed with hotels that flourished in association with the wharves as well as a number of banks. The warehouse stock generally comprises masonry buildings, 3-8 stories in height, and robustly articulated. 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 west-east transport links represent the progressive development of the area, 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, whilst the land value and the need for commercial office space increased. As a result, 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
freeway and motorway construction at its western edge, severing pedestrian and visual links with Darling Harbour.

The Queen Victoria Building is evidence of early markets in the area, the first on the site established by Governor Macquarie. Its conversion to retail arcade in the early 1980s was amongst 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 provide an expansion of vistas to these key buildings.

There are also important key east west views through the area between the City and 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 is terminated by the former General Post Office.

**Principles**

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) 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.

   (iii) Ensure new development is designed and sited to enhance the views and settings of heritage items within the area.

   (iv) Maintain and enhance the historic fine grain subdivision pattern.

   (v) In Barrack Street, ensure new development is limited in height to the prevailing height of buildings, and enhances solar access to the public domain.

(c) Conserve and enhance the heritage significance of warehouses and associated cartways and courtyards and ensure solar access to courtyards is maintained and enhanced in the design of new development.

(d) 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 is known to survive within the area beneath later pavements.

(e) 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.

(f) 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.

(g) Maintain and enhance the visual relationship between Darling Harbour and heritage items historically associated with the maritime and trading functions.
2.1.2 College Street/Hyde Park Special Character Area

Locality Statement

College Street and Hyde Park form a precinct, which clearly separates the City from the residential areas to the east, 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 Queens 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 represent the work of Australia’s first government ‘Civil Architect’, Francis Greenway, with additions to the Court by subsequent Colonial Architects. To these 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 ongoing
public recreation and major events, parades and celebrations that have continue to be held there since the park’s 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**

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(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 which house activities of state and national significance.

(c) Reinforce the urban character and scale of College Street by requiring new development to be integrated with the form of existing buildings and limiting the height of new buildings to the established prevailing height, and to maintain the sense of openness east of Hyde Park.

(d) 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.

(e) 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 street alignment, to have street frontage heights consistent with the existing development and to have adequate setbacks above those street frontage heights.

(f) Ensure the visual relationship between Hyde Park Barracks and St James Church through Queen’s Square remains unimpeded.

(g) Maintain and enhance views to and through the Park and along College Street to landmark buildings such as St Mary’s Cathedral.

(h) Maintain and enhance the role of the precinct as a major recreational open space for Sydney’s workers and residents.

(i) 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 in this Special Character Area.

(j) Ensure the visual relationship between Hyde Park Barracks and St James Church remains unimpeded.

(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 historical and symbolic value of the area through interpretation.
2.1.3 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 as markets and its proximity to the port of Darling Harbour. The area offers evidence of its development following the establishment of Central Station in 1906 and the subsequent decline and resurgence of the area since the markets moved from the City Centre. Despite these changes, the area retains a “market” atmosphere, characterised by street level shops, a diversity of commercial, hotel and specialised service uses and a vibrant street life with a diverse social and ethnic mix.

As an area somewhat removed from 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.

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, reflecting the period’s growth and prosperity in relation to the markets, the railway terminus and nearby large scale retail centres such as Anthony Hordern and Company. Modest in scale, homogenous in alignment and lovely in detailing, these buildings make a precinct of considerable township quality.

The surviving former market buildings or building facades at the southern part 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 Council. They were part of the city’s economy. They help define the market character of the local area.
Sustainable Sydney 2030 identifies Haymarket as one of 10 Village Centres which have been identified as a focus for the City’s village communities with services and retail to generate activity into each area.

**Principles**

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Retain and enhance the urban character and scale of the Haymarket locality 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) have street frontage heights consistent with the prevailing form of heritage items in this Special Character Area; and
   (iv) have building setbacks above those street frontage heights.

(c) Maintain a high level of daylight access to the street by restricting building height and bulk.

(d) Maintain and reinforce permeability within the 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.

(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) New development is to maintain and enhance vistas within the area to Darling Harbour and former market buildings.

(h) New development is to maintain and enhance vistas along Valentine Street and George Street to Christ Church Saint Lawrence at 814A George Street and maintain vistas towards the clock tower of Central Station.

(i) Conserve and enhance the character of the area by encouraging the retention and reuse of existing nineteenth and early twentieth century commercial and warehouse buildings;

(j) Facilitate the activation of Douglass Street & Douglass Lane and Eagar Street & Eagar Lane for increased public use.

(k) Conserve and improve existing significant public domain features, including sculptures. Encourage to provide public artworks in open spaces. Adopt distinctive signage control policies for Haymarket area.
2.1.4 Circular Quay Special Character Area

Locality Statement

Circular Quay’s significance lies in its position at the head of Sydney Cove, its historic associations with the British First Fleet landing in 1788 and ensuing first contact between colonists and Aboriginal nations, and the evolution of its function and character.

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 nineteenth 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 nineteenth 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**

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) 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.

(c) Enhance views to the harbour and of the sky from all north-south streets terminating at the Quay.

(d) 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.

(e) Reinforce the area as a major focal point for public celebrations, and enhance public accessibility to the foreshore.

(f) Reinforce the urban character and scale of Circular Quay by requiring new buildings to the south to be built to the street alignment.

(g) Ensure new development is designed and sited to protect the heritage significance of heritage items within the area, with special consideration given to the heritage curtilage of heritage items, conserving their settings and views.

(h) Maintain and enhance the visual relationship between the harbour foreshore and heritage items historically associated with the maritime functions of the Quay.

(i) Ensure that development associated with the important transport interchange enhances the public domain of the area.

(j) 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.

(k) Conserve nineteenth century sandstone retaining walls, stairs and rock faces.

(l) Promote an understanding of the value of the area of the historical and symbolic value of the Quay through interpretation.
2.1.5 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 Bridge 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 nineteenth century road network from which all distances in the colony were measured. The Place retains a significant collection of significant historic structures, objects, memorials, monuments, remnant fencing and a small collection of significant 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**

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) 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.

(c) Conserve and enhance the heritage significance of the area including the nineteenth and twentieth century buildings and landscapes, and their settings.

(d) Protect and enhance solar access to Macquarie Place, Bridge Street and First Government House Place.

(e) Conserve the significant lane network, and protect and enhance solar access and encourage active uses, where compatible with their significance.

(f) 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.

(g) 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.

(h) Conserve significant tree plantings and archaeological resources.

(i) Promote an understanding of the historical and symbolic value of the area through interpretation.

(j) 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.
2.1.6  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 nineteenth 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 twentieth 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

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise Macquarie Street as one of Sydney’s pre-eminent public spaces flanked by heritage items of local, state, national and world significance.

(c) 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, materiality and character of heritage items in the area.
   (ii) Ensure new development is 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.
   (iii) Maintain and enhance the historic fine grain subdivision pattern.
   (iv) North of Phillip Lane, conserve the cohesive townscape setting of heritage items in this precinct by ensuring new development maintains the established low scale, and by reinforcing the predominant sandstone character of this precinct.
   (v) On the eastern side of Macquarie Street, conserve the significance of heritage items in this precinct by ensuring new development is of a minor nature, is subservient in scale and conserves the landscape settings of these heritage items.

(d) 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.

(e) Maintain and enhance visual connectivity and pedestrian permeability through to the Domain and Royal Botanical Gardens from Macquarie Street.

(f) 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.

(g) 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.

(h) Conserve significant tree plantings, gardens and grounds, walls, fences and significant archaeological resources.

(i) Promote an understanding of the historical and symbolic value of the area through interpretation.
2.1.7 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

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) 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.
(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; and
   (iii) to have building setbacks above those street frontage heights.

(d) Protect and extend sun access and reflected sunlight to Martin Place during lunchtime hours from mid-April to the end of August.

(e) Provide sun access to significant sandstone buildings in Martin Place to improve the ground level quality of the public space.

(f) Protect existing significant vistas to the east and west and ensure new development will not detrimentally affect the silhouette of the GPO clock tower.

(g) Retain human scale at street level, while respecting and positively responding to the monumental nature of the place.

(h) Conserve and enhance the heritage significance of the nineteenth and twentieth century institutional and commercial buildings and their settings.

(i) Conserve the significant lane network, activated with ground and floor uses and public art work, where compatible with buildings heritage significance.
2.1.8 Pitt Street Mall Special Character Area

Locality Statement

Pitt Street Mall is a major retail node 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 (4–5 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

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise and enhance Pitt Street Mall as a key element of Central Sydney’s retail core.

(c) 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 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.

(d) Protect and extend lunchtime and late morning sun access to the Pitt Street Mall from mid-April to the end of August.

(e) Enhance permeability within the area by reinforcing and expanding the network of arcades and through-site links in this Special Character Area.
(f) Enhance and encourage the use of the Mall as a major pedestrian space and an informal meeting place.

(g) Conserve and enhance the heritage significance of the area including the significance of the nineteenth and twentieth century commercial buildings and their settings.

(h) Protect and enhance the east west vistas along King Street.

(i) Conserve nineteenth century facades incorporated into contemporary development.
2.1.9 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 1848–1887, 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, it was built in June 1793 using convict labour. Alongside Lang Park, St Philip’s church are considered as a northern gateway to Central Sydney.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.
(b) 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.
(c) Protect and extend mid-winter lunchtime sun access to Wynyard Park and Lang Park.
(d) 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.

(e) Enhance the terminating vistas along Carrington Street, and York Street to the south at its corner with Wynyard Street.

(f) Ensure that new development protects and enhances east-west vistas along Regimental Square, Margaret Street and Erskine Street.

(g) Ensure that any development associated with the important public transport interchange provided at Wynyard is consistent with enhancement of the public domain of Wynyard Park.

(h) Conserve and enhance the heritage significance of the area by respecting the significance of the nineteenth and twentieth century public, religious and commercial buildings and their settings.

(i) Ensure that new development lining the edges of Lang Park provides an appropriate backdrop in terms of scale and materials and greater compatibility with the Rocks area to the north and the St. Phillip’s Church precinct to the west.

(j) Conserve and enhance the heritage significance of St Philip’s Church and maximise its visual prominence along York Street and Clarence Street.

(k) Ensure new development is designed and sited to protect the heritage significance of St Philip’s Church.
2.1.10 Sydney Square/Town Hall/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 and most elaborate and largely intact examples of the 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 with 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.

Council’s 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

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise and enhance Sydney Square as the pre-eminent public space for civic events and as a community meeting place.

(c) 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.

(d) Reinforce the urban character and scale of Sydney Square by requiring new buildings surrounding the street block of Sydney Square to be built to the street alignment, and to have street frontage heights and setbacks at higher levels consistent with the prevailing form of buildings in this Special Character Area.

(e) Ensure that new development lining the four edges of the Square visually continues the Square and provides an appropriate backdrop to the civic character of the area and does not dominate its significant civic buildings that give it a sense of civic significance.

(f) Ensure that any development associated with the important public transport interchange at Town Hall is consistent with enhancement of the public domain of Sydney Square.

(g) Ensure that new development around Sydney Square contributes positively to the definition of the space and is 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.

(h) 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) 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 multi-levels along its southern edge.

(j) Encourage the interpretation of the former lane and St Andrews Place through Sydney Square.

(k) Encourage the reinterpretation of the former gardens in front of St Andrews Cathedral and Sydney Town Hall.

(l) Discourage visual clutter, including non-essential car parking and temporary signage, within the George Street front setback to St Andrews Cathedral.
2.1.11 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 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, it, together with buildings on the surrounding streets, 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 clock tower was skilfully placed to align with many nearby streets, including Broadway, Wentworth Avenue, and Pitt, Valentine, Albion and Foveaux streets. 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 original intersection was of a Y shape and was formed in 1807 by the junction of the old and new connection between George Street and Parramatta Road. The continuation of George Street to the south (Lee Street) in 1843 created the existing X shape of the Square. 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-
medium scale (3–7 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

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and
supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise the role of Central Railway Station as the hub of public transports of Sydney and
Railway Square as the western and southern gateway to Central Sydney.

(c) 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.

(d) Maintain a high level of daylight access to Railway Square, Belmore Park and other open
spaces associated with Central Station.

(e) 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.

(f) New development is to maintain and enhance vistas to and from Central Railway Station,
including those from its concourse.

(g) Reinforce the urban character and scale of the Special Character Area by requiring new
buildings surrounding the station and square to:
   (i) be built to the street alignment;
   (ii) have street frontage heights consistent with the prevailing form of buildings adjacent to
        this Special Character Area;
   (iii) adopting complimentary building form and solid high quality building materials; and
   (iv) have building setbacks above the street frontage height.

(h) Ensure that any development associated with the important public transport interchange
provided at Central Station and Railway Square is consistent with enhancement of the public
domain of the area. The existing parkland and open spaces are to be conserved;

(i) Conserve and enhance the character of the area by encouraging the retention and reuse of
existing nineteenth and early twentieth century commercial buildings;

(j) Enhance the pedestrian amenity of Central Railway Station and Square and environs.

(k) Maintain the visual connections of Central Station complex with the surrounding heritage
buildings and with Haymarket Special character area.
2.1.12 Chifley Square/Richard Johnson Square Special Character Area

Amended Map Boundary

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 twentieth-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.
Richard Johnson Square at the intersection of Castlereagh, Bligh and Hunter Streets was named after Sydney's first appointed 'Chaplain to the Settlement' who arrived in the colony in 1788 on the First Fleet. Richard Johnson is believed to have held the first Christian service in the settlement. A 1925 sandstone monument at the centre of the square commemorates Australia's first church erected in this location in 1793. The plaza at Richard Johnson Square demonstrates council’s public works to reshape Sydney as a result of its first strategic plan of 1971. It was designed by architects, Clarke Gazzard.

The buildings within this area form a cohesive avenue down Hunter Street, viewed from the high point of Macquarie Street. They enhance the public domain of the streets by both enclosing the distinctive public spaces within the area, and allowing views through to the squares. The buildings connect to the street level through stairs, open loggias and public art, most notably the 1963 Tom Bass sculpture along the podium of the former P&O building. The two squares and surrounding buildings provide visual relief and a break in the intensely built up area of the financial centre.

**Principles**

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise and enhance Chifley Square and Richard Johnson Squares as two important public open spaces in the heart of the financial centre of the city.

(c) Promote and encourage the use of the spaces as a destination and meeting place for people.

(d) Interpret the history of the place and in the design of both the public and private domain.

(e) Reinforce the urban character and distinct sense of place of Chifley and Richard Johnson Squares by:

   (i) emphasising the semi-circular geometry of Chifley Square;

   (ii) retaining views from public spaces through to Chifley Square and Richard Johnson Square;

   (iii) maintaining and enhancing the quality of the street edge formed by buildings and their loggias, such as with public art;

   (iv) requiring new buildings to be integrated with the form of existing buildings; and

   (v) limiting the height of new buildings.
2.1.13 Farrer Place Special Character Area

Locality Statement

Historical evidence shows that Farrer Place dates back as early as 1865 mainly being a street. 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 70s.

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

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(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) 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.

(f) Improve, enhance and activate the public domain within the place.

(g) 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.
2.3.1 Chippendale

2.11.1 Prince Alfred Park East

In response to the City’s Draft Signs and Advertising DCP, Sydney Observatory sought a control to help manage the impacts of sky glow. Sky glow is caused by upwardly directed or blue light associated with LED lights. This reduces the visibility of iconic astronomical objects, such as the Southern Cross, and affects the operation of the Observatory. The control is proposed as part of this Draft DCP because it largely affects buildings in Central Sydney and to enable consultation.

Insert the following objective and provisions at 3.16 Signs and Advertisements:

**Objective**

To minimise environmental impacts from light spill.

**Provisions**

Top of building signs should reduce light spill impacts on viewing the night sky from Sydney Observatory by:

(a) locating signs so they are not in the line of sight of the Observatory,
(b) minimising the emission of blue wavelengths of light below 550nm, or
(c) reducing the light emitted above the sign by using shields and non-reflective materials.

[5] Section 4 – Development Types

Retain existing Section 4 in full.

[6] Section 5.1 – Central Sydney

**Introduction**

Include the following revised paragraph clarifying the relationship between Section 5 and 6 controls:

This Section establishes additional provisions for specific areas in the local government area including Central Sydney, Green Square, Epsom Park, Lachlan, the Ashmore Neighbourhood, the Rosebery Estate, North Rosebery and the Southern Employment Lands. Where there is an inconsistency between Section 5 and Sections 1 to 4 of this DCP, Section 5 applies to the extent of the inconsistency. Where there is an inconsistency between Section 5 and Section 6 of this DCP, Section 6 applies to the extent of the inconsistency. When a numerical standard is not specified in this Section, development must be consistent with all other relevant provisions of the DCP.

Replace existing 5.1.1 to 5.1.6 and 5.1.8 as follows, including relevant figures, tables and maps:

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 Amenity) and SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

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.

*Public Place* has the same meaning as in the Local Government Act and includes streets, lanes (i.e. narrow streets) and public open space.

*Street Frontage Height* means the vertical height above ground level of that part of the building closest to a Public Place and any other part of the building built to the site boundaries. Where multiple street frontage heights apply each height extends to the centre of the site. Street Frontage Height is the development control that sets the desired street wall or podium height.
Street Setback 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

(h) To maintain daylight and sunlight in streets, lanes and public places.
(i) To manage the wind impacts of development on streets, lanes and other public places so that they are safe and comfortable for people.
(j) To allow comfortable air movement to disperse pollution and cool streets, lanes and public places.
(k) To ensure that occupants of tall buildings have access to daylight and outlook by providing appropriate separation from surrounding buildings.
(l) To establish Street Frontage Heights in Central Sydney that are appropriate to a site’s context and location.
(m) To ensure small sites that are unable to provide setbacks do not develop as tall buildings above the Street Frontage Height.
(n) 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”.
(o) To promote streets and laneways as important public places.
(p) 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

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.

Objectives

(a) Achieve comfortable street environments for pedestrians with high levels of daylight, appropriate scale, sense of enclosure and wind mitigation.

(b) Encourage 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.

(c) To recognise the variety and patterns of street wall heights throughout Central Sydney.

Figure 5.1: The street frontage height of development outside of special character areas should range between 20m and 45m
(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 flexibility for 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 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 5.3 to 5.15 in Section 5.1.1.2.

Note: Section 5.1.1.1(2) Street Setback variation provisions do not apply to Heritage Items or in Special Character Areas, unless noted on Special Character Area maps.

Table 5.1: Permissible range of Street Frontage Heights

<table>
<thead>
<tr>
<th>Permissible range of Street Frontage Heights</th>
<th>Proposed total height of building</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Up to 55m</td>
</tr>
<tr>
<td>Context</td>
<td></td>
</tr>
<tr>
<td>Non-heritage items outside Special Character Areas</td>
<td>20-35m*</td>
</tr>
<tr>
<td>Frontage adjacent to a Public Place with a width greater than 8m wide</td>
<td>Or 20-45 for street block corner sites less than 1000sqm</td>
</tr>
<tr>
<td>Frontage adjacent to a Public Place with a width up to 8m wide (eg lanes)</td>
<td>20-45m</td>
</tr>
<tr>
<td>Heritage items outside Special Character Areas</td>
<td>Existing height</td>
</tr>
</tbody>
</table>

* up to 45m subject to Section 5.1.1.1(2)

(2) Notwithstanding Section 5.1.1.1(1) and Table 5.1, 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.

Table 5.2: Minimum Street Setbacks

<table>
<thead>
<tr>
<th>Minimum Street Setbacks</th>
<th>Proposed total height of building</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Up to 55m</td>
</tr>
<tr>
<td></td>
<td>up to 120m</td>
</tr>
<tr>
<td><strong>Context</strong></td>
<td><strong>Non-heritage items outside Special Character Areas</strong></td>
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<td></td>
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</tr>
<tr>
<td></td>
<td><strong>Heritage items outside Special Character Areas</strong></td>
</tr>
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</tr>
</tbody>
</table>

*may be varied subject to 5.1.1.1(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 11.

(4) Notwithstanding Section 5.1.1, greater Street Setbacks may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.4 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 5.2: Setbacks provide building design flexibility – Minimum Street Setbacks may be varied in accordance with Section 5.1.1.1(3) and the procedures for demonstrating compliance at Schedule 11.

5.1.1.2 Street Frontage Heights and Street Setbacks 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 enhance the level of sunlight and daylight access to streets, lanes, parks and other public domain spaces.
(h) 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 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 5.3 to 5.15;

(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 5.3 to 5.15.

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, or part thereof, 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

<table>
<thead>
<tr>
<th>Special Character Area</th>
<th>Map reference</th>
<th>Minimum Street Frontage Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridge Street Macquarie Place Bulletin Place</td>
<td>A</td>
<td>15m</td>
</tr>
<tr>
<td>Chifley Square</td>
<td>B</td>
<td>35m</td>
</tr>
<tr>
<td>Circular Quay</td>
<td>C</td>
<td>25m</td>
</tr>
<tr>
<td>College Street Hyde Park</td>
<td>D</td>
<td>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.</td>
</tr>
<tr>
<td>Farrer Place</td>
<td>E</td>
<td>35m</td>
</tr>
<tr>
<td>Haymarket Chinatown</td>
<td>F</td>
<td>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.</td>
</tr>
<tr>
<td>Macquarie Street</td>
<td>G</td>
<td>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. <strong>Note:</strong> Refer to the conservation management plan controls for sites on the eastern side of Macquarie Street, Sydney</td>
</tr>
<tr>
<td>Martin Place</td>
<td>H</td>
<td>45m</td>
</tr>
<tr>
<td>Pitt Street Mall</td>
<td>I</td>
<td>35m for sites north of King Street; and 25m for sites south of King Street</td>
</tr>
<tr>
<td>Railway Square / Central Station</td>
<td>J</td>
<td>No minimum</td>
</tr>
<tr>
<td>Sydney Square Town Hall and St. Andrews</td>
<td>L</td>
<td>20m</td>
</tr>
<tr>
<td>Wynyard Park Lang Park</td>
<td>M</td>
<td>45m</td>
</tr>
<tr>
<td>York Street Clarence Street Kent Street</td>
<td>N</td>
<td>20m</td>
</tr>
</tbody>
</table>
Figure 5.3: Bridge Street Special Character Area
Figure 5.4: Chifley Square Special Character Area
Figure 5.5: Circular Quay Special Character Area
Figure 5.6: College Street/Hyde Park Special Character Area
Figure 5.7: Farrer Place Special Character Area
Figure 5.8: Haymarket/Chinatown Special Character Area
Figure 5.9: Macquarie Street Special Character Area
Figure 5.10: Martin Place Special Character Area
Figure 5.11: Pitt Street Mall Special Character Area
Figure 5.12: Railway Square/Central Station Special Character Area
Figure 5.13: Sydney Square/Town Hall & St Andrews Special Character Area
Figure 5.14: Wynyard Park/Lang Park Special Character Area
Figure 5.15: 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.

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.
**Figure 5.16:** Side or Rear Setbacks above Street Frontage Height to the top of the development

**Figure 5.17:** Separation required between building forms on the same site

**Note:** Building ‘Form’ Separations is used as technically in most instances the development will constitute one ‘building’.
Table 5.4: Minimum Side and Rear Setbacks and Building Form Separations

<table>
<thead>
<tr>
<th>Minimum Side and Rear Setbacks and Building Form Separations</th>
<th>Proposed total height of building</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Up to 55m</td>
</tr>
<tr>
<td></td>
<td>Greater than 55m up to 120m</td>
</tr>
<tr>
<td></td>
<td>Greater than 120m up to 240m</td>
</tr>
<tr>
<td></td>
<td>Greater than 240m</td>
</tr>
<tr>
<td>Side and Rear Setback above Street Frontage Height</td>
<td>0m</td>
</tr>
<tr>
<td></td>
<td>4m</td>
</tr>
<tr>
<td></td>
<td>3.33% of the proposed total height of building</td>
</tr>
<tr>
<td></td>
<td>8m</td>
</tr>
<tr>
<td>Building Form Separations on the same site</td>
<td>0m</td>
</tr>
<tr>
<td></td>
<td>8m</td>
</tr>
<tr>
<td></td>
<td>6.66% of the proposed total height of building</td>
</tr>
<tr>
<td></td>
<td>16m</td>
</tr>
</tbody>
</table>

Note: For separation on the same site use the lower building form height to determine the required separation.

(5) 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 5.1.1.3(4) are set out in Schedule 11.

(6) 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 to ensure that 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.
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 site – see Figure 5.18) 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:

(a) 100% up to 120m above ground;

(b) 90% above 120m up to 240m above ground; and

(c) 80% above 240m above ground.

(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.
Figure 5.18: Maximum horizontal dimension of a building above Street Frontage Height

Figure 5.19: Maximum Building Envelope Area above Street Frontage Height
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.

\[
\alpha + \beta \geq 30 \text{ degrees}
\]
Figure 5.20: Outlook Field extending unobstructed to a Public Place

Figure 5.21: Outlook Field not to a Public Place (unobstructed)
examples where the sum of angles $\alpha + \beta$ is equal to 90 degrees

Figure 5.22: Outlook Field sectors are flexible in their application as long as the total minimum angular extent is achieved

Figure 5.23: Whether recessed, treated with side screens or open, Outlook Fields for balconies must be measured from the balcony edge opposite the principal window and parallel to it.
<table>
<thead>
<tr>
<th>Use and window/balcony context</th>
<th>Residential, Serviced Apartments and other forms of self-contained accommodation</th>
<th>primary windows to living spaces and associated balconies</th>
<th>Window or balcony height above ground</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>up to 12m up to 25m &gt;25m up to 45m &gt;45m up to 120m &gt;120m</td>
<td>up to 12m up to 25m &gt;25m up to 45m &gt;45m up to 120m &gt;120m</td>
<td>up to 12m up to 25m &gt;25m up to 45m &gt;45m up to 120m &gt;120m</td>
</tr>
<tr>
<td></td>
<td>6m 9m 12m 12m 12m</td>
<td>6m 9m 9m 9m 9m</td>
<td>6m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>6m 9m 12m 12m 12m</td>
<td>6m 9m 9m 9m 9m</td>
<td>6m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>6m* 6m* 6m* 9m 9m</td>
<td>6m* 6m* 6m* 9m 9m</td>
<td>6m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m 9m 9m 9m 9m</td>
</tr>
<tr>
<td></td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m* 3m* 3m* 6m 9m</td>
<td>3m 9m 9m 9m 9m</td>
</tr>
</tbody>
</table>

* * 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. 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:** An electronic model of a fully redeveloped Central Sydney under Sydney LEP 2012 and Sydney DCP 2012 will be provided to applicants by the City of Sydney for the purposes of demonstrating solar and daylight access compliance.

(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.

### 5.1.3 Heritage Items, Warehouses and Special Character Areas

**Value Statement**

Central Sydney has a wealth of historic buildings and places; many of which are not only locally significant, but are also significant at a state, national or international level. Many have both individual value and collective value. Their attributes contribute to Special Character Areas in the city centre that have a distinctive identity and sense of place. The former warehouses of Central Sydney also have particular historic features.

Conserving our environmental heritage and Special Character Areas respects Sydney’s inheritance and contributes to the diversity, vitality and liveability of the city centre. The diversity of scale, form, and character, of heritage places and areas, provides relief from denser contemporary development and places for cultural and social activities.

The challenge is to create a high quality urban environment that serves the needs of the city centre and provides for new development whilst conserving the value and the distinctive qualities of heritage items and Special Character Areas for future generations.

Special Character Areas offer an effective basis for overarching objectives for urban design and for controls that effectively guide the form of new development. Heritage Items are usually best conserved in their entirety. New development may incorporate a heritage item subject to a conservation management plan that establishes how its heritage significance will be appropriately conserved.

The following objectives and provisions relate to development of and adjacent to Heritage Items, alterations and additions to warehouse buildings and the conservation of public domain features in Special Character Areas. They should be addressed in addition to the requirements of Section 3 where applicable.
Objectives

(a) To conserve heritage items in their entirety.
(b) To conserve and enhance former warehouses and provide for their appropriate use in a manner that retains significant courtyards, cartways and other historic features.
(c) To conserve and enhance significant features within the public domain of Special Character Areas.
(d) To ensure appropriate height transitions between development and heritage items as required by Clause 6.16 of Sydney LEP 2012.
(e) To enhance existing public views and vistas to heritage items.
(f) To conserve the setting of heritage items by ensuring that new development respects and reinforces the significant scale, form, modulation, articulation, proportions, street alignment, materials and finishes of heritage items in the vicinity.

Provisions

5.1.3.1 Additions to Heritage Items

(1) No additions to or development above heritage items will be permitted unless the consent authority is in the opinion that the addition is appropriate after having regard to the following:

(a) A Conservation Management Plan approved by the City of Sydney.
(b) The City of Sydney heritage inventory for the heritage item.
(c) The impact of the proposal upon the setting and views to the heritage item.
(d) The advice of a committee appointed in accordance with Section 5.1.3.1(2), where applicable.
(e) The impact upon significant form, structure, exterior and interior components, interior spaces and character.
(f) The impact of new building services, accessibility upgrades and structural and environmental requirements for compliance with the National Construction Code - Building Code of Australia.

(g) Proposed conservation works to remove unsympathetic alterations, restore lost features or other works to enhance the heritage significance or public enjoyment of the heritage significance of the item.

(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 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 the airspace above the item, but not within the airspace next to the item.

The consent authority is to:

(a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;

(b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and

(c) consider the advice of the committee, but is not bound by the advice of the committee.

(3) Where, in the opinion of the consent authority, additions are possible to a heritage item, such additions are to be designed with sensitivity to the significant qualities of the heritage item.

(4) Where a Conservation Management Plan indicates that upper additions to a heritage item should only be undertaken with a setback, the minimum setback is to be in accordance with Section 5.1.1.

5.1.3.2 Development Adjacent to Heritage Items

(1) New development adjacent to a heritage item should respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the adjacent heritage item.

(2) Consideration must be given to the impact of adjacent development on the significance, setting, landmark values and ability to view and appreciate the heritage item from public places.

5.1.3.3 Warehouse buildings

The following are in addition to the general warehouse provisions in Section 3.10.1.

(1) New development should conserve the significant form and configuration of warehouse buildings including surviving cartways and courtyards.

(2) Ensure new uses for warehouses are compatible and minimise change to significant components, spaces and character, including adaptations required to comply with the National Construction Code - Building Code of Australia.

(3) New development should retain and conserve significant features and spaces of former warehouses, internally and externally. Significant components of warehouses in central Sydney vary according to style and period, and may include:

(a) structural components and roof forms;

(b) external and internal walls including footings;

(c) subfloors, floors and ceilings;
(d) roofing and roof plumbing;
(e) loading bays, docks, and loading and hoisting components such as pulley beams, pulleys and hoist machinery;
(f) the design and placement of openings and attachments including door and window assemblies, grills, glazing, gates, vents, basement lights and hardware;
(g) internal and external stairs, chutes, internal lifts and goods hoists;
(h) pavements such as stone setts, and drains, steel and iron wheel tracks;
(i) early finishes, signage and bollards
(j) cartways and cartdocks

(4) Significant features and spaces of courtyards and cartways to retain in new development include their:
(a) existing size and configuration;
(b) openness to the sky and street;
(c) functionality as a passage between the street and internal courtyard; and
(d) original level and grade, associated archaeological potential and evidence of early pavements or other in-ground features.

Table 5.6: Known former warehouses with intact cartways, courtyards and infilled cartways

<table>
<thead>
<tr>
<th>Former warehouses retaining intact cartways or courtyards</th>
<th>Address</th>
<th>Item number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial building including interiors (former warehouse)</td>
<td>1 Barrack Street</td>
<td>I1667</td>
</tr>
<tr>
<td>Former warehouse including interiors, cartway and courtyard</td>
<td>152-156 Clarence Street</td>
<td>I1716</td>
</tr>
<tr>
<td>Former warehouse including interiors</td>
<td>197-199 Clarence Street/342-344 Kent Street</td>
<td>I1720/11820</td>
</tr>
<tr>
<td>Former warehouse including interior, cartway and courtyard</td>
<td>332 Kent Street</td>
<td>I1816</td>
</tr>
<tr>
<td>Former warehouse including cartway, courtyard and interior (formerly 340 Kent Street)</td>
<td>338 Kent Street</td>
<td>I1819</td>
</tr>
<tr>
<td>Former warehouse including interiors, cartway, courtyard and interior</td>
<td>346-348 Kent Street</td>
<td>I1821</td>
</tr>
<tr>
<td>Former warehouse Edward Dunlop &amp; Co including cartway, goods yard and interiors</td>
<td>435A-441 Kent Street</td>
<td>I1830</td>
</tr>
<tr>
<td>Former warehouse “Gerling House” including interiors, cartway and gates</td>
<td>42-44 Pitt Street</td>
<td>I1914</td>
</tr>
<tr>
<td>Former “Foley Bros” warehouse including cartway, courtyard and interiors</td>
<td>230-232 Sussex Street</td>
<td>I1963</td>
</tr>
</tbody>
</table>
Former warehouse “Carlton House” including interiors, cartway and courtyard 38-44 York Street I1979

Former warehouses retaining infilled cartways

<table>
<thead>
<tr>
<th>Address</th>
<th>Item number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Noyes Bros warehouse including interiors 115 Clarence Street</td>
<td>I2272</td>
</tr>
<tr>
<td>Former warehouse including interiors (22 York Street) 22–26 York Street</td>
<td>I1976</td>
</tr>
<tr>
<td>Former warehouse “Sargood &amp; Co” warehouse including interiors and grounds (144 Clarence Street) 83–87 York Street</td>
<td>I1993</td>
</tr>
</tbody>
</table>

Note: Applicants should also refer to Section 3.10.1 Warehouses and industrial buildings older than 50 years.

5.1.3.4 Conservation of public domain features in Special Character Areas

(1) The following historic components of streets, lanes, parks and other areas of Public Places are to be conserved if they contribute to the significance of a Special Character Area:

(a) evidence of early road and path surfaces and pavements such as stone setts, woodblocks and hewn rock;

(b) stone kerbing, guttering, drains and paving;

(c) stone steps, fences, railings, retaining walls and hewn rockfaces;

(d) light posts, street furniture and cast iron letterboxes;

(e) sign posts, historical signs, milestones and ward markers;

(f) pavement lights and shafts;

(g) fountains, memorials and sculptures; and

(h) tree plantings.

5.1.4 Building Exteriors

Value Statement

Central Sydney’s cityscape and public domain is defined by its buildings, building elements, streets and Public Places. An attractive city and public domain is dependent on the high quality design of new development including the articulation and finish of building exteriors and building elements. Design Excellence requires development to achieve a high standard of design, materials and detailing from the small scale, like advertising signage and shopfronts, to the large scale, like tall buildings and facade systems.

The closer built elements are to a Public Place the greater level of attention is required to ensure they respond to the desired character of the Public Place. Street wall or podium level materials and detailing should respond well to wear, with consideration given to high quality stone, noble metals and high grade timber as contextually appropriate. Taller
buildings should respond to their visibility from Public Places, with particular attention paid to designing exposed walls, particularly those adjacent to heritage items and small sites, to achieve visual interest.

The following objectives and provisions relate to how development should respond to existing development, the street and Public Places. The objectives and provisions, together with those contained within Section 3, seek to ensure developments contribute to the life, vitality and activation of Central Sydney’s Public Places.

Objectives

(a) Positively contribute to the streetscape with high quality architecture and design.
(b) Provide richness of detail and architectural interest particularly in prominent parts of buildings.
(c) Present appropriate design responses to nearby development to complement the streetscape.
(d) Clearly define adjoining streets, street corners and public spaces.
(e) Ensure development generally occurs entirely within the site boundaries.
(f) Retain pedestrian scale in the articulation and detailing of the lower levels of the building.
(g) Contribute to a visually distinct skyline.
(h) Ensure that high quality materials and appropriate detailing is provided, particularly at podium and street level.

Provisions

(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; 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 5.1.3.1

(2) Building exteriors are to be designed so that:
   (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 and respond to characteristic light colours of Central Sydney.

(3) Extensive expanses of blank glass or solid wall on a building facade are to be avoided.
(4) Where development proposes an exposed wall and that wall is visible from a Public Place, a visually interesting treatment is required to that wall, including modelling of form, articulation, the use of high quality materials and finishes and/or public art.

(5) Notwithstanding Schedule 4, in most circumstances any proposed new balcony or bay window in Central Sydney must be contained fully within a sites boundaries. In limited circumstances new balconies or bay windows projecting over a Public Place may be considered in line with Schedule 4, but only where:

(a) the balcony or bay window has a frontage adjacent to Public Place with a width greater than 8m wide, and;

(b) it does not derogate from the existing daylight levels in the adjacent Public Place.

Projections over Public Places that contain GFA, and, projections within 10m of a street intersection, will not be permitted.

(6) 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.

(7) The top levels of a building, where stepped, must have a minimum height of 2 storeys.

[7] Section 5.1.7 – Temporary use and appearance of vacant sites and buildings
Retain existing Section but renumber as 5.1.5. Existing opening paragraph adopted as the value statement.

[8] Section 5.1.9 – Heritage Floor Space
Retain existing Section but renumber as 5.1.6. Existing opening paragraphs adopted as the value statement.

[9] Section 5.1.10 – Sun access planes
Following new renumbered 5.1.6 Heritage Floor Space, replace existing Section 5.1.10 as follows, including relevant figures, tables and maps:

5.1.7 Sun Protection of Public Parks and Places

Value Statement

Two control mechanisms in Sydney LEP 2012 limit heights in 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 Central Sydney will always need to demonstrate compliance with SAP and NAO controls.

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.
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 publically 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. 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 5.24 to 5.34 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.
(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**

<table>
<thead>
<tr>
<th>Park or Place</th>
<th>Intended period of protection</th>
<th>Primary SAP date</th>
<th>Primary SAP times</th>
<th>SAP Extension Dates &amp; Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 The Royal Botanic Gardens</td>
<td>9am-2pm, all year</td>
<td>21 June</td>
<td>2pm</td>
<td>N/A</td>
</tr>
<tr>
<td>2 The Domain</td>
<td>9am-2pm, all year</td>
<td>21 June</td>
<td>2pm</td>
<td>N/A</td>
</tr>
<tr>
<td>3 Wynyard Park</td>
<td>12-2pm, all year</td>
<td>21 June</td>
<td>12pm</td>
<td>23 September 21 December</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2pm</td>
<td></td>
</tr>
<tr>
<td>4 Lang Park</td>
<td>12-2pm, all year</td>
<td>21 June</td>
<td>12pm</td>
<td>23 September 21 December</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2pm</td>
<td></td>
</tr>
<tr>
<td>5 Hyde Park</td>
<td>10-2pm, all year</td>
<td>21 June</td>
<td>10am 12pm 2pm</td>
<td>21 March 23 September 21 December</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Belmore Park</td>
<td>10-2pm, all year</td>
<td>21 June</td>
<td>10am 12pm 2pm</td>
<td>21 March 23 September 21 December</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Prince Alfred Park</td>
<td>10-2pm, all year</td>
<td>21 June</td>
<td>10am 12pm 2pm</td>
<td>21 March 23 September 21 December</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Harmony Park</td>
<td>10-2pm, all year</td>
<td>21 June</td>
<td>10am 12pm 2pm</td>
<td>23 September 21 December</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Macquarie Place</td>
<td>10-12pm, throughout the year excluding winter months</td>
<td>14 April</td>
<td>10am</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Martin Place</td>
<td>12-2pm, outside the winter months</td>
<td>14 April</td>
<td>12pm</td>
<td>23 September (2pm) 21 December (2pm)</td>
</tr>
</tbody>
</table>
Figure 5.24: The Royal Botanic Gardens Sun Access Plane
Figure 5.25: The Domain Sun Access Plane
Figure 5.26: Wynyard Park Sun Access Plane
Figure 5.27: Lang Park Sun Access Plane
Figure 5.28: Hyde Park Sun Access Plane
Figure 5.29: Belmore Park Sun Access Plane
Figure 5.30: Prince Alfred Park Sun Access Plane A
Figure 5.31: Prince Alfred Park Sun Access Plane B
Figure 5.32: Harmony Park Sun Access Plane
Figure 5.33: Macquarie Place Sun Access Plane
Figure 5.34: Martin Place 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 8 major public areas including Macquarie Place (including facades), Martin Place (block containing the GPO including facades), Pitt Street Mall, Australia Square Plaza, First Government House Place, Sydney Town Hall Steps, Sydney Square and Future Town Hall Square.

(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 5.35 to 5.42 indicatively show the indicative maximum height achievable for land affected by No Additional Overshadowing. 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 space and intervening structures between the subject development site and the protected park and/or place;

(b) A 1 minute interval overshadowing animation 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 elements are treated as 100% opaque; and

(ii) all shadows have sharp edges where the sun is a single point light source

Table 5.8: Summary of No Additional Overshadowing provisions

<table>
<thead>
<tr>
<th>Place or Park</th>
<th>NAO dates</th>
<th>NAO times</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Macquarie Place</td>
<td>14 April – 31 August</td>
<td>10-2pm</td>
</tr>
<tr>
<td>2 Martin Place (block containing the GPO)</td>
<td>14 April – 31 August</td>
<td>12-2pm</td>
</tr>
<tr>
<td>3 Pitt Street Mall</td>
<td>14 April – 31 August</td>
<td>10-2pm</td>
</tr>
<tr>
<td>4 Australia Square Plaza</td>
<td>14 April – 31 August</td>
<td>12-2pm</td>
</tr>
<tr>
<td>5 First Government House Place</td>
<td>14 April – 31 August</td>
<td>10-2pm</td>
</tr>
<tr>
<td>6 Sydney Town Hall Steps</td>
<td>14 April – 31 August</td>
<td>10.30-4pm</td>
</tr>
<tr>
<td>7 Sydney Square</td>
<td>14 April – 31 August</td>
<td>11-4pm</td>
</tr>
<tr>
<td>8 Future Town Hall Square</td>
<td>All year</td>
<td>Midday to sunset</td>
</tr>
</tbody>
</table>
Figure 5.35: Macquarie Place No Additional Overshadowing
Figure 5.36: Martin Place No Additional Overshadowing
Figure 5.37: Pitt Street Mall No Additional Overshadowing
Figure 5.38: Australia Square Plaza No Additional Overshadowing
Figure 5.39: First Government House Plaza No Additional Overshadowing
Figure 5.40: Sydney Town Hall Steps No Additional Overshadowing
Figure 5.41: Sydney Square No Additional Overshadowing
Figure 5.42: Future Town Hall Square
Section 5.1.8 – Views from Public Places

Insert new 5.1.8 Views from Public Places following renumbered 5.1.7 Sun Protection of Public Parks and Places, as follows, including relevant figures, tables and maps.

5.1.8 Views from Public Places

Value Statement

There are some key views from within Central Sydney, from parks and other well-used Public Places that take in important buildings or urban landscapes that help define Central Sydney. New development can make a positive contribution to the characteristics and composition of designated public views. These views should be preserved and have priority over private views.

Central Station Clock Tower

Railway Square is the major visual and functional gateway to Central Sydney from west and south. The clock tower of Central Station was purposely composed at the alignment of several streets from the north, south, east and west, so as to maximise the visibility of the clock face. The prominence of the clock tower contributes strongly to the visual prominence of the Square. The clock tower represents a landmark particularly when approaching or departing Central Sydney along Broadway and George Street.

Martin Place GPO clock tower and Sydney Hospital

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. Following the siting of the GPO in 1863, Martin Place grew in popularity as a meeting place in front of the GPO. It has since grown as a tourist destination, with its value recognised through the pedestrianisation in 1971. Views to the silhouette and clock face of the GPO clock tower, and, views of the sky at either end of Martin Place, are well remembered in the collective consciousness because their association with one of Sydney’s most special places over a long period of time. These views enhance the qualities of the space and protect its valuable history.

Observatory Hill

The Millers Point area contains numerous original and characterful views to and from the harbour that are formed by a combination of dramatic topography and long physical evolution. Views from Observatory Hill, or more specifically from Observatory Park, allow you to fully appreciate this connection between topography, geography, use and settlement. As you move around the park tangible evidence of the development of Sydney reveals itself; its prominence as one of two rocky sandstone eminences that dominated Sydney Cove or Warrane, its Aboriginal name, where it highly likely that Aboriginal peoples inhabited and sheltered along its cliffs and ridges; its position at the highest point of a north south ridge overlooking the British colony commanding a splendid panorama and therefore a strategic site for catching the prevailing winds, for fortification, for signalling and for astronomical observations, and; the contrast and relief it provides as the green space backdrop to the historic streetscapes and roofscapes of Millers Point below, the shipping
and working port activity of the harbour and traffic and train movements on the massive
Harbour Bridge structure, and the only means to assess the contrast and the progress of
the CBDs modernisation over 200 years.

Views to and from Observatory Hill are therefore perhaps some of Sydney’s most
historically significant. How development around Observatory Hill impacts on these views
has a very real impact on how the public and visitors to Sydney are able to interpret,
understand and value the evolution of Sydney as city.

Observatory Hill should remain a prominent hill besides and above the original port of
Sydney; it should retain its vast open aspect and distant views, a feature that informed its
successive historic uses, and; its existing setting should be maintained where proposed
development in Millers Point and the Rocks respects the establish patterns of scale and
form.

Objectives

(a) To identify and preserve significant public views from public places.
(b) To ensure the silhouette created by existing clock towers, turrets and roof features on
heritage listed items are clearly visible against the sky.
(c) To require development to respond to public views to Sydney Harbour by improving
the view through building modulation.
(d) To require development to respond to significant public views from public places by
enhancing views through, building modulation and/or high quality materials, finishes
and design excellence.

Provisions

(1) Development must not encroach within any of the views nominated on the Public Views
Protection Maps and where possible should improve the views to Sydney Harbour
(surface of the water) through modulation of built mass.

(2) Development must minimise impact on existing public views to heritage items with
significant architectural roof features (clock towers, spires, lanterns etc) through
modulation of proposed built mass, to allow for clear air around the roof feature and
legibility.

(3) Views nominated on the Public Views Protection Maps relate to significant vistas or
silhouettes generated by existing built form. The location of public domain structures
such as trees and banners are to be considered ephemeral and should not be used as
parameters to obstruct or encroach into a protected public view.

(4) Views from Observatory Hill to the harbour, Millers Point, adjoining areas and distant
views to the east, west and north should be maintained. New building in Millers Point
and Walsh Bay should be limited. No new building should exceed the established
patterns of scale and form, nor should it have an adverse impact on any identified
views or the setting of Observatory Hill and Millers Point.

(5) Development that terminates a public view on the Public Views Protection Map must
contributes to its quality through massing, high quality materials and demonstrated
design excellence.
(6) Consideration should also be given to additional significant public views not mapped in the Public Views Protection Map but identified in the Special Character Area Locality Statements.

Figure 5.43: Public Views Protection Map 1
Figure 5.44: Public Views Protection Map 2
Section 5.1.9 – Managing Wind Impacts

Insert new 5.1.9 Managing Wind Impacts following new 5.1.8 Views from Public Places, as follows, including relevant figures, tables and maps:

5.1.9 Managing Wind Impacts

Value Statement

The wind environment is a major determinant of amenity. Tall buildings can create or exacerbate windy conditions in built up areas and can have a significant effect on the wind environment at street level.

Buildings must be designed to mitigate unsafe and uncomfortable wind effects on Public Places and should create comfortable and pleasant conditions.

Generally the provision of a reasonable size podium will mitigate the greatest adverse wind effects from tall buildings. Provision of a podium is particularly important at the exposed edges of Central Sydney where buildings are not shielded by their neighbours and on short east-west running streets where wind speeds are highest.

Objectives

(a) To ensure streets and Public Places have wind conditions that are safe and comfortable for walking and to encourage conditions that are comfortable for sitting.
(b) To ensure new developments mitigate adverse wind effects.
(c) To ensure air quality does not exceed environmental/health standards.
(d) To provide wind climate data that can be applied consistently for assessing new developments.

Provisions

(1) A quantitative wind effects report is to be submitted with a development application for development:

(a) over 55m in height as measured from the lowest ground level to the highest structure; or
(b) with a frontage to an east-west street; or
(c) on a site within the B8 zone and within 50m of the zone boundary; or
(d) as required by the City of Sydney.

(2) Development subject to a quantitative wind effects report must not:

(a) cause a wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks except where the existing wind speeds exceed the standard; and
(b) worsen, by increasing spatial extent and/or frequency and/or speed, an existing wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks.

(3) Development subject to a quantitative wind effects report must take all reasonable steps to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing.

(4) For the purposes of complying with Section 5.1.9 (2) and (3):

**Wind Safety Standard** is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

**Wind Comfort Standard for Walking** is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

**Wind Comfort Standard for Sitting in Parks** is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

**Wind Comfort Standards for Sitting and Standing** is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

**Note:** Section 5.1.9 prevails over Section 3.2.6 in Central Sydney.