



45 Murray Street, Pyrmont

Proposal Title : 45 Murray Street, Pyrmont

Proposal Summary : The planning proposal seeks to amend the Sydney Local Environmental Plan (LEP) 2012 to enable the redevelopment of 45 Murray Street, Pyrmont for a 106 room 3 star hotel.

PP Number : PP_2016_SYDNE_001_00

Dop File No : 16/04078

Proposal Details

Date Planning Proposal Received : 22-Mar-2016

LGA covered : Sydney

Region : Metro(CBD)

RPA : Council of the City of Sydney

State Electorate : SYDNEY

Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 45 Murray Street

Suburb : Pyrmont

City : Sydney

Postcode : 2009

Land Parcel : Lot 1 DP 507091

DoP Planning Officer Contact Details

Contact Name : wayne williamson

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RPA Contact Details

Contact Name : Jonathon Carle

Contact Number : 0292467736

Contact Email : jcarle@cityofsydney.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 30

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney Region East has not met any lobbyists in relation to this proposal, nor has the A/Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :

The subject site is located at 45 Murray Street, Pyrmont, has a total area of approx. 398 square metres and is in single ownership.

The site currently contains a six storey commercial office building with a seventh storey element (lift shaft and services area). The ground level contains a café fronting Murray Street to the east, and car park access via Union Lane to the south.

The site is surrounded by a mix of residential, commercial and hotel uses.

The site is currently zoned B4 Mixed Use, has a maximum building height of 22 metres and FSR of 5:1.

It is noted the provisions for design excellence in the Sydney LEP 2012 and a site specific Development Control Plan are applicable if the building height is increased to 25 metres or more.

Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is considered appropriate as the matter is of local significance.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objectives of the Proposal are to:**

- **Allow the development of a new mid-scale hotel to contribute to diversity in the CBD hotel accommodation market, which is consistent with the Council's Visitor Accommodation Action Plan (2015);**

- ensure a built form that is compatible with and limits impacts on surrounding development;
- waive the requirement for a competitive design process if the development is an alteration and addition to the existing building for the purpose of 'hotel or motel accommodation' and any ancillary uses; and
- exclude that development from obtaining a design excellence bonus.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks to insert a part 6 local clause in Sydney LEP 2012 which:**

- applies to development at 45 Murray Street, Pyrmont for 'hotel or motel accommodation' only;
- allows development for 'hotel or motel accommodation' and ancillary uses to a maximum building height of 30 metres despite any other clauses of the LEP;
- establishes that a competitive design process under 6.21 (5) is not required and that additional building height or floor space may not be awarded under 6.21(7) as the development is an alteration and addition to the existing building; and
- excludes the operation of clause 4.6 in relation to this clause.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA : **1.1 Business and Industrial Zones
3.4 Integrating Land Use and Transport
7.1 Implementation of A Plan for Growing Sydney**

* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered : **There are no State Environmental Planning Policies or Sydney Regional Environmental Plans applicable to the Planning Proposal.**

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain : **The proposal is not considered to be inconsistent with any SEPPs and section 117 Directions.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **No maps will be amended by this proposal.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public consultation will be undertaken in accordance with the Gateway determination. Council suggests an exhibition period of 14 days, which is considered acceptable.**

PROJECT TIMELINE

Council has provided an indicative project timeline with a completion date of October 2016. The Department considers a 9 month project timeline for completion is adequate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **The Sydney LEP 2012 was gazetted in December 2012.**

Assessment Criteria

Need for planning proposal :

The proposal was initiated by the landowner rather than being the direct result of a strategic study or report. The proposal is consistent with Council's Visitor Accommodation Action Plan (2015).

A proposal is the best means of facilitating the provision of new hotel development and ensuring the development responds appropriately to its context while limiting impacts on neighbouring properties.

Urban design analysis indicates the site can accommodate a built form to a height of 30 metres without any unacceptable impacts to surrounding properties. This height cannot be achieved using a clause 4.6 exception. Instead, the maximum building height applying to the site for the development needs to be amended.

Consistency with strategic planning framework :

The proposal is consistent with relevant goals, directions and actions of A Plan for Growing Sydney, in particular, Direction 1.9 – Support priority economic sectors. The direction identifies the 'visitor economy (tourism)' as a priority industry.

The site is located within the Global Sydney Centre. An overarching priority is to provide capacity for additional mixed use development in precincts for offices, retail, tourism, arts, culture, services and housing. The site is also within walking distance of Barangaroo, Darling Harbour and the CBD Arts Precinct.

The proposal is consistent with the key directions of City of Sydney's Sustainable Sydney 2030.

Environmental social economic impacts :

The proposal will not affect any critical habitats, populations or ecological communities.

Potential environmental effects have been considered by the proponent and Council. Specific environmental effects include:

Overshadowing

To support the proposal, the Sydney Development Control Plan 2012 will be amended to provide a building envelope that ensures acceptable solar access to neighbouring residential properties. Solar access impacts of the proposed building envelope have been modelled by Hassell. The modelling indicates less than 70% of

surrounding apartments currently receive at least 2 hours of direct sunlight between 9 am and 3 pm at mid-winter.

The modelling indicates six apartments at 32-34 Bunn Street will lose between 8 and 28 minutes of sunlight to habitable spaces during mid-winter. Two of the affected apartments currently receive less than 10 minutes of sunlight in mid-winter. This sunlight is only received in June and July and the apartments receive no sunlight at other times of the year due to the existing impacts of other buildings. Under the Apartment Design Guide, sunlight must be received for at least 15 minutes to be recognised. As the two apartments currently receive less than 10 minutes of sunlight, the proposed envelope's impact on their solar access is measurable by the Apartment Design Guide.

The proposed building envelope ensures solar access to neighbouring properties is not reduced by more than 20% in accordance with the Apartment Design Guide. The impact of the proposed maximum building envelope on surrounding properties' solar access is therefore considered to be within acceptable limits.

Views

The proposal is accompanied by a view impact analysis (Hassell) which indicates the proposed building envelope will affect views from 12 apartments in three neighbouring apartment buildings:

- 2 apartments at 1-9 Pyrmont Bridge Road, adjoining the site to the west;
- 2 apartments at 32-34 Bunn Street, to the south west, on the opposite corner of Union Lane and Harwood Lane; and
- 8 apartments at 1-5 Harwood Street, slightly further west, on the opposite side of Harwood Lane.

Views are not protected in the Sydney LEP 2012, Sydney DCP 2012 or the Apartment Design Guide. Therefore, the proposal's effect on views has been assessed against the NSW Land and Environment Court's 'Planning Principle' for view sharing. In all cases, the level of view sharing and impact is considered acceptable.

Privacy

The site adjoins a residential flat building at 1-9 Pyrmont Bridge Road. A second residential flat building at 32-34 Bunn Street is located to the south west of the site on the opposite corner of Union Lane and Harwood Lane.

The indicative floor plan does not include any windows on the building's western and southern sides, looking towards the nearby residential flat buildings. This indicates the proposed development will not have any privacy impacts on any nearby residential properties. Privacy impacts will be further assessed at the development application stage.

Social and economic

The proposal will support increased supply of hotel and visitor accommodation consistent with various local and state strategies. The increased visitor numbers and expenditure will provide a number of social and economic benefits including increased employment in the sector and a more diverse and robust economy.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**
 (2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons : **Existing infrastructure servicing the site has the capacity to accommodate future development.**

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal - 45 Murray St, Pyrmont.pdf	Proposal	Yes
CouncilLetter.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions: **1.1 Business and Industrial Zones**
3.4 Integrating Land Use and Transport
7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**

- 1. The planning proposal be publicly exhibited for a period of not less than 14 days.**
- 2. Council is not required to consult with State agencies.**
- 3. A public hearing is not required.**

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4. The planning proposal is to be finalised within 9 months from the date of the gateway determination.

Supporting Reasons : **The proposal is supported as it represents an opportunity to deliver mid-level visitor accommodation in a location ideally suited to this use.**

Signature:

 _____

Printed Name:

Sandy Chappel

Date:

12.4.16

