

Planning Proposal

City of Sydney
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Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont

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Executive summary

The City of Sydney ('the City') prepared this *Planning Proposal: Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont* ('the Planning Proposal') in response to a request from the owner of the site, NX Holdings Pty Ltd, to amend Sydney Local Environmental Plan 2012 ('Sydney LEP 2012') to increase the maximum building height on the site for a new hotel development.

The Planning Proposal describes the proposed amendments, their intent and their justification.

The site has a total area of approximately 398 m² and contains a five to six storey commercial office building with a café and car park on the ground level and a seventh storey element containing a lift shaft and services area.

Under existing controls in Sydney LEP 2012, the site is on land that is zoned B4 Mixed Use, has a maximum building height of 22 metres and a maximum floor space ratio ('FSR') of 5:1.

The Planning Proposal proposes to amend Sydney LEP 2012 to increase the maximum building height from 22 metres to 30 metres when consent is granted for 'hotel and motel accommodation'. It does not seek to change the building height for other types of development. The existing zoning and FSR will also be retained.

The Planning Proposal also proposes to amend Sydney LEP to waive the requirement for a competitive design process for the hotel development provided it is an alteration and addition to the existing building.

The Planning Proposal is consistent with the City's 'Visitor Accommodation Action Plan' (2015) and the NSW Government's *A Plan for Growing Sydney*. In particular, the Planning Proposal will allow the provision of new mid-range hotel development that will assist with diversifying the hotel market and meeting changing visitor demand.

Analysis indicates the Planning Proposal's impacts will be maintained within acceptable levels. This includes impacts on surrounding heritage and impacts on surrounding apartments including overshadowing, view sharing and privacy. A detailed analysis of overshadowing and view sharing impacts is included in the landowner's justification report and urban design report enclosed at Appendix A and Appendix B.

While not part of this Planning Proposal, a site specific amendment to Sydney Development Control Plan 2012 has been prepared concurrent with this Planning Proposal to address impacts on surrounding properties.

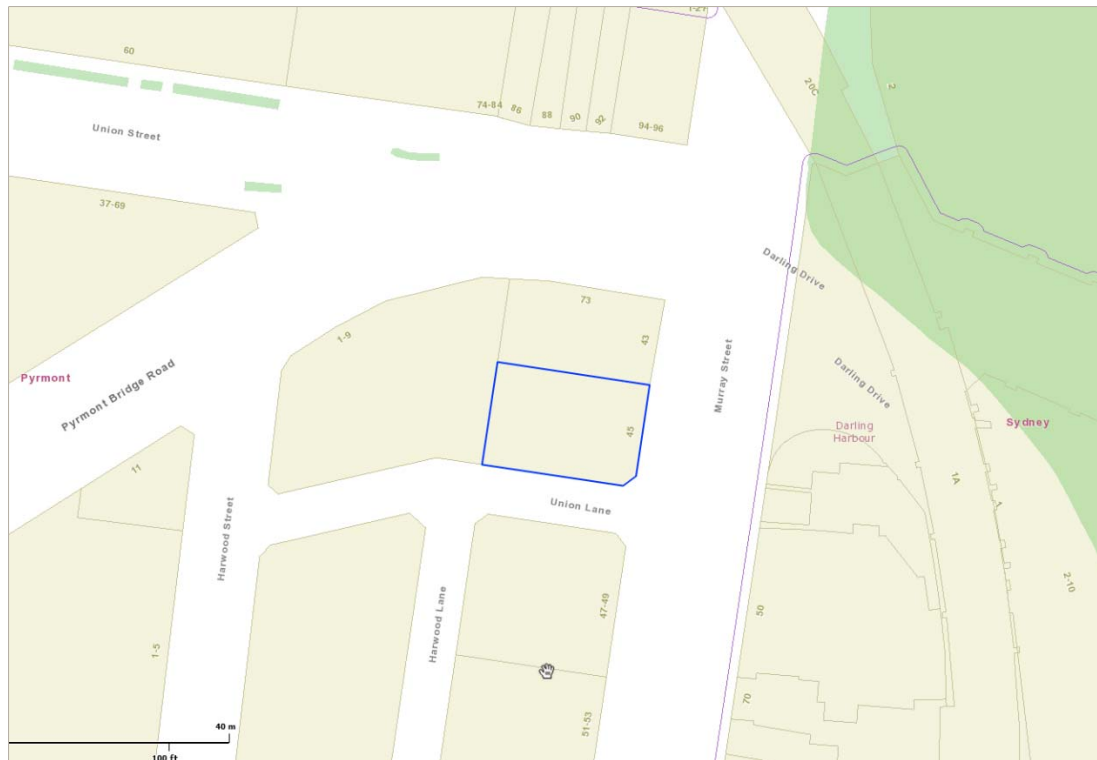
The City prepared this Planning Proposal in accordance with section 55 of the Environmental Planning and Assessment Act 1979 ('the Act') and relevant Department of Planning and Environment guidelines including 'A Guide to Preparing Planning Proposals'.

1. Site description and existing planning controls

1.1 Site description

The subject site is located at 45 Murray Street, Pyrmont, and is identified as Lot 1 in DP 507091. The site has a total area of approximately 398 m² and is in the single ownership of the applicant, NX Holdings Pty Ltd. The site location is shown in **Figure 1**.

Figure 1: Site location



Existing development on the site

The site currently contains a five to six storey commercial office building with a seventh storey element. The ground level contains a café fronting Murray Street to the east, and a car park accessed via Union Lane to the south.

The site presents as a five storey street wall to Murray Street and Union Lane that steps down to four storeys at the building's western end. A sixth storey is setback from the street wall.

A seventh storey element comprising a lift shaft and services area is located towards the northern part of the building's rooftop.

Surrounding development

Development surrounding the subject site is summarised in Table 1. An aerial photo is shown at Figure 2.

ATTACHMENT A

Table 1: Surrounding development

North	An eight storey residential flat building with ground floor retail uses fronting on to the corner of Pyrmont Bridge Road and Murray Street. The building's street address is 43 Murray Street. It has a 30 metre height limit under <i>Sydney Local Environmental Plan 2012</i> ('Sydney LEP 2012').
East	Murray Street and then a 15-storey (approximately) hotel building located on the opposite side of the street. It is used as a hotel by IBIS Hotel Darling Harbour and contains approximately 256 rooms. The building is relatively tall within the surrounding context. The building's street address is 50 Murray Street.
South	Union Lane and then a four-storey commercial office building on the opposite side of the lane. The building is identified as a local heritage item in Sydney LEP 2012 and the site has a maximum building height of 30 m. The building's street address is 47 Murray Street.
West	An 8-9 storey residential flat building with ground floor retail fronting onto Pyrmont Bridge Road and identified as 1-9 Pyrmont Bridge Road. The building includes a frontage to Union Lane and contains some courtyards and balconies abutting the subject site.

Figure 2: Aerial photo of the site



1.2 Existing planning controls

Key planning controls affecting development on the site are contained in *Sydney Local Environmental Plan 2012* ('Sydney LEP 2012') and are summarised in Table 2 and relevant map extracts at Figures 3–6 below.

Table 2: Existing key planning controls in Sydney LEP 2012

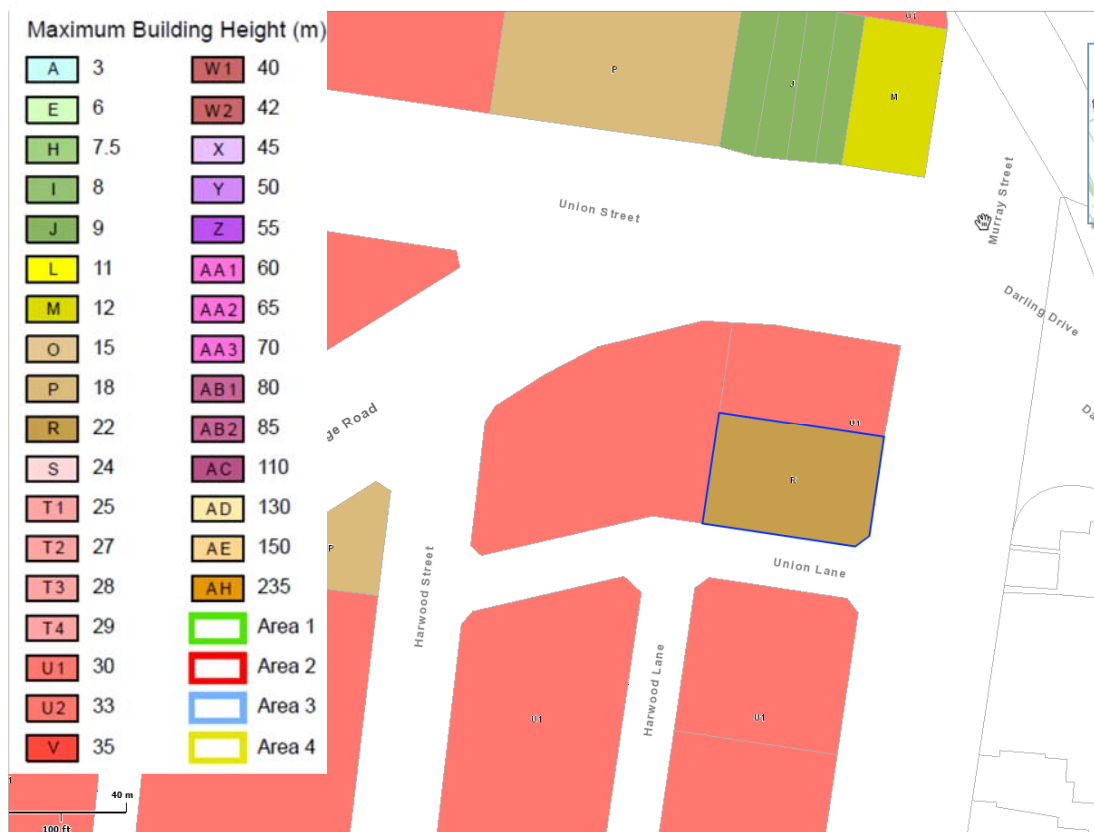
2.3 – Zoning and Land Use Table	The site is on land zoned B4 Mixed Use, as shown in Figure 3.	'Tourist and visitor accommodation' including 'hotel or motel accommodation' is permissible with consent in this zone. This Planning Proposal does not propose to change the site's zoning.
4.3 Height of Buildings	The site has a maximum building height of 22 m, as shown in Figure 4.	This Planning Proposal proposes to increase the maximum building height to 30 m only for 'hotel or motel accommodation'. It does not propose to amend the maximum building height for other types of development.
4.4 and 6.4 – Floor Space Ratio	The site has a maximum floor space ratio (FSR) of 5:1, as shown in Figure 5.	This Planning Proposal does not propose to amend the site's existing FSR.
6.21 – Design Excellence	Development consent must not be granted to development that will have a height of more than 25 m above the existing ground level unless a competitive design process has been held. A competitive design process is not required if the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances.	This Planning Proposal proposes to increase the maximum building height to 30 m only for 'hotel or motel accommodation'. It also proposes to waive the requirement for a competitive design process.
Part 7 – Maximum car parking provisions	The maximum number of car parking spaces for a building used for the purposes of hotel or motel accommodation is (a) 1 space for every 4 bedrooms up to 100 bedrooms, and (b) 1 space for every 5 bedrooms more than 100 bedrooms.	This Planning Proposal does not seek to amend the maximum car parking provisions for the site. Car parking requirements will need to be addressed as part of any subsequent development application.
7.20 – Development requiring preparation of a Development Control Plan	Development consent must not be granted to development that will result in a building with a height greater than 25 metres above ground level (existing) unless a development control plan has been prepared for the land.	This Planning Proposal proposes to increase the maximum building height to 30 m only for 'hotel or motel accommodation'. A site specific amendment to Sydney Development Control Plan 2012 has been prepared concurrent with this Planning Proposal.

ATTACHMENT A

Figure 3: Extract from Sydney LEP 2012 Zoning Map



Figure 4: Extract from Sydney LEP 2012 Building Height Map



ATTACHMENT A

Figure 5: Extract from Sydney LEP 2012 FSR Map

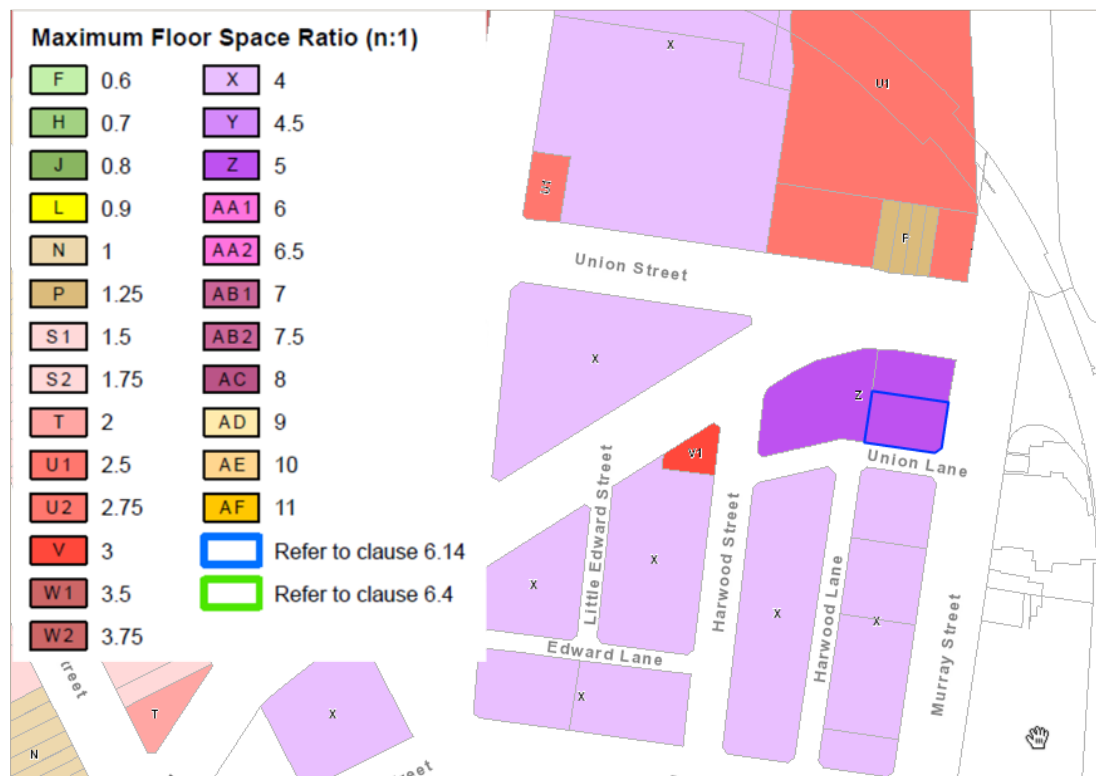
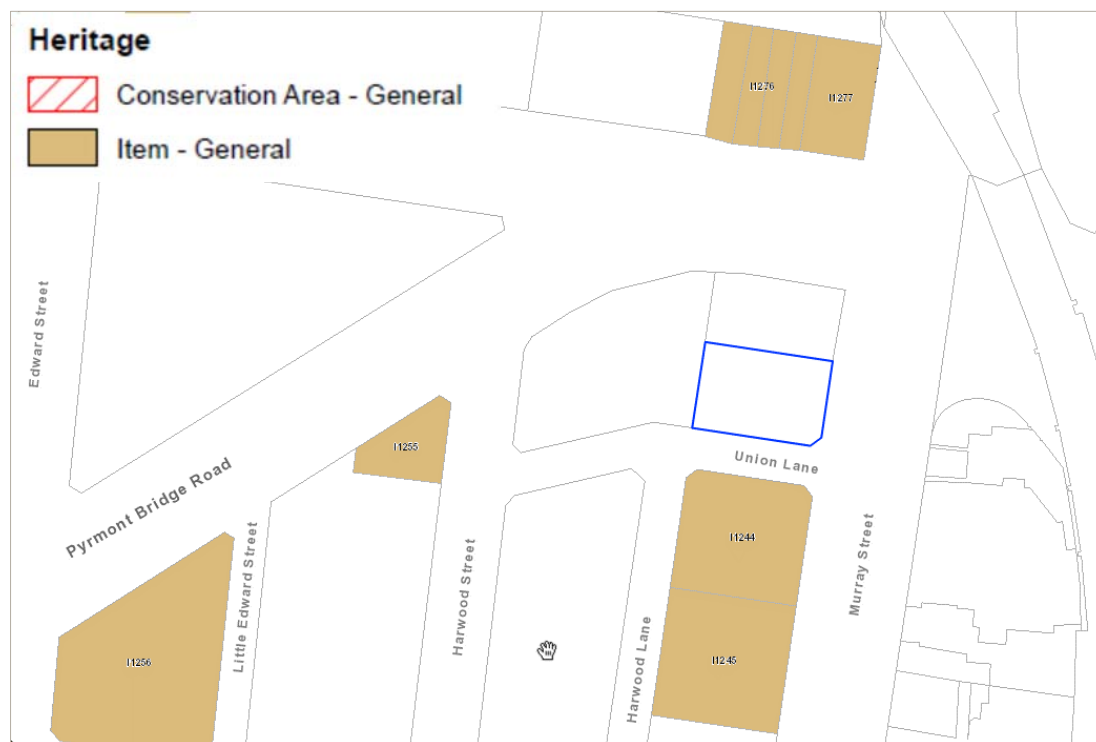


Figure 6: Extract from Sydney LEP 2012 Heritage Map



2. Objectives and explanation of proposed provisions

2.1 Objectives or intended outcomes

The objectives of this Planning Proposal are to:

- Allow the provision of a new mid-scale hotel development to provide a diverse hotel accommodation market that caters to changing visitor demand, consistent with the City's (2015) Visitor Accommodation Action Plan;
- 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.

2.2 Explanation of provisions

To achieve the objectives of the planning proposal it is proposed to amend Part 6, Division 5 of Sydney LEP 2012 to include new site specific controls for the site. The actual wording will be drafted by the Parliamentary Counsel's Office after the Planning Proposal is exhibited and Council and the Central Sydney Planning Committee provide their approval for the Planning Proposal to be made as a Local Environmental Plan. Drafting instructions for the Parliamentary Counsel's Office and an example clause are provided below.

Drafting instructions

1. The objective of the clause is to encourage the development of 'hotel or motel accommodation' at 45 Murray Street, Pyrmont.
2. The clause applies to development at 45 Murray Street, Pyrmont (Lot 1, DP 507091) for 'hotel or motel accommodation'.
3. The clause is to allow a development for 'hotel or motel accommodation' and ancillary uses to a maximum building height of 30 metres despite any other clauses of the plan.
4. The clause is to establish 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) for development to which this clause applies ('hotel or motel accommodation') and is an alteration and addition to the existing building.
5. Exclude the operation of clause 4.6 in relation to this clause.

Example clause

6.32 45 Murray Street, Pyrmont

- (1) The objective of this clause is to provide for additional height for development for the purpose of hotel or motel accommodation on certain land.
- (2) This clause applies to 45 Murray Street, Pyrmont, being Lot 1 in DP 507091.
- (3) Despite clause 4.3, the maximum building height for development on land to which this clause applies is 30 metres only if the development is for the purpose of 'hotel or motel accommodation' and ancillary uses.
- (4) Clauses 4.6, 6.21 (5), 6.21 (6) and 6.21 (7) do not apply to development on land to which this clause applies only if the development is for an alteration and addition to the existing building and for the purpose of 'hotel and motel accommodation' and ancillary uses.
- (5) Despite any other provision of this Plan, a building erected in accordance with subclause (3) must not be used for any purposes other than hotel or motel accommodation

3. Justification for proposed LEP amendments

A justification for the proposed amendment to the LEP is outlined in the following subsections:

- 3.1: Need for this Planning Proposal
- 3.2: Relationship to strategic planning framework
- 3.3: Environmental, social and economic impact
- 3.4: State and Commonwealth interests.

The justification is considered with reference to 11 questions from the Department of Planning and Infrastructure's (2012) *'A guide to preparing planning proposals'*.

3.1 Need for this Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

No, the Planning Proposal was requested by the landowner rather than being the direct result of a strategic study or report but it is consistent with the City's *Visitor Accommodation Action Plan* (2015). This is outlined in the response to *Question 4*.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the Planning Proposal is the best means of achieving the objectives outlined in Part 1 including facilitating the provision of new hotel development and ensuring the development responds appropriately to its context and limits 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 Clause 4.6 – Exceptions to development standards. Instead, the maximum building height applying to the site for the development needs to be amended.

3.2 Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

Yes, the Planning Proposal is consistent with the objectives and actions in the NSW Government's *A Plan for Growing Sydney* (2014).

A Plan for Growing Sydney

A Plan for Growing Sydney is the government's vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million residents by 2034 and needing 689,000 new jobs and 664,000 new homes by 2031.

In responding to these and other challenges, *A Plan for Growing Sydney* sets out four goals:

1. A competitive economy with world-class services and transport;
2. A city of housing choice with homes that meet people's needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

To achieve these goals, the plan proposes 22 directions and associated actions. The Planning Proposal is consistent with relevant goals, directions and actions of the plan, in particular, Direction 1.9 – Support priority economic sectors. The direction identifies the 'visitor economy (tourism)' as a priority industry.

The subject site is also located within the Global Sydney Strategic Centre. An overarching priority is to provide capacity for additional mixed use development in precincts for offices, retail, tourism, arts, culture, services and housing.

4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

Yes, the Planning Proposal is consistent with Council's following strategies:

- Sustainable Sydney 2030: Community Strategic Plan (2014) ('Sustainable Sydney 2030')
- Visitor Accommodation Action Plan

Sustainable Sydney 2030

Sustainable Sydney 2030 outlines the Council's vision for a 'green', 'global' and 'connected' City, with targets, objectives and actions to achieve that vision. The vision was adopted by Council in 2008. Strategic directions and actions of Sydney 2030 that align with the Planning Proposal are:

- Direction 1: A Globally Competitive and Innovative City – the Planning Proposal is consistent with Objective 1.6 to enhance tourism infrastructure, assets and branding of the City.
- Direction 6: Vibrant local communities and economies – a new hotel will support the diverse range of land uses and economic activity in the local area.
- Target 5: By 2030, the City will contain at least 465,000 jobs, including 97,000 additional jobs with an increased share in finance, advanced business services, education, creative industries and tourism sectors – a new hotel will provide additional tourism jobs and support jobs related sectors.

Visitor Accommodation Action Plan

The Australian and NSW tourism industries rely heavily on the City of Sydney's visitor economy. Tourism Research Australia figures indicate that in the most recent 2014/15 financial year almost 7 million domestic overnight and international visitors stayed in commercial accommodation in the Sydney tourism region with almost 5 million of these staying in commercial accommodation in the Sydney local government area. Figures from Destination NSW and the Australian Bureau of Statistics demonstrate the number of tourists and tourist expenditure within Sydney and the LGA has grown strongly in recent years.

Tourism is a key economic priority for the City. It is a major source of jobs, economic growth and resilience. It increases international knowledge, business networks and cultural awareness and contributes to Sydney's reputation as a great place to visit, live, work and invest.

City and NSW Government plans and strategies identify the importance of the visitor economy to Sydney and the need to support a diverse supply of visitor accommodation in the council area. Facilitating the supply of visitor accommodation on a site specific basis is an action identified in the City's Visitor Accommodation Action Plan.

The Visitor Accommodation Action Plan responds to actions in the City's Tourism Action Plan (2013) and the government's Visitor Economy Industry Action Plan (2012) to investigate a planning and regulatory framework that will assist visitor accommodation.

The Planning Proposal responds to an opportunity to increase the supply and diversity of visitor accommodation in the council area. The proposal is consistent with the objectives and actions in the Visitor Accommodation Action Plan, including:

- Provide a positive environment for investment in visitor accommodation;
- Identify and, where possible, remove planning system barriers to investment and development;
- Assist demand led supply of new accommodation; and
- Encourage a more diverse sector.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

There are no State Environmental Planning Policies ('SEPPs') or Sydney Regional Environmental Plans ('SREPs') applicable to the Planning Proposal. All current SEPPs and SREPs are listed in **Table 3**.

Table 3: Current State Environmental Planning Policies

- SEPP No 1—Development Standards - SEPP No 14—Coastal Wetlands - SEPP No 15—Rural Landsharing Communities - SEPP No 19—Bushland in Urban Areas - SEPP No 21—Caravan Parks - SEPP No 26—Littoral Rainforests - SEPP No 29—Western Sydney Recreation Area - SEPP No 30—Intensive Agriculture - SEPP No 32—Urban Consolidation (Redevelopment of Urban Land) - SEPP No 33—Hazardous and Offensive Development - SEPP No 36—Manufactured Home Estates - SEPP No 39—Spit Island Bird Habitat - SEPP No 44—Koala Habitat Protection - SEPP No 47—Moore Park Showground - SEPP No 50—Canal Estate Development - SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas - SEPP No 55—Remediation of Land - SEPP No 59—Central Western Sydney Regional Open Space and Residential - SEPP No 62—Sustainable Aquaculture - SEPP No 64—Advertising and Signage - SEPP No 65—Design Quality of Residential Flat Development - SEPP No 70—Affordable Housing (Revised Schemes) - SEPP No 71—Coastal Protection - SEPP (Affordable Rental Housing) 2009 - SEPP (Building Sustainability Index: BASIX) 2004 - SEPP (Exempt and Complying Development Codes) 2008 - SEPP (Housing for Seniors or People with a Disability) 2004	- SEPP (Infrastructure) 2007 - SEPP (Kosciuszko National Park—Alpine Resorts) 2007 - SEPP (Kurnell Peninsula) 1989 - SEPP (Major Development) 2005 - SEPP (Mining, Petroleum Production and Extractive Industries) 2007 - SEPP (Miscellaneous Consent Provisions) 2007 - SEPP (Penrith Lakes Scheme) 1989 - SEPP (Rural Lands) 2008 - SEPP (SEPP 53 Transitional Provisions) 2011 - SEPP (State and Regional Development) 2011 - SEPP (Sydney Drinking Water Catchment) 2011 - SEPP (Sydney Region Growth Centres) 2006 - SEPP (Three Ports) 2013 - SEPP (Urban Renewal) 2010 - SEPP (Western Sydney Employment Area) 2009 - SEPP (Western Sydney Parklands) 2009 - SREP (Sydney Harbour Catchment) 2005 - SREP No 8 (Central Coast Plateau Areas) - SREP No 9—Extractive Industry (No 2—1995) - SREP No 16—Walsh Bay - SREP No 18—Public Transport Corridors - SREP No 19—Rouse Hill Development Area - SREP No 20—Hawkesbury-Nepean River (No 2—1997) - SREP No 24—Homebush Bay Area - SREP No 26—City West - SREP No 30—St Marys - SREP No 33—Cooks Cove
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6. Is the Planning Proposal consistent with applicable Ministerial directions?

Yes, the Planning Proposal is consistent with all applicable Ministerial (s117 directions) directions. Three directions are applicable to the Planning Proposal as shown in Table 4. The Planning Proposal is consistent with all three directions, as outlined in the following subsections.

Table 4: Applicability of Ministerial directions to the Planning Proposal

Employment and Resources		
1.1	Business and industrial zones	✓
1.2	Rural zones	✗
1.3	Mining, petroleum production and extractive industries	✗
1.4	Oyster aquaculture	✗
1.5	Rural lands	✗
Environment and Heritage		
2.1	Environmental protection zones	✗
2.2	Coastal protection	✗
2.3	Heritage conservation	✗
2.4	Recreation vehicle areas	✗
Housing, Infrastructure and Urban Development		
3.1	Residential zones	✗
3.2	Caravan parks and manufactured home estates	✗
3.3	Home occupations	✗
3.4	Integrating land use and transport	✓
3.5	Development near licensed aerodromes	✗
3.6	Shooting ranges	✗
Hazard and Risk		
4.1	Acid sulfate soils	✗
4.2	Mine subsidence and unstable land	✗
4.3	Flood prone land	✗
4.4	Planning for bushfire protection	✗
Regional Planning		
5.1	Implementation of regional strategies	✗
5.2	Sydney drinking water catchments	✗
5.3	Farmland of state and regional significance on the NSW far north coast	✗
5.4	Commercial and retail development along the Pacific Highway, N. coast	✗
5.5	Development in the vicinity of Ellalong, Paxton and Millfield – revoked	✗
5.6	Sydney to Canberra corridor – revoked	✗
5.7	Central Coast – revoked	✗
5.8	Second Sydney Airport, Badgerys Creek	✗
5.9	North West Rail Link corridor strategy	✗

ATTACHMENT A

Regional Planning	
6.1 Approval and referral requirements	✗
6.2 Reserving land for public purposes	✗
6.3 Site specific provisions	✗
Metropolitan Planning	
7.1 Implementation of 'A Plan for Growing Sydney'	✓
7.2 Implementation of Greater Macarthur land release investigation	✗

Direction 1.1 – Business and industrial zones

The site is on land zoned B4 Mixed Use and is currently used for commercial office purposes. The Planning Proposal seeks to increase the maximum building height to facilitate a change of use from an office to a hotel.

Supporting tourist and visitor accommodation development is identified as a priority in various local and state strategies including the government's A Plan for Growing Sydney and Visitor Economy Industry Action Plan and the City's Sustainable Sydney 2030 and Visitor Accommodation Action Plan. The planning proposal is consistent with the direction as it encourages employment growth, protects employment land and supports the viability of Pyrmont which is with Global Sydney.

Direction 7.1 – Implementation of 'A Plan for Growing Sydney'

The Planning Proposal is consistent with A Plan for Growing Sydney, as outlined in the response to Question 3.

3.3 Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?

No, the Planning Proposal will not affect any critical habitats, populations or ecological communities.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

This Planning Proposal proposes to amend the maximum building height on the subject site to facilitate redevelopment as a mid-range hotel. Potential environmental effects include:

- Overshadowing
- Views
- Privacy
- Heritage.

These impacts are discussed in the following subsections.

ATTACHMENT A

Overshadowing

Minimum acceptable solar access requirements are specified in the NSW Department of Planning and Environment's (2015) 'Apartment Design Guide'. Key requirements are summarised as follows:

- Objective 4A-1 requires that at least 70% of apartments in a building receive at least 2 hours of direct sunlight between 9 am and 3 pm at mid-winter in the Sydney metropolitan area;
- Objective 4A-1 also requires that living rooms and private open spaces receive at least 1 m² of direct sunlight, measured at 1 m above floor level, for at least 15 minutes; and
- Objective 3B-2 requires that if an adjoining property does not currently receive the required hours of access the proposed building must ensure solar access to neighbouring properties is not reduced by more than 20%.

In association with this Planning Proposal, it is proposed to amend Sydney Development Control Plan 2015 to provide a building envelope that ensures acceptable solar access to neighbouring residential properties. A south east perspective of the proposed maximum building envelope is shown in Figure 7. Surrounding properties are shown in Figure 8.

Figure 7: South east perspective of the proposed maximum building envelope

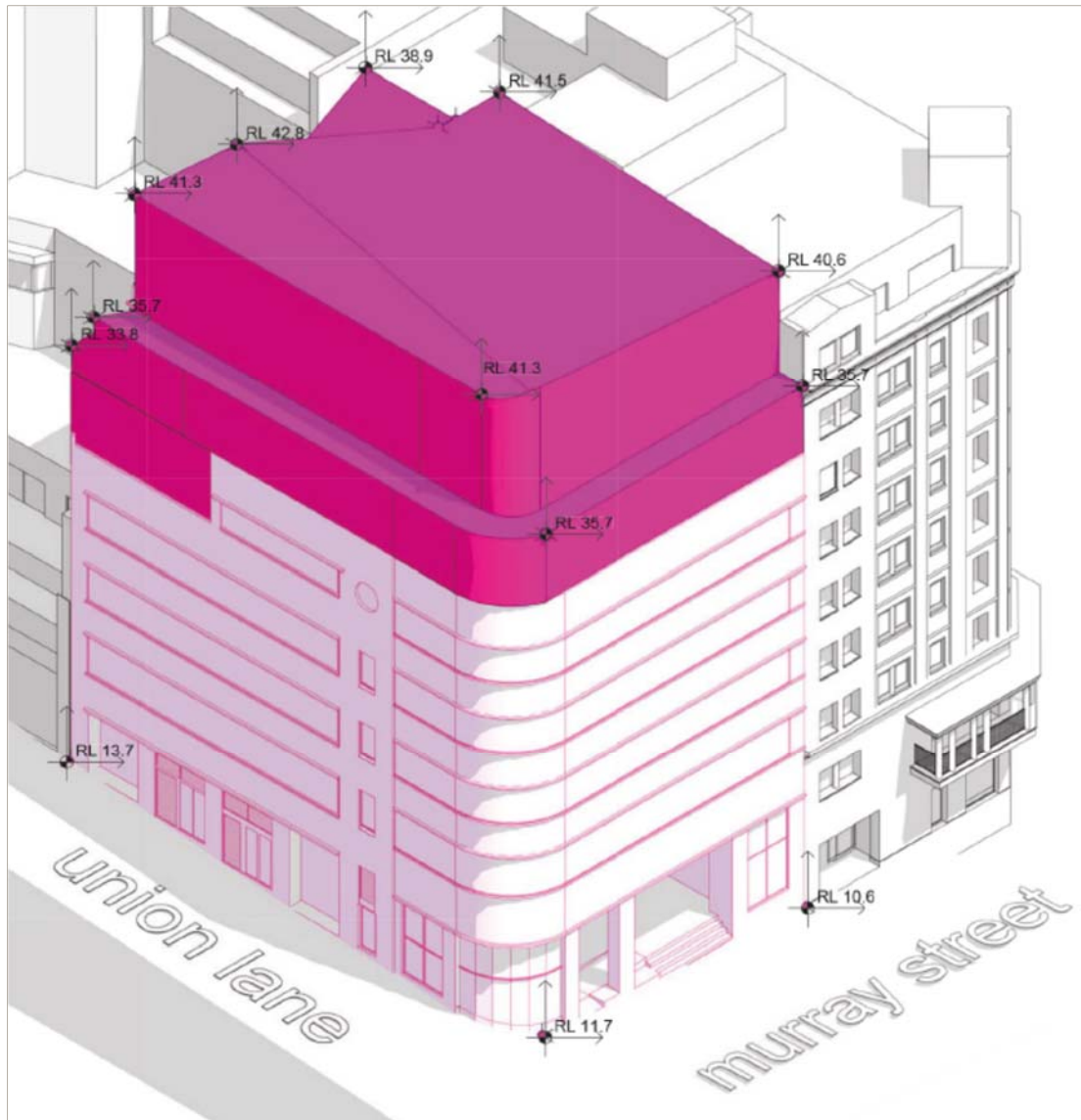
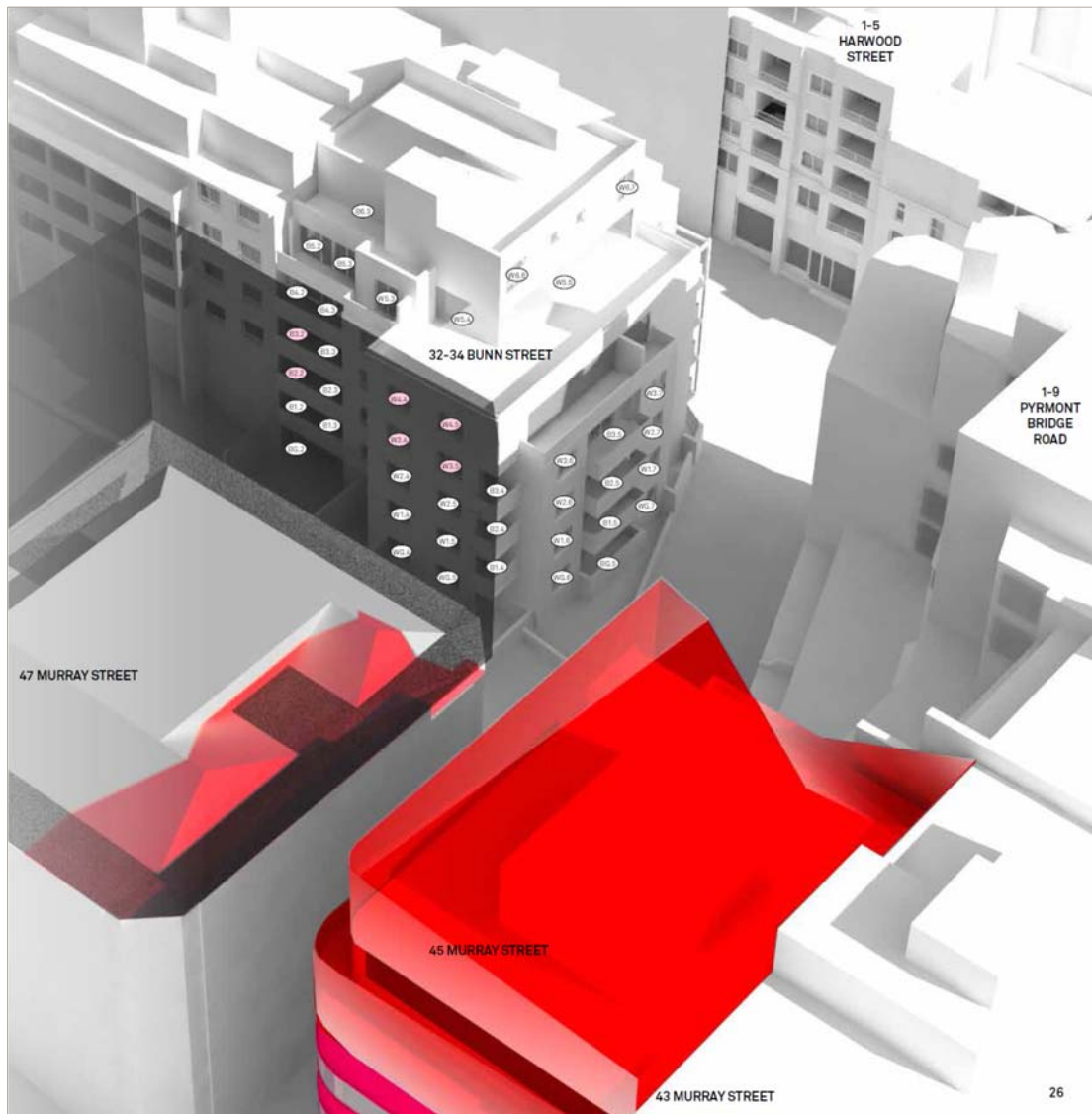


Figure 8: Properties surrounding the subject site



Solar access impacts of the proposed maximum building envelope are modelled in section 5 of Hassell's report shown at [Appendix A](#). The modelling indicates less than 70% of apartments currently receive at least 2 hours of direct sunlight between 9 am and 3 pm at mid-winter. Therefore objective 3B-2 of the Apartment Design Guide requiring the proposed building to ensure solar access to neighbouring properties is not reduced by more than 20% is relevant.

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 Objective 4A-1 of 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 consistent with the Apartment Design Guide.

The remaining four apartments affected currently receive 2 hours and 8 minutes or 2 hours and 28 minutes of sunlight and will lose between 8 and 28 minutes of sunlight and will each retain 2 hours of sunlight. The percentage of sunlight lost by each apartment ranges from 6.3% to 18.9%, as shown in Table 5. The reference numbers used for apartments is shown in Figure 9.

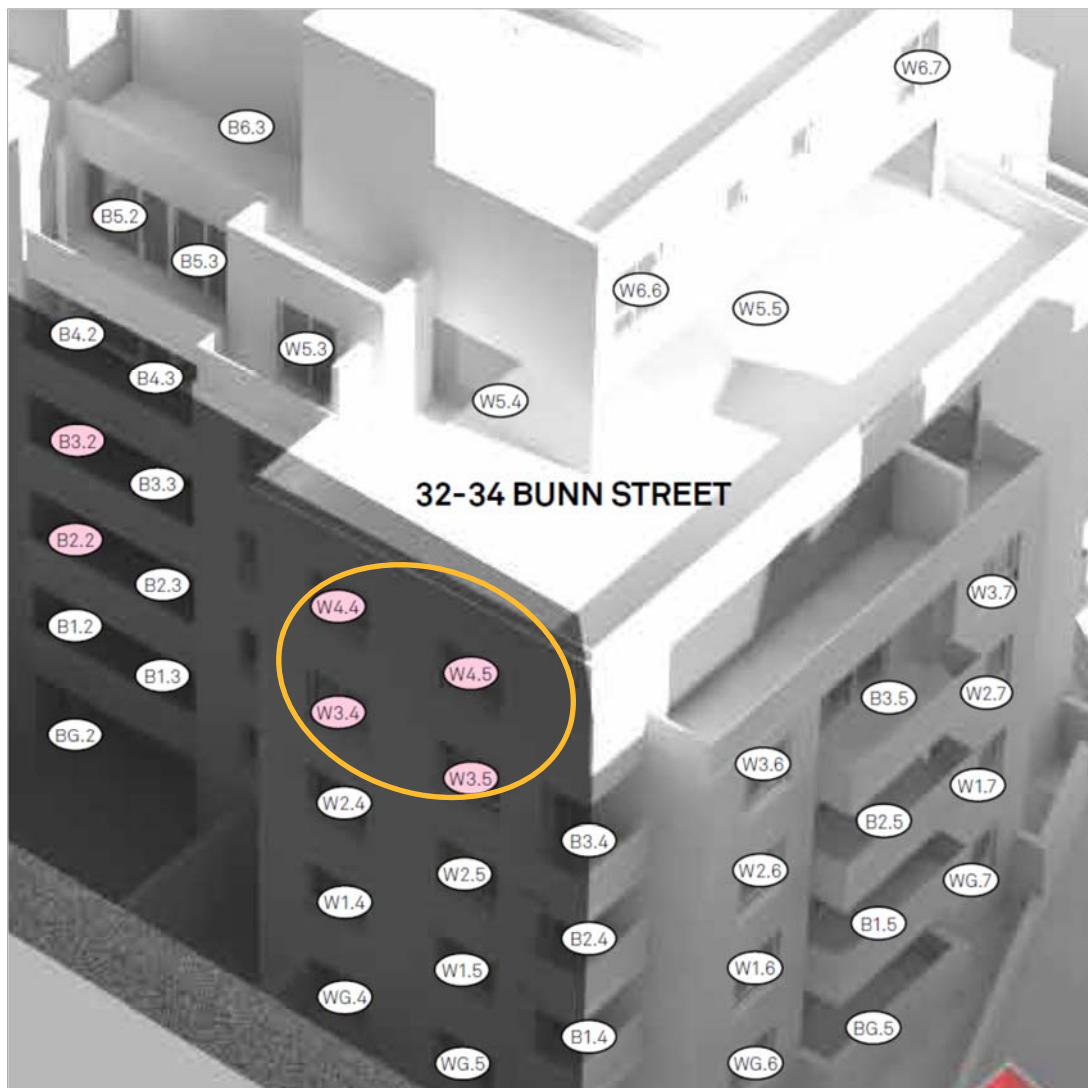
ATTACHMENT A

The proposed maximum building envelope ensures solar access to neighbouring properties is not reduced by more than 20% in accordance with Objective 3B-2 of 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 and the standards of the Apartment Design Guide.

Table 5: Reduction in sunlight received by apartments 32-34 Bunn Street¹

	Current	Proposed	Reduction	Reduction
AW3.4	148 minutes	120 minutes	28 minutes	18.9%
AW3.5	128 minutes	120 minutes	8 minutes	6.3%
AW4.4	148 minutes	120 minutes	28 minutes	18.9%
AW4.5	148 minutes	120 minutes	28 minutes	18.9%

Figure 9: Apartment references used for solar access analysis at 32-34 Bunn Street



¹ Derived from section 5 of Hassell's urban design report shown at [Appendix A](#) to this Planning Proposal. Apartment references are as per the references used in Hassell's report.

Views

A view impact analysis is included in section 3 of Hassell's report shown at Appendix A. It indicates the proposed maximum 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 afield to the west, on the opposite side of Harwood Lane.

The location of these properties relative to the subject site is shown in Figure 8 in the previous subsection.

Views are not protected in the LEP, Sydney Development Control Plan 2012 or the Apartment Design Guide. The Planning Proposal's effect on views have therefore been assessed against the NSW Land and Environment Court's 'Planning Principle' for view sharing (*Tenacity Consulting v Warringah Council* [2004] NSW LEC 140). Three key criteria are used to assess the level of impact:

1. Importance of the view affected – whole views are generally considered more important than partial views; iconic views are valued more highly than views without icons;
2. Part of the property where views are obtained – views from living areas are generally considered more important than views from other areas of a dwelling; side and sitting views are generally considered less important than standing views; and
3. How much of the view is affected.

Hassell's view impact analysis shown at Appendix A includes imagery comparing the existing and proposed views at each of the 12 affected apartments. The level of impact and view sharing at each apartment is outlined in the subsections below. In all cases, the level of view sharing and impact is considered acceptable.

View impact at 32-34 Bunn Street

The Planning Proposal will impact on two apartments' views at 32-34 Bunn Street, as shown in Figure 10. The apartments' existing and proposed views are shown in Figure 11 and Figure 12. The views are also affected by the permissible building envelope for 47 Murray Street.

The proposed level of view sharing and impact on the two apartments is considered acceptable as their views are not whole views, they are not of significant importance and some of the views will be retained.

Both apartments have glimpses and distant partial views of the mid and top points of buildings in the Central Sydney skyline. The views' importance are not considered significant as the views are neither whole nor iconic.

ATTACHMENT A

Figure 10: Apartment references used for view analysis at 32-34 Bunn Street

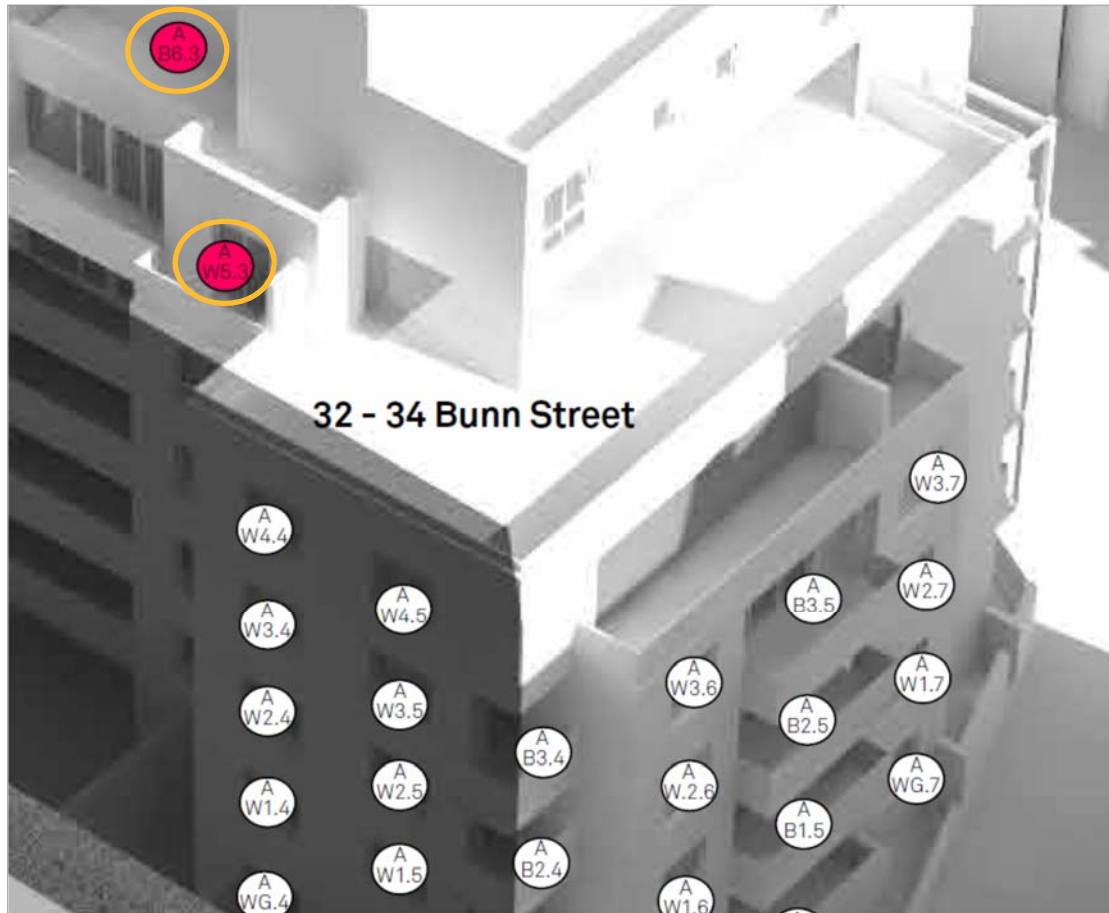


Figure 11: View north-east from window of AW5.3

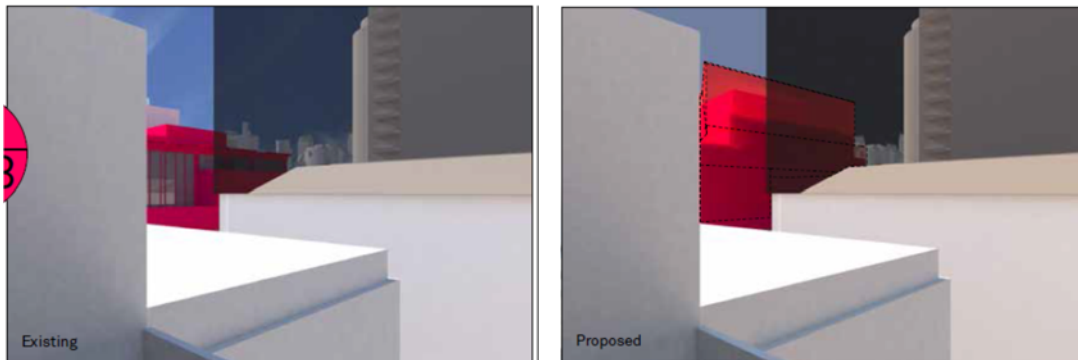
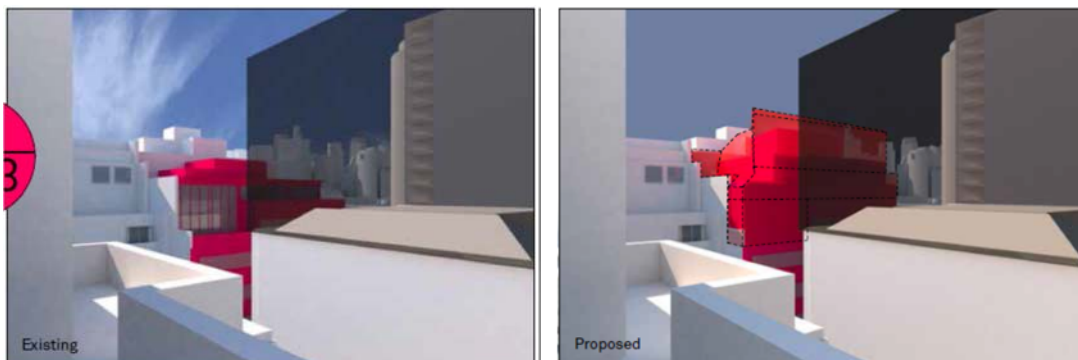


Figure 12: View north-east from window of AB6.3



ATTACHMENT A

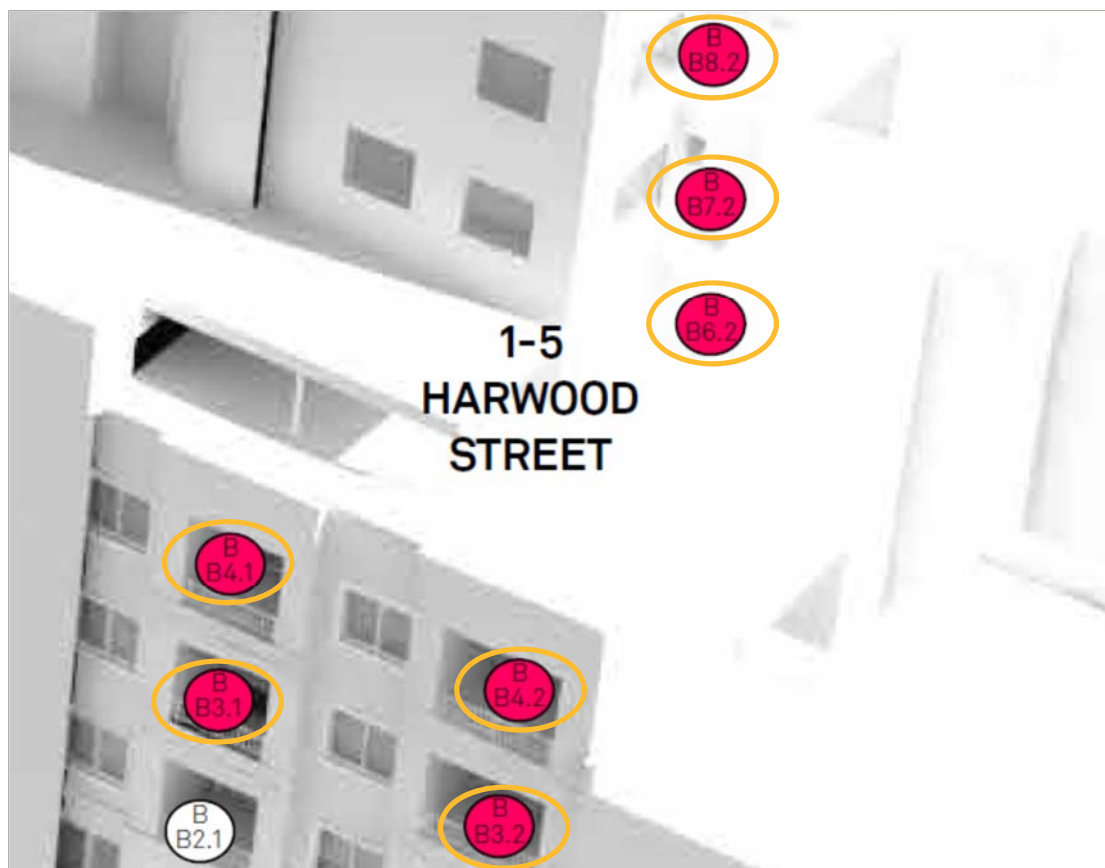
View impact at 1-5 Harwood Street

The Planning Proposal will impact on seven apartments' views at 1-5 Harwood Street, as shown in Figure 13. Each apartment's existing and proposed views are shown in Figures 15 through 21.

Four apartments (BB4.1, BB4.2, BB3.1 and BB3.2) have very limited views of the Central Sydney skyline, most of which will be lost. These views are shown in Figures 15 to 18. The proposed impact on these apartments and level of view sharing is considered acceptable given the views are very limited and the skyline visible does not contain any iconic elements.

Three apartments (BB6.2, BB7.2 and BB8.2) have slightly more expansive but still limited views of the Central Sydney skyline. These views are shown in Figures 19 to 21. These apartments would lose approximately half to three quarters of their distant skyline view. The proposed impact and level of view sharing is considered acceptable as the skyline views are not whole views, they will retain part of the skyline view, and the portion of the skyline view proposed to be lost does not contain any iconic elements. Two of the apartments (BB6.2 and BB7.2) also have more expansive views in other directions that won't be affected.

Figure 13: Apartment references used for view analysis at 1-5 Harwood Street



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Figure 14: View east from balcony of BB4.1

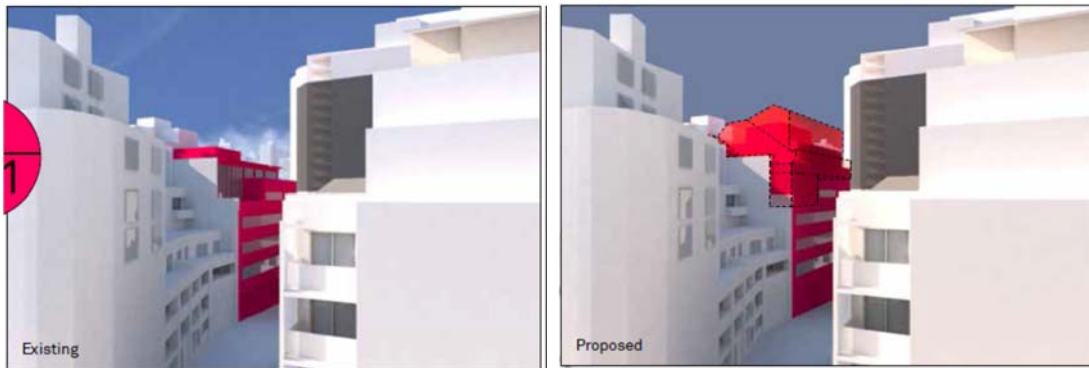


Figure 15: View east from balcony of BB4.2



Figure 16: View east from balcony of BB3.1



Figure 17: View east from balcony of BB3.2



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Figure 18: View north from balcony of BB8.2

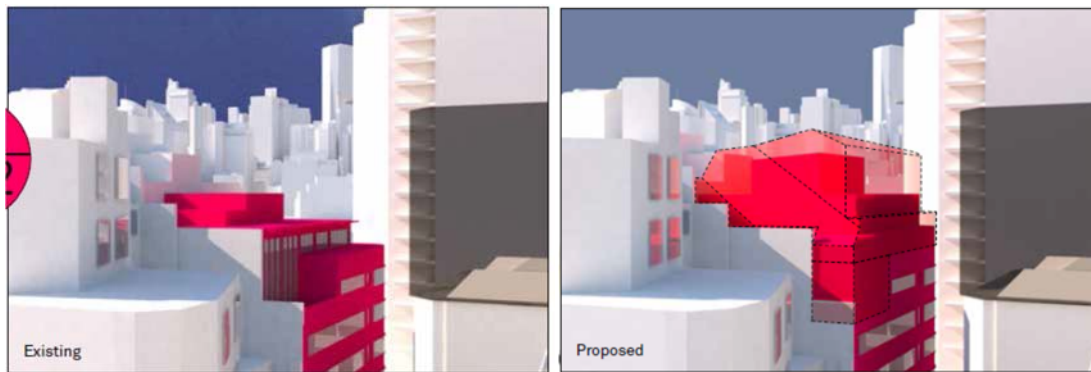


Figure 19: View north from balcony of BB6.2

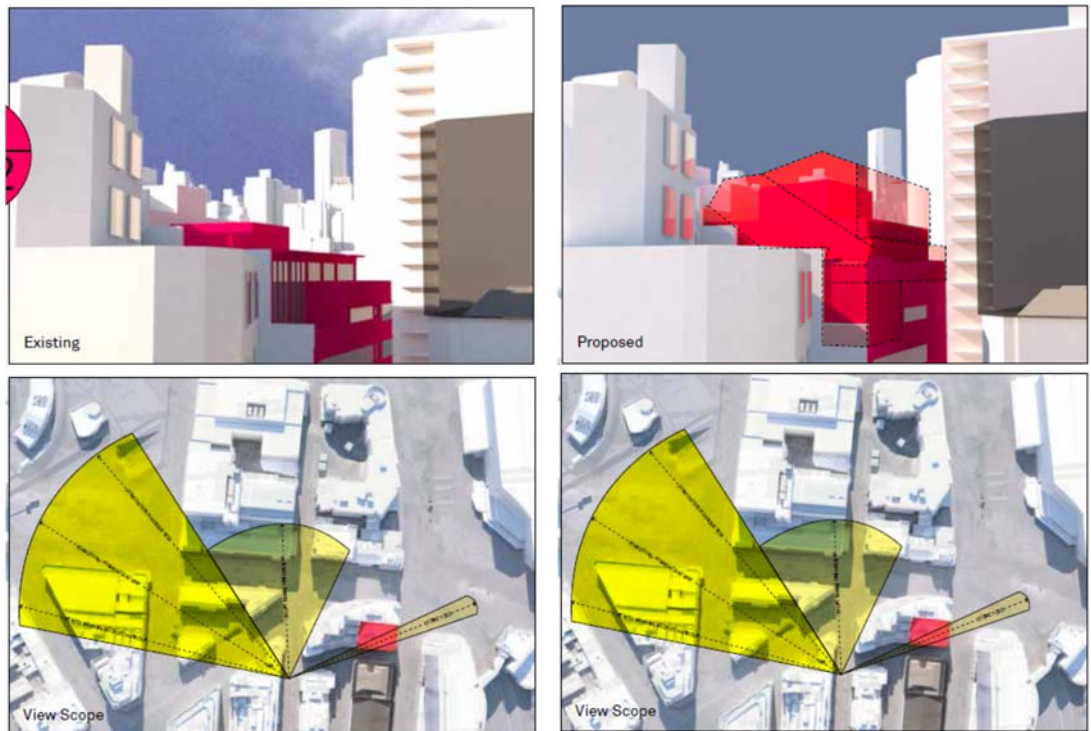
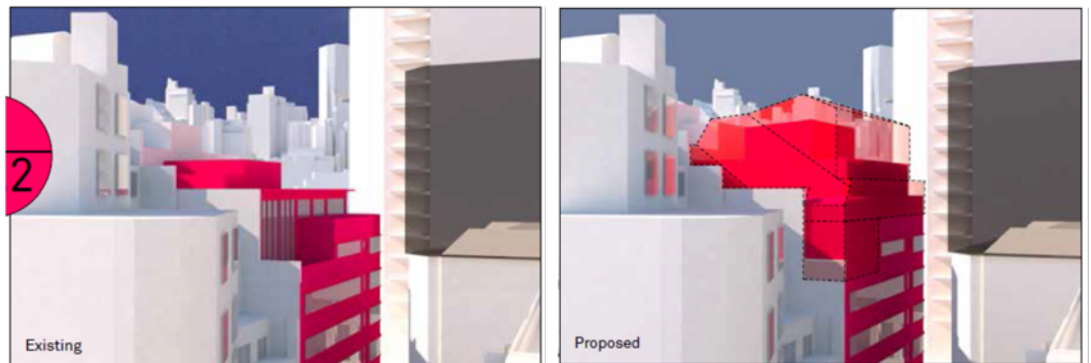


Figure 20: View north from balcony of BB7.2



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View impact at 1-9 Pyrmont Bridge Road

The Planning Proposal will impact on five apartments' views at 1-9 Pyrmont Bridge Road, as shown in Figure 22. The apartment's existing and proposed views are shown in Figures 23 to 27.

The proposed level of view sharing and impact on each apartment is considered acceptable and is summarised as follows:

- CB7.1 – this apartment has glimpses and partial views of the Central Sydney skyline, most of which will be lost. The effect on the view is shown in Figure 23. It also has more expansive views in other directions which will not be affected. While most of the skyline view will be lost, this is considered acceptable as the skyline view is not a whole view and the portion lost does not contain any iconic elements. Additionally, the apartment will retain its more expensive views in other directions.
- CW8.6 – this apartment has glimpses and partial views of the Central Sydney skyline including the mid and top point of Sydney Tower. Approximately half of the skyline view will be lost. The view is shown in Figure 24. The apartment will lose its view of the midpoint of Sydney Tower but retain its view of the more important top point of Sydney Tower. This impact and level of view sharing is considered acceptable as the view is not a whole view and part of the view will be retained including the important top point of Sydney Tower.

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Figure 21: Apartment references used for view analysis at 1-9 Pyrmont Bridge Road

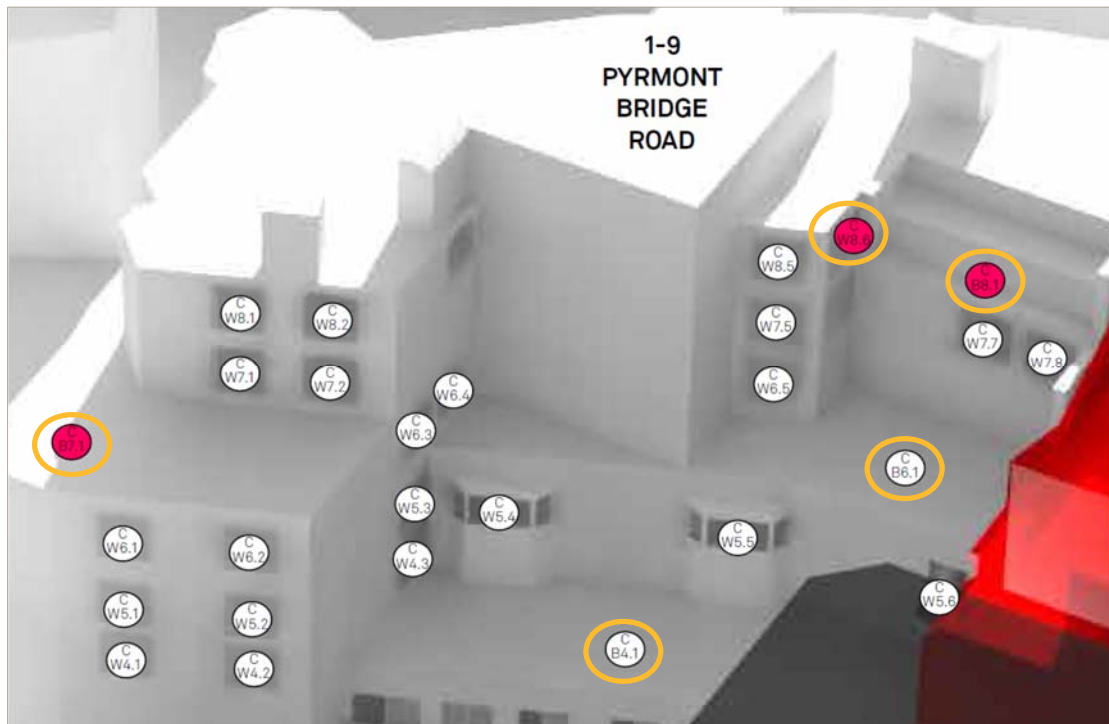


Figure 22: View east from balcony at CB7.1

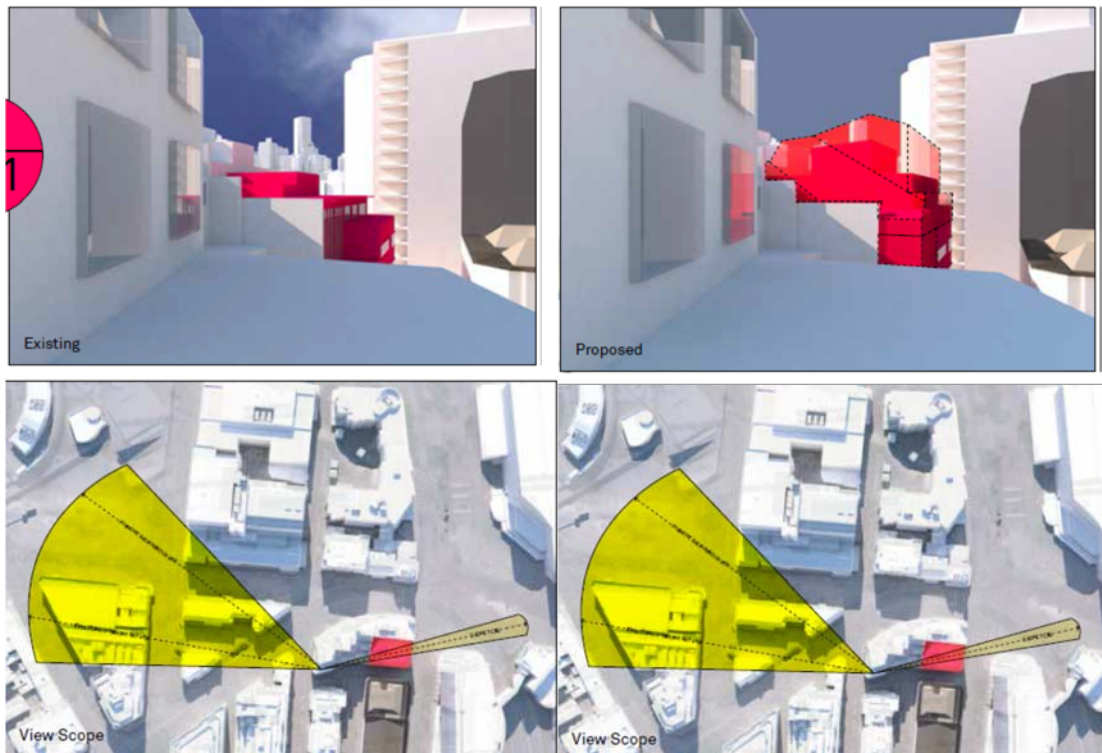
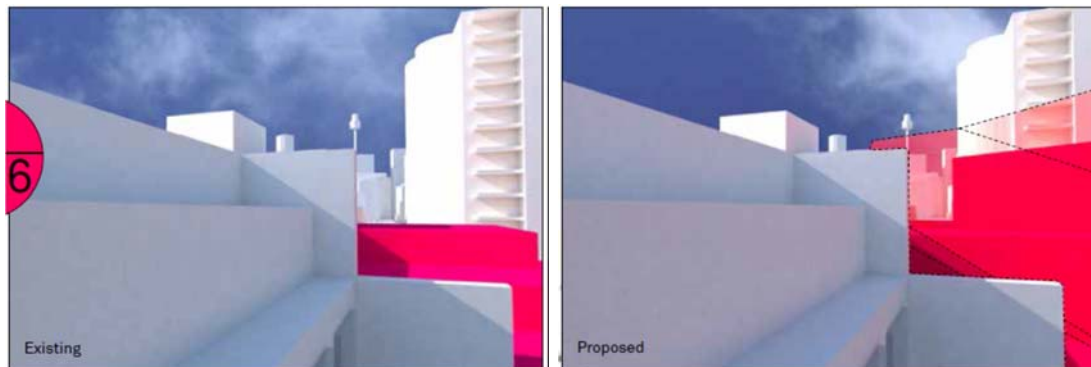


Figure 23: View east from window at CW8.6



Privacy

The subject site is adjoined by a residential flat building at 1-9 Pyrmont Bridge Road and a second residential flat building at 32-34 Bunn Street is located to the south west of the subject site on the opposite corner of Union Lane and Harwood Lane. The adjoining building to the south on the opposite side of Union Lane is currently being used as a commercial office.

A typical floor plan of the proposed development is included in Hassell's urban design report shown at Appendix B. The typical floor plan layout does not include any windows on the building's western and southern sides, looking towards the nearby residential flat buildings at 1-9 Pyrmont Bridge Road and 32-34 Bunn Street. This indicates the proposed development will not have any privacy impacts on any nearby residential properties. Privacy impacts will be assessed as part of any associated development application.

Heritage

The Planning Proposal is not considered to have any unacceptable heritage impacts.

The site is not listed as a heritage item and is not located in a heritage conservation area but is in the vicinity of two heritage items located to the south of the site at 47-49 Murray Street and 51-53 Murray Street. These are shown in Figure 6 of this Planning Proposal.

The two heritage items are 1920s warehouses that are historically significance as a representative of that building type. The intactness of the warehouses and consistent scale contributes substantially to their significance. The planning proposal will enable development that is consistent with the scale of the nearby heritage items.

9. Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal will have a number of positive social and economic effects as well as effects requiring further consideration and management during the development application stage. These are outlined below.

Positive effects

The Planning 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.

Effects requiring consideration and management

The Planning Proposal will have a number of effects that will need to be considered further and managed at the development application stage. Effects include:

- Traffic impacts;
- Accessibility requirements under the Building Code of Australia and Access to Premise Standards within and around the site for a future hotel;
- Amenity impacts including from deliveries and guest arrivals – these can be managed through a condition of consent requiring a plan of management to be prepared;
- Outdoor lighting impacts; and
- Waste management impacts – a comprehensive waste management plan will need to be prepared as part of the development application process.

3.4 State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

It is expected existing infrastructure servicing the site has the capacity to accommodate future development. Infrastructure upgrades needed to support future development on the site will be investigated as part of the development application. This includes any required augmentation and mitigation measures.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Given the site specific nature of the Planning Proposal, no preliminary consultation with state or commonwealth authorities is considered necessary. Consultation with relevant agencies will be conducted when Gateway determination is issued. If the Greater Sydney Commission (or delegate) decides the Planning Proposal can proceed, the Commission (or delegate) will inform Council which state and Commonwealth authorities Council must consult during the Planning Proposal's public exhibition period.

4. Proposed mapping, consultation and timeline

4.1 Mapping

It is not proposed to amend any maps in Sydney Local Environmental Plan 2012.

4.2 Consultation

It is proposed to publicly exhibit this Planning Proposal and consult with any relevant state or commonwealth authorities during the public exhibition period.

Public exhibition period

This Planning Proposal will be publicly exhibited for at least 14 days in accordance with section 5.5.2 of the Department of Planning and Infrastructure's (2013) 'A Guide to Preparing Local Environmental Plans'.

Public notification

Council will notify the public of the exhibition via notices in the Sydney Morning Herald, relevant local newspapers and the City's website. Council will also send written notification letters to all landowners of neighbouring properties affected by the development.

Viewing printed and electronic copies of this Planning Proposal

Members of the public will be able to view electronic copies of this Planning Proposal on the City's website. Printed copies will also be available for inspection at the One Stop Shop at Town Hall House and at the Glebe Neighbourhood Service Centre. This is the nearest neighbourhood service centre to the subject site.

Confirmation of consultation requirements

If the Greater Sydney Commission (or delegate) decides this Planning Proposal can proceed, the Commission (or delegate) will confirm what public consultation must be undertaken having regard to the details set out in this Planning Proposal. This will include details of which state and Commonwealth authorities Council must consult during the Planning Proposal's public exhibition.

4.3 Timeline

It is estimated Sydney Local Environmental Plan 2012 could be amended by the end of 2016 as shown in Table 6.

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Table 6: Estimated indicative project timeline

1. Seek Council's and the Central Sydney Planning Committee's approval to seek the Greater Sydney Commission's Gateway determination and publicly exhibit this Planning Proposal.	February 2016
2. Submit Planning Proposal to the Greater Sydney Commission seeking a Gateway determination.	March 2016
3. Gateway Panel considers Planning Proposal and Greater Sydney Commission (or delegate) issues Gateway determination.	April 2016
4. Publicly exhibit this Planning Proposal and supporting Draft DCP amendment and consult with any relevant public authorities.	May 2016
5. Consider any submissions received from the public and any public authorities during the public exhibition and, where warranted, amend Planning Proposal and supporting Draft DCP to address issues raised in submissions.	May–June 2016
6. Seek Council's and the Central Sydney Planning Committee's approval of the Planning Proposal to be made as a Local Environmental Plan and the Draft DCP amendment to be made as a Development Control Plan.	July 2016
7. Parliamentary Counsel's Office drafts instrument.	August–September 2016
8. Commission (or delegate) makes the amendment to Sydney Local Environmental Plan.	October 2016
9. Parliamentary Counsel's Office notifies the plan on the NSW Legislation website and the plan commences.	October 2016

Appendix A: Landowner's planning justification report

The landowner's planning justification report prepared by Urbis and dated July 2015 is enclosed with this appendix. It considers Hassell's urban design report and includes an assessment of the planning proposal's environment impacts including:

- Solar access / overshadowing impacts;
- View impacts;
- Privacy impacts;
- Heritage impacts; and
- Traffic and transport impacts.

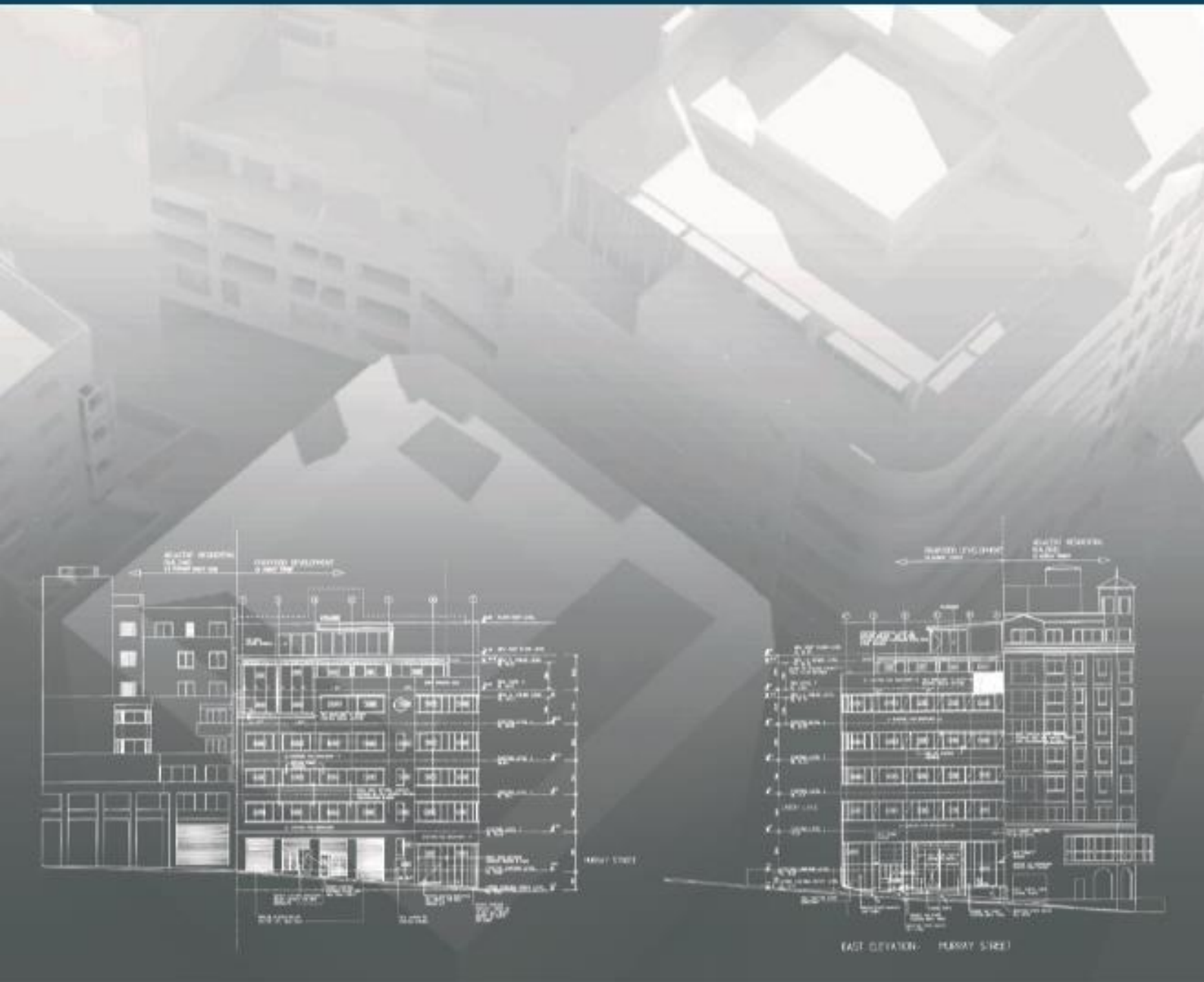
Appendix B: Landowner's urban design report

The landowner's urban design report prepared by Hassell and dated December 2015 is enclosed with this appendix. It includes:

- A description of the proposal;
- A view impact analysis;
- A solar access / overshadowing analysis; and
- An indicative concept for the proposed hotel.

45 MURRAY STREET, PYRMONT

Planning Proposal



ATTACHMENT A

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Tim Blythe
Associate Director	Andrew Harvey
Job Code	SA5253
Report Number	Planning Proposal

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Executive Summary

- 45 Murray Street, Pyrmont is a strategically significant site, located in a prominent position to the west of the Sydney CBD adjacent to Darling Harbour and a number of tourism attractions.
- The site is in single ownership, has city and district views, and is surrounded by a range of other major retail, tourism and residential uses in Pyrmont which are reflected in its status within 'Global Sydney' in *A Plan for Growing Sydney*. Few sites within Sydney have comparable strategic credentials and attractiveness for tourism related uses, or are available for unique redevelopment opportunities.
- Notwithstanding these unique and highly sought after qualities, the current use and building fails to respond positively to the opportunities provided by such a prominent, strategic site. The height, built form and scale of the existing building is lower compared to other surrounding buildings in the site's immediate vicinity. Further, the site is somewhat of an anomaly with a 22m height standard in comparison to all other sites being 30m in the surrounding properties. Within this context, the site is underdeveloped and lacks an appropriate form of development that contributes positively to the strategic direction for such an important site. No change to the current FSR standard is proposed.
- The pent up demand for tourist and visitor accommodation in Sydney, particularly in the mid-star range, has recently been cited as a major challenge and focus by State, Metropolitan and Local planning policies initiatives. *The NSW State Plan 2020* expressly seeks to increase tourism in NSW and double the visitor expenditure over the next 5 years. This ambitious aim has been reflected, and embedded in policy initiatives by the NSW Department of Planning and Environment in the release of the *A Plan for Growing Sydney*, and the City of Sydney with the release of the *Draft Visitor Accommodation Action Plan* which both seek to actively create opportunities for more tourist and visitor accommodation in Sydney.
- In response to the strategic site qualities and opportunities with the current form of development on the site, NX Holdings (the applicant) are proposing to amend LEP 2012 to increase the height standard which applies to the site from 22m to 30m on the basis that the proposal will provide much needed tourist and visitor accommodation in this central location.
- To demonstrate that the proposed increase in the building height relating to the site is well founded, Hassell architects have prepared a comprehensive urban design analysis which has comprehensively evaluated the site and surrounding context and the potential impacts of this additional height on the surrounding built form. This confirms that the proposal responds positively to this context, and will not give rise to any unreasonable environmental impacts.
- This Planning Proposal provides an overview of the strategic merits of the proposed amendment to the LEP proceeding, and in accordance with Section 55(2) of the Environmental Planning & Assessment Act ('the Act') explains the intended effect and sets out the justification for making the proposed instrument.
- In summary, the Planning Proposal will provide a range of significant local and regional benefits which warrant support, including:
 - Urban renewal of a key strategic site within 'Global Sydney' which seeks to introduce a high quality tourist and visitor accommodation use. Approximately 106 hotel rooms will be provided to the local area, which will be a generous contribution to the visitor economy and align with the State, Regional and Local policy initiatives for tourism in Sydney.
 - Revitalisation of an existing commercial building which currently fails to respond positively to the site's excellent strategic credentials. The Planning Proposal will provide the opportunity for a higher quality built form outcome in this precinct, with a building height standard more consistent with the surrounding properties.
 - Provision of additional jobs in a highly accessible, strategic location which has a strong range of supporting social infrastructure which supports the subregional employment targets for City of Sydney.

ATTACHMENT A

1 Introduction

This Planning Proposal is submitted to City of Sydney Council to support a request by NX Holdings Pty Ltd to initiate an amendment to Sydney Local Environmental Plan 2012 (LEP) to increase the maximum building height standard applicable to the site from 22m to 30m, in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The key objectives of the Planning Proposal are to demonstrate the strategic planning merit of accommodating additional building height on the site, and to assess the relevant environmental, social and economic impacts of the proposal. As required by Section 55 of the EP&A Act, this Planning Proposal includes the following:

- Description of the subject site and context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.
- Description of the community consultation process that would be expected to be undertaken before consideration is given to making of the planning instrument.

The Planning Proposal has been prepared having regard to the NSW Department of Planning's '*A Guide to Preparing Planning Proposals*' and '*A Guide to Preparing Local Environmental Plans*'.

It is requested that Council forward the Planning Proposal to the Minister for Planning for Gateway Determination in accordance with Section 56 of the EP&A Act. The Gateway determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Whether the matter should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal).
- The community consultation required before consideration is given to the making of the proposed instrument.
- Whether a public hearing is to be held into the matter by the Planning Assessment Commission or other specified person or body.
- The times within which the various stages of the procedure for the making of the proposed instrument are to be completed.

The Planning Proposal is accompanied by a comprehensive urban design analysis by Hassell Architects which is included at **Appendix A**.

2 Background

Pursuant to Sydney LEP 2012 the maximum height standard applying to the subject site is 22m. However, the majority of surrounding properties to the north, south and west are 30m.

However, prior to the gazettal of Sydney LEP 2012, Sydney LEP 2005 was the principal planning instrument applying to the subject site. Under LEP 2005 the height limit for the subject property and properties on the western side of Murray Street (including the subject site) was 28m. However, the definition of building height excluded lift cores/servicing which could theoretically push the total height to approximately 30m.

The height standard decreased from 28m (LEP 2005) to 22m (LEP 2012) when the planning controls were reviewed in 2012. However, the majority of adjoining sites increased from 28m to 30m on the basis of submissions made at the time. The outcome is that 45 Murray Street is an anomaly in relation to height standards, being the only property with a 22m height standard amongst an entire street block which enjoys 30m (including heritage items).

In light of the site's excellent and accessible location to Sydney CBD and Darling Harbour, and the very strong demand for tourist and visitor accommodation, particularly mid-star hotels, the applicant met with City of Sydney Council on separate occasions in late 2014 with a view to seek officers feedback on converting the building from a commercial office to a hotel. To make the project viable and have a critical mass, the applicant discussed the intention to amend the building height standard to 30m to be more consistent with the surrounding properties.

On 8 December 2014 Council issued a letter to the applicant advising that the City would accept the submission of a Planning Proposal to amend LEP 2012. A number of requirements to be addressed in the Planning Proposal are referred to in this letter. These items are addressed in the proceeding sections of this report.

In summary, Council's letter specifically requested that the applicant to respond to the following items:

COUNCIL LETTER	RESPONSE
<i>Prepare an urban design study addressing the relationship of the proposed built form with surrounding development</i>	An urban design study has been prepared by Hassell Architects and is included at Appendix A . The details of the proposed concept is described in Section 4 of this report.
<i>Assessment of whether a building can comply with Sydney DCP 2012, including but not limited to overshadowing of surrounding properties</i>	An assessment of the key provisions of Sydney DCP 2012 has been addressed in Section 5.4.3 of this report. This demonstrates that the proposal will not give rise to any unreasonable environmental impacts on the surrounding properties. Appendix B provides an overview of the relevant provisions in relation to visitor accommodation from DCP 2012, and how the planning proposal aligns with these provisions.
<i>Site specific DCP controls to require a building envelope that addresses impacts</i>	Sydney DCP 2012 provides a range of development controls in relation to 'visitor accommodation' and also more general provisions in relation to built form. In addition to these controls, the only additional site-specific provisions which may need to apply relate to the upper setbacks of the proposed additional levels. This is discussed in more detail at Section 5.3 of this report.

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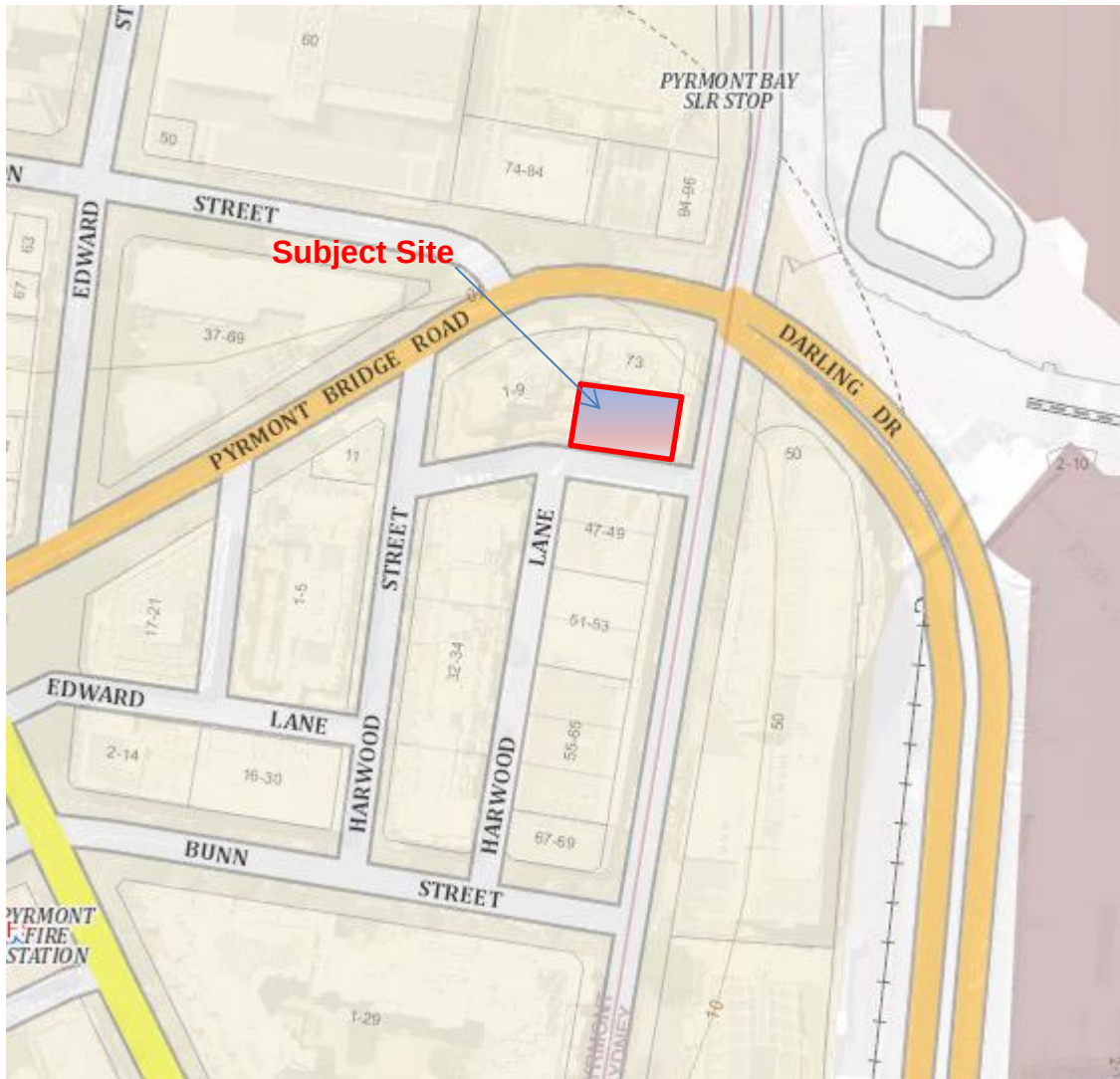
COUNCIL LETTER	RESPONSE
<i>How an active street frontage will be provided if a lower ground floor is proposed</i>	The proposed development concept for the site proposes a ground floor café and lobby, with increased activation around the adjoining lane. This is explained in more detail in Section 4 of the report.
<i>The mechanism to secure the proposed hotel use</i>	‘Tourist and visitor accommodation’ is a permissible use in the B4 Zone. However, to tie the proposed additional height to this use, a site-specific provision to LEP 2012 is proposed. Section 5.3 of this report describes this in further detail.
<i>Analysis of view impacts consistent with the NSW Land and Environment Court planning principles and documentation requirements</i>	An analysis of view impacts is provided in the urban design analysis at Appendix A, and is described in more detail at Section 5.4.3 of this report. This demonstrates that the proposed LEP amendment will not create any unreasonable view sharing impacts.
<i>Details of any public benefit offer</i>	There are a range of public benefits in providing much needed tourist and visitor accommodation, which align with State, Regional and Local planning policies.
<i>An assessment of the matters identified in the NSW Planning and Environment guides for preparing local environmental plans and planning proposals.</i>	This Planning Proposal has been prepared in accordance with the relevant guidelines from the NSW Department of Planning.

3 Land to which the Planning Proposal Applies

3.1 SITE DESCRIPTION AND LOCATION

The Planning Proposal relates to 45 Murray Street, Pyrmont which is legally described as Lot 1 in DP 507091. This property is in the single ownership of the applicant. The total area of the site is 398.84m².

FIGURE 1 – SITE LOCATION PLAN (SOURCE: SIX MAPS)



3.2 EXISTING DEVELOPMENT ON THE SITE

The subject site currently contains a 5-6 storey commercial office building with a café at the ground floor, and car parking also at ground level which is accessed via Union Lane.

The site currently presents a five storey street wall to Murray Street and Union Lane that steps down to four storeys at the western end on Union Lane. A sixth storey is setback from the street wall and above that a lift shaft and services area provides a seven storey element in the centre/northern rooftop of the building.

Photographs of the existing built form is shown in Figures 2 to 3.

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FIGURE 2 – PHOTOGRAPHS OF THE EXISTING DEVELOPMENT (LOOKING WEST FROM MURRAY STREET)



FIGURE 3 – PHOTOGRAPH OF EXISTING DEVELOPMENT (LOOKING EAST FROM UNION LANE)



3.3 LOCAL PLANNING CONTEXT

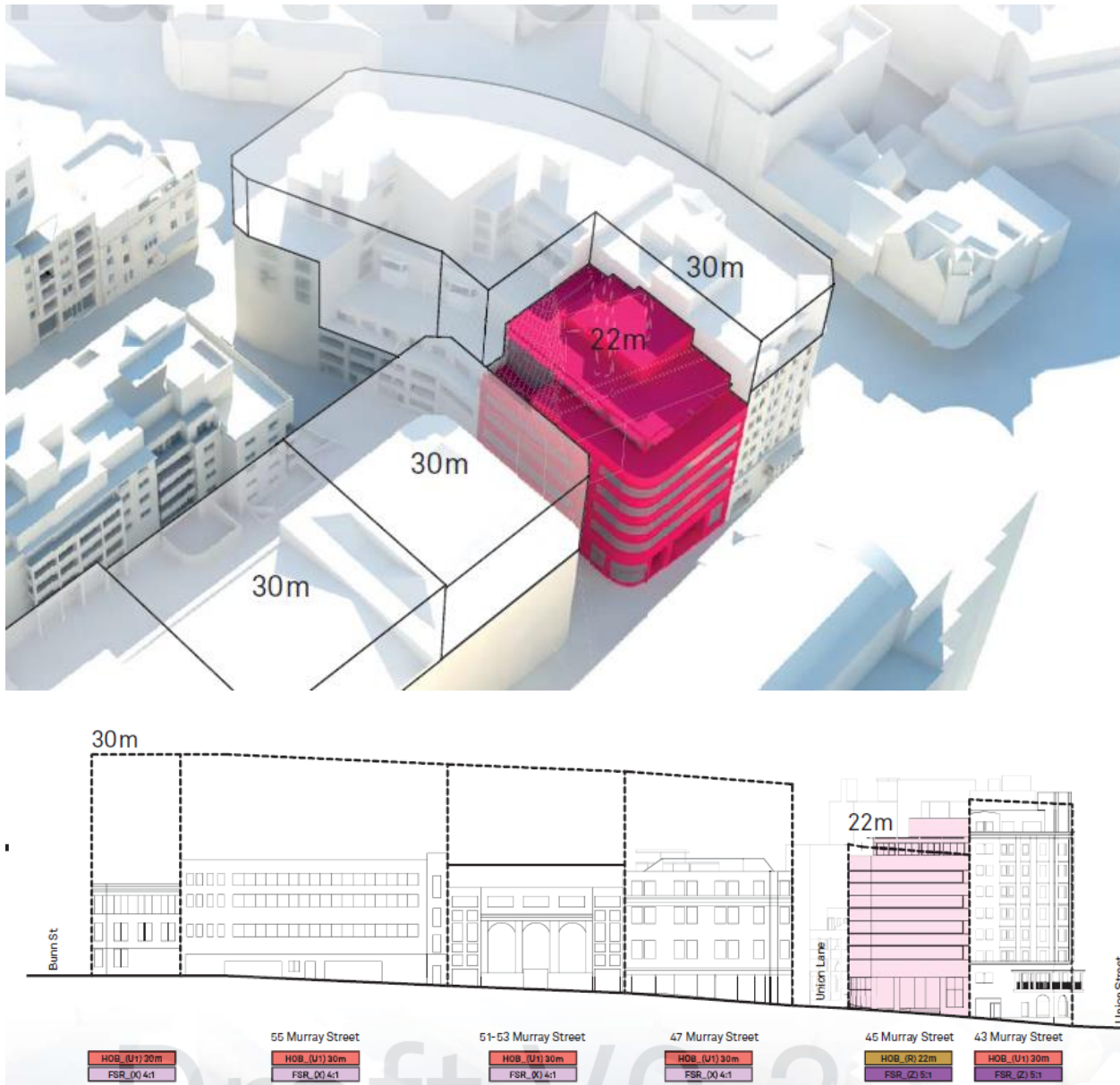
Sydney LEP 2012 contains zoning and principal development standards for the site as follows:

- A 'B4 Mixed Use' zoning. The current zoning expressly permits 'hotel and motel accommodation' and a range of other uses in this zone, subject to seeking development consent from Council.
- A maximum building height standard of 22 metres
- A maximum FSR of 5:1

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The figure below provides an overview of the site's planning controls in comparison to the surrounding context.

FIGURE 4 – CURRENT HEIGHT STANDARD APPLICABLE TO THE SITE AND SURROUNDING BUILDINGS (SOURCE: HASSELL)



3.4 SURROUNDING CONTEXT

The site is located in very close proximity to Darling Harbour and the Sydney CBD with access to a range of tourism attractions, including (but not limited to):

- Darling Harbour
- National Maritime Museum
- The Sydney Convention Centre (currently under construction)
- King Street Wharf
- The Star Casino

ATTACHMENT A

- Wildlife Sydney Zoo and Sydney Aquarium
- IMAX cinema
- Darling Quarter
- Sydney Fish Markets

FIGURE 5 – SURROUNDING CONTEXT OF SITE (SOURCE: NEARMAP)





Immediately to the north of the site is 43 Murray Street which is on the corner of Pyrmont Bridge Road. This is an 8 storey residential flat building with ground floor retail uses which has a 30m height limit under LEP 2012.

FIGURE 6 – DEVELOPMENT IMMEDIATELY TO THE NORTH OF THE SITE



PICTURE 1 – 43 MURRAY STREET LOOKING SOUTH



PICTURE 2 – 43 MURRAY STREET LOOKING WEST

Immediately to the south of the site is 47 Murray Street which is a four storey locally listed heritage item. This building is currently used as a commercial office building. The site has a 30m height standard under LEP 2012.

In accordance with the 'Statement of Significance' from the Heritage NSW website, the building dates from one of the key period of layers for the development of Ultimo/Pyrmont as a direct result of subdivision of the Harris and Macarthur Estates. It is a good example of an Inter war warehouse building which makes a positive contribution to the streetscape.

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The building is one of three former commercial warehouses (Nos 43-69 and 51-53) on Murray Street erected in the interwar period of dissimilar architectural styles but of comparable height and bulk such that they form a distinctive cohesive streetscape.

FIGURE 7 – DEVELOPMENT IMMEDIATELY TO THE SOUTH OF THE SITE



PICTURE 3 – 47 MURRAY STREET LOOKING SOUTH



PICTURE 4 – 47 MURRAY STREET LOOKING EAST

Immediately to the east of the site is 50 Murray Street, which is the IBIS Hotel Darling Harbour 256 rooms. This is a tall hotel building (approximately 15 storeys) within the surrounding context.

FIGURE 8 – DEVELOPMENT IMMEDIATELY TO THE EAST OF THE SITE



PICTURE 5 – 50 MURRAY STREET LOOKING NORTH



PICTURE 6 – 50 MURRAY STREET LOOKING SOUTH

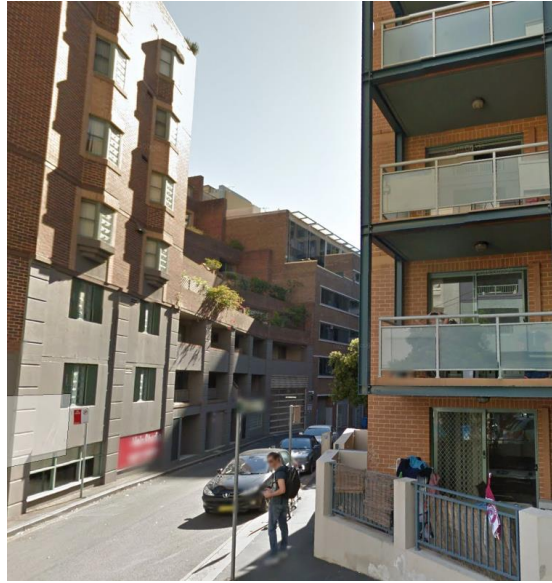
Immediately to the west of the site is 1-9 Pyrmont Bridge Road, which is a 8-9 storey residential flat building with ground floor retail along Pyrmont Bridge Road. This building has a frontage to Union Lane with some courtyards and balconies of this apartment abutting the subject site.

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FIGURE 9 – DEVELOPMENT IMMEDIATELY TO THE WEST OF THE SITE



PICTURE 7 – 1-9 PYRMONT BRIDGE ROAD LOOKING SOUTH



PICTURE 8 – 1-9 PYRMONT BRIDGE ROAD LOOKING EAST

4 The Indicative Design Concept

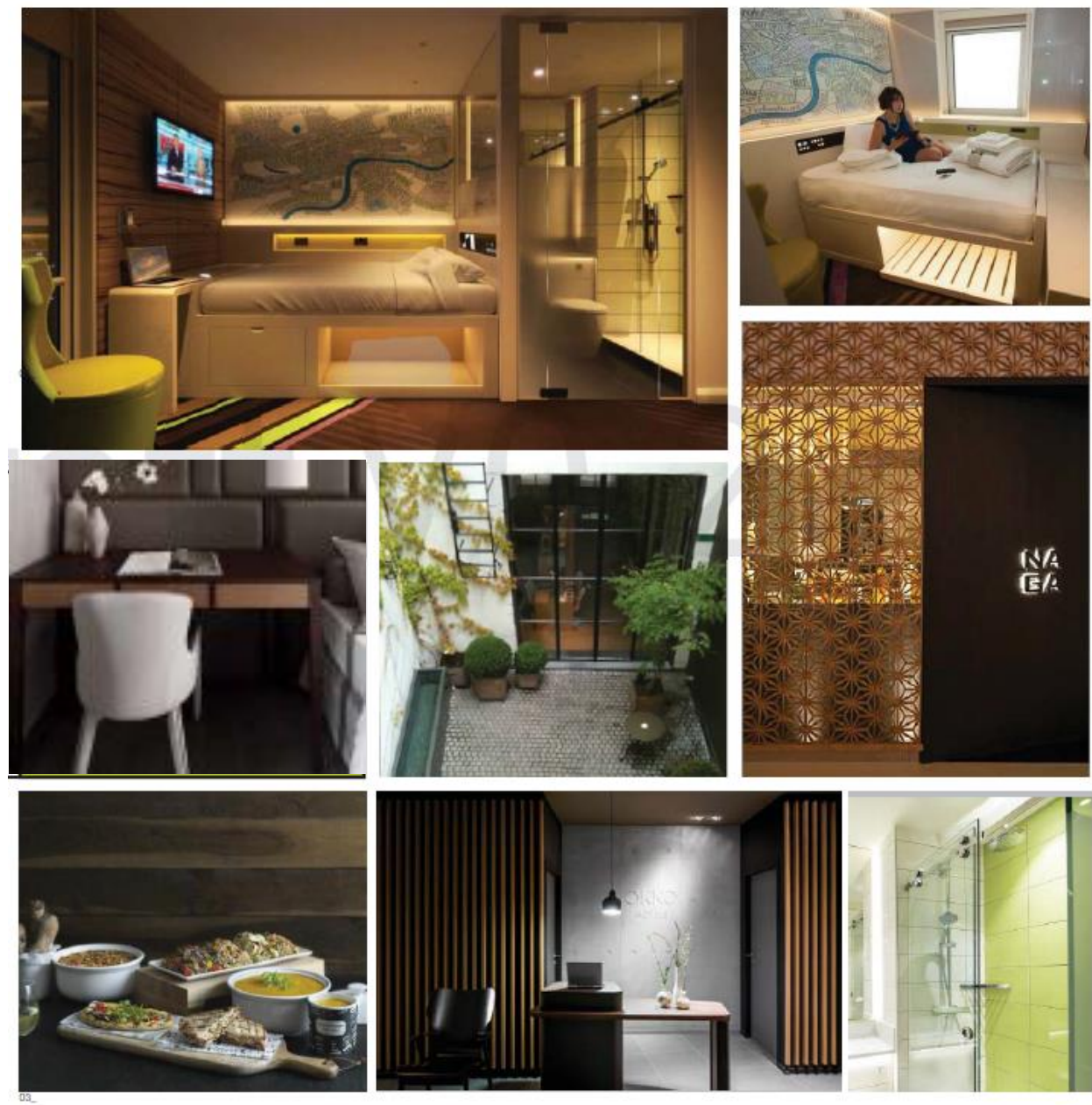
4.1 OVERVIEW AND VISION

In light of the current shortage of mid-star hotel rooms in Sydney, the applicant's vision is to provide a hotel which provides an affordable and innovative concept in that mid-star range which differentiates itself from other current operators.

While the type of hotel is not linked to the proposed LEP amendment, the applicant is exploring a hotel concept similar to the Hub Hotels in London. This is an innovative "tech savvy" hotel with compact rooms which has a focus on clever planning and smartphone apps which allow for experience customisation. This hotel type appeals to customers who are looking for high quality, value for money and prime location.

Some images of the Hub Hotel from London are included in Figure 10 below.

FIGURE 10 – IMAGES OF THE HUB HOTEL CONCEPT



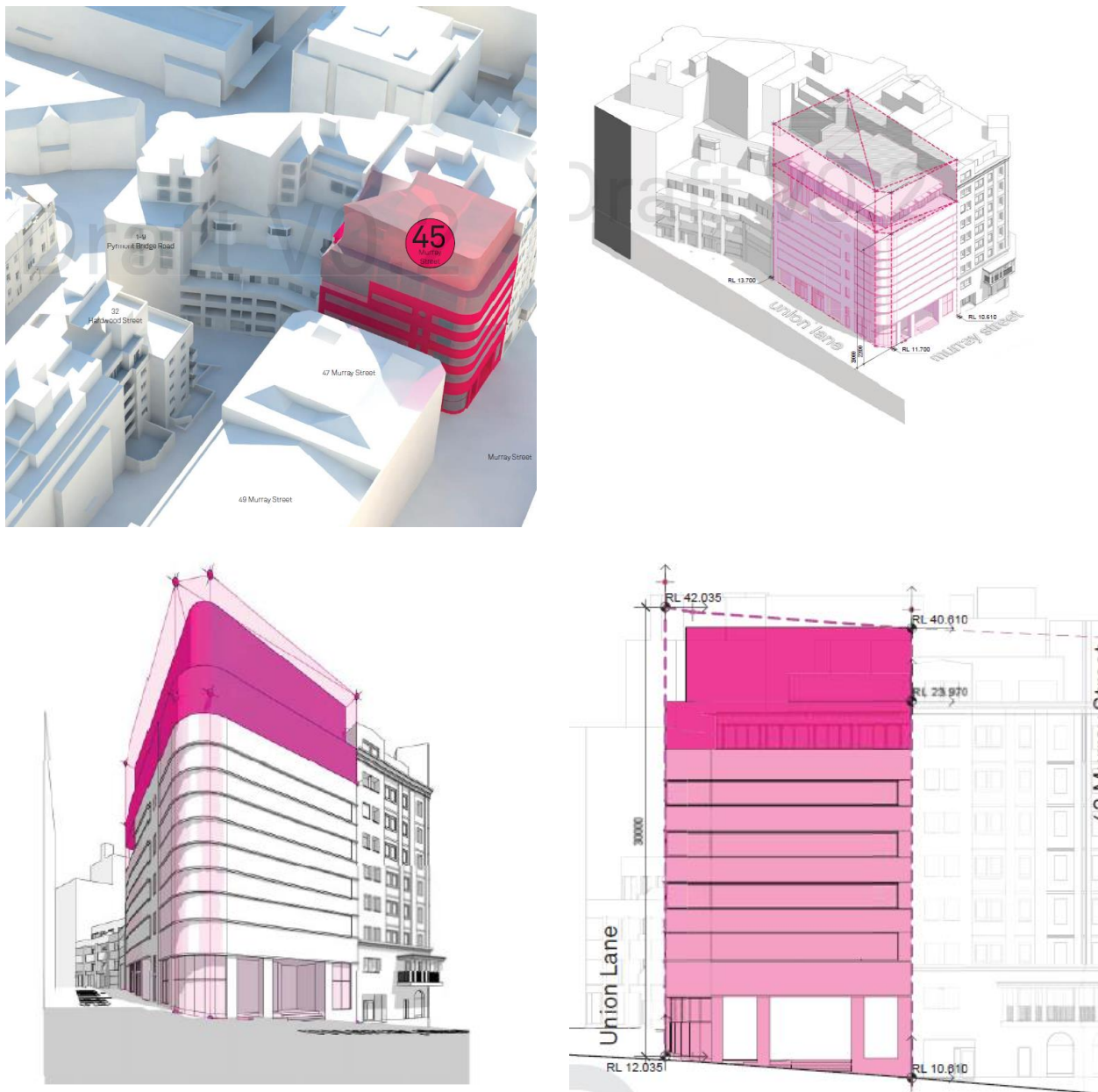
4.2 INDICATIVE DESIGN

The applicant's vision for the site is to expand and refurbish the existing 6 storey commercial office building to provide an 8 storey boutique hotel with a ground floor café and lobby.

To facilitate this, it is proposed to refurbish the existing commercial office floor space into hotel rooms, and also to remove the existing recent roof top extension and add two new floors of hotel rooms. This removes the current access to the building by stairs and provides street level entry to the building foyer. An overview of the indicate design concept is provided in the figure below.

The preferred design concept provides the potential for a high quality hotel building which is responsive to the surrounding amenity sensitive land uses in the immediate vicinity. A range of images of the preferred design option are included below.

FIGURE 11 – INDICATIVE DESIGN CONCEPT FACILITATED BY THE PLANNING PROPOSAL (SOURCE: HASSELL)



As requested by Council, given that the Planning Proposal is seeking to amend the maximum building height standard applicable to the site, an urban design study addressing the relationship of the proposed built form to the surrounding development, including the heights of neighbouring buildings, relationship to heritage items and the public domain has been provided at **Appendix A**.

ATTACHMENT A

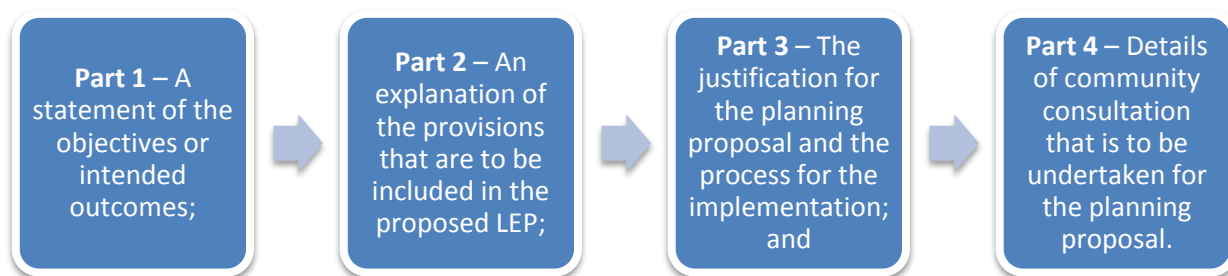
Section 5 of the Report provides an analysis of the potential environmental impacts of the proposal, including bulk, scale and massing, residential amenity, traffic as well as the broader social and economic benefits of the scheme.

5 The Planning Proposal

5.1 OVERVIEW

This Planning Proposal has been prepared in accordance with Sections 55(1) and (2) of the *Environmental Planning and Assessment Act 1979* with consideration of the relevant guidelines, namely “A guide to preparing planning proposals” issued by the Department of Planning (October 2012).

Accordingly, the proposal is discussed in the following four parts:



Discussion for each of the above parts is outlined in the following chapters.

5.2 PART 1 - OBJECTIVES AND INTENDED OUTCOMES OF THE PLANNING PROPOSAL

In response to the strategic site qualities and opportunities, the ultimate objective of the Planning Proposal is to obtain the necessary amendments to the planning controls for the subject site to facilitate the future development of a hotel up to a height of 30 metres that is consistent with the surrounding properties. No change to the maximum FSR standard is being sought as part of this Planning Proposal.

5.3 PART 2 - EXPLANATION OF PROVISIONS THAT ARE INCLUDING IN THE PROPOSED LEP

The objectives of this Planning Proposal can be achieved through amendments to SLEP 2012, which is also the mechanism to secure the proposed height uplift to the proposed use, on a site-specific basis:

- Amend the maximum height map applicable to the site from 22 metres to 30 metres on the *Height of Buildings Map - Sheet HOB_007*
- Amend Part 6, Division 5 to include the addition of the following site specific provisions:
 - *The objective of this clause is to provide for additional floor space for tourist and visitor accommodation on certain land.*
 - *This clause applies to 45 Murray Street, Pyrmont, being Lot 1 in DP 507091*
 - *Despite clause 4.3, the maximum building height for a building on land to which this clause applies may exceed the maximum building height shown for the land on the 'Height of Buildings Map' only if the development is exclusively comprised of 'tourist and visitor accommodation', and any ancillary uses associated with this use.*

5.4 PART 3 - JUSTIFICATION FOR LEP AMENDMENT

5.4.1 NEED FOR THE PLANNING PROPOSAL

The Department of Planning document “A Guide to Preparing Planning Proposals” includes the following questions in describing the need for the Planning Proposal.

Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not directly the result of any local or state government strategic study or report. However, a comprehensive evaluation of the site’s physical and strategic attributes have been undertaken to inform the potential redevelopment of the site.

The detailed evaluation of the site includes the preparation of indicative design concepts and urban design analysis to arrive at an appropriate massing, built form and height scenario which is responsive to the metropolitan context, but not unreasonable with regard to impacts on surrounding amenity-sensitive land uses.

As discussed below, there are a number of state, regional and local strategic planning initiatives that expressly promote tourism and visitor accommodation in the Sydney LGA which the proposal responds positively to.

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

The Planning Proposal is the best means to achieve the objectives and intended outcomes described in Section 3 of this report as Council have confirmed that the extent in numeric variation from the current building height standard in comparison to the proposal could not reasonably be achieved through use of Clause 4.6 – Exceptions to Development Standards.

5.4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The current development on the site fails to effectively provide the scale, form and quality of development that is commensurate with a site of its excellent strategic position in Sydney. The Planning Proposal is therefore a direct and positive response to the site’s excellent strategic location within in the Sydney LGA, and the broader strategic regional and sub-regional objectives for the area.

NSW 2021 A Plan to Make NSW Number One

‘NSW 2021 A Plan to Make NSW Number One’ is the State Government’s 10 year plan to guide policy and decision making across the State. One of the underlying, central themes of the strategy is to improve the performance of the NSW economy, with a ‘priority action’ being:

“Increase tourism in NSW with double the visitor expenditure by 2020”

The Visitor Economy Industry Action Plan (December 2012) is a key initiative from the NSW 2021 Strategy that identifies specific actions for the government to implement over the next few years. Amongst other initiatives, the following actions are recommended to the Government:

*“Introduce specific incentives and remove unnecessary regulatory/approval procedures and requirements to **encourage adaptive re-use** and preservation of heritage buildings”*

*“Investigate options to provide incentives, such as planning bonuses and tax offsets for tourism investment in new projects, as well as **refurbishments and improvements that enhance the visitor experience and quality of existing product offerings**”*

"Increase the use of planning incentives and land use controls to stimulate tourism development, especially for visitor accommodation and attraction investment"
(our emphasis)

A Plan for Growing Sydney

'A Plan for Growing Sydney' is the recently adopted metropolitan regional strategy for Sydney. It was released in December 2014 and will guide land use planning decisions for the next 20 years.

Pymont is included within 'Global Sydney' strategic location, which identifies a range of metropolitan priorities.

Promoting Sydney's arts and culture, tourism and entertainment industries;

Provide capacity for additional mixed use development in the precincts that make up Global Sydney for offices, retail, tourism, arts, culture, services and housing;

The site is also separately located adjacent to the 'Cultural Ribbon' of Sydney LGA, which accommodates a range of tourist attractions:

All of these venues are important to Sydney's tourism and entertainment economy contributing to the CBD being Australia's pre-eminent tourist destination.

The proposal is consistent with the above regional strategies as:

- Support the utilisation of the site for tourist and visitor accommodation and thus strengthen and support the service sector.
- Provide employment opportunities during the construction and operation of the proposed development.
- Contribute to the strengthening of 'Global Sydney' as a centre by providing tourist and visitor accommodation in close proximity to Sydney's prime tourist precinct.
- Contribute to the enhancement of Sydney's day and night economy.

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plans?

At a local level, the City of Sydney is actively trying to promote tourism and visitor accommodation. Council has prepared local strategic documents that reinforce these broader tourism objectives, including 'The Sydney 2030 Strategy' and a recent 'Visitor Accommodation Action Plan'

Sydney 2030 Strategy

The Sydney 2030 Strategy is a strategic vision document which responds to the community's ideas for creating a better Sydney. The Sydney 2030 strategy acknowledges that the City currently has an 'unfulfilled tourism promise' which needs addressing immediately:

Sydney's tourism infrastructure, assets and brand contribute to its role as a global visitor destination.

City Now - Unfulfilled tourism promise. Fragmented marketing and branding of Sydney.

City in 2030 - Effective partnerships for delivering world-class tourism and cultural infrastructure and amenities are established. Consistent branding for Sydney backed by the State Government and the City of Sydney

The Draft Visitor Accommodation Action Plan

ATTACHMENT A

In response to the above objectives, City of Sydney Council released a draft Visitor Accommodation Action Plan in December 2014. This draft plan recommends actions that focus on assisting and guiding investors through the planning processes and to carry out specific reviews of planning controls.

In particular, in the report to the CSPC on the matter Council acknowledges some of the challenges, and opportunities with providing visitor accommodation in Sydney:

*Challenges to delivering this new supply include high construction, land and operating costs and a **market dominated by large and highly rated hotels** which has held back room rate growth. There is also a challenge in developing mid-rated hotel stock that fits with the demand from short-stay business visitors, especially from Asia, which represents a growing percentage of the tourist and accommodation market. New development is difficult in a high cost environment without higher room rates.*

Opportunities for new hotel development include the conversion of older office stock in Central Sydney and the western edge of the City as the commercial core expands towards Darling Harbour and Barangaroo and 3 star accommodation for the growing number of visitors from China.

In direct response, the Planning Proposal is seeking to provide a unique opportunity to increase the maximum building height to enable the conversion of existing commercial building for the purposes of the 3 star range.

Is the planning proposal consistent with applicable state environmental planning policies?

There are no State Environmental Planning Policies applicable to this Planning Proposal.

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal has been assessed against the s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

TABLE 1 – SECTION 117 DIRECTIONS

DIRECTION	COMMENT
1. Employment and Resources 1.1 Business and Industrial Zones	The proposal will provide approximately an additional jobs associated with the hotel functionality and support the viability of 'Global Sydney' which is consistent with this Direction.
3. Housing, Infrastructure and Urban Development 3.4 Integrating Land Use and Transport	The proposal provides increased visitor accommodation in close proximity to a range of public transport options which responds positively to this Direction.
7. Metropolitan Planning 7.1 Implementation of the Metropolitan Plan	The Planning Proposal provides a range of new job opportunities, housing and increased high quality retail floor space which is consistent with the 'Metropolitan Priorities' of a Plan for Growing Sydney. .

5.4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

Not applicable to this Planning Proposal.

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

Given the proposed uplift in building height, the potential environmental effects that are relevant to the Planning Proposal relate mainly to overshadowing, view impacts and heritage.

Amenity impacts on surrounding properties

Overshadowing and view sharing of surrounding properties are the two key potential amenity impacts arising from the proposed increase in height, and have been evaluated in the Urban Design Analysis undertaken by Hassell at **Appendix A**.

Overshadowing

Shadow modelling of the proposed development, as facilitated by this Planning Proposal, has been undertaken by Hassell and is included at **Appendix A**. This shadow analysis illustrates the areas of additional shadows cast by the proposal.

The shadow diagrams illustrate that some additional shadows are cast in the morning periods in mid-winter. The key properties affected by this will be No. 47 Murray Street and 32-34 Bunn Street.

The additional shadows are predominantly cast towards the roof space of No. 47 Murray Street, which is directly to the south of the site, between 9.00am and 12 Midday. Given that the shadows mainly affect the roof space the proposal does not create any unreasonable shadow impacts on that property.

Some minor additional shadows are also cast across 32-34 Bunn Street, which is to the south-west of the site, between 9.00am and 10.30am in mid-winter. Some units within this development are already overshadowed during the morning period, due to the street wall to the north along Union Lane and also on the eastern side of Harwood Lane. The shadow analysis demonstrates that there will be no impact to most units of this development, and units which currently receive at least 2 hours solar access in mid-winter will be maintained.

The shadow analysis demonstrates that three units in 32-34 Bunn Street currently receive less than 2 hours solar access in mid-winter in their existing or current situation (i.e. the amount of solar access received in these three units varies from 10 minutes to 26 minutes in mid-winter). The proposal will reduce the existing limited solar access of these three units to 0 minutes in mid-winter. In a practical sense, these dwellings are already highly vulnerable as a result of their orientation and relationship to surrounding development. This has the effect of limiting any practical mid-winter solar access. While the proposal cannot improve this condition, in reality the status quo is retained at this mid-winter period, with greater amounts of sunlight enjoyed during the shoulder periods towards the equinox.

Therefore, overall, the proposal has sought to be generally compliant with DCP 2012 with regard to overshadowing of surrounding properties. While there is some additional shadowing, this mainly falls on the roof space of No. 47 Murray Street, and the shadowing on No. 32-34 Bunn Street is negligible and could not be deemed as unreasonable in the circumstances.

View Sharing

The Urban Design Analysis by Hassell has evaluated the potential for any view sharing impacts from the proposed additional built form on the subject site. This analysis has carefully evaluated three surrounding properties that may be affected by the proposal, including 32-34 Bunn Street, 1-9 Pyrmont Bridge Road and 1-5 Harwood Street.

The NSW Land and Environment Court judgement in the matter of *Tenacity Consulting v Warringah* [2004] NSWLEC 140 has been adopted as a 'Planning Principle' for 'View Sharing' by the court. In his judgement, Commissioner Roseth SC states that:

"The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four-step assessment".

The four steps in referred to above are summarised as follows:

Step 1 - Assessment of views to be affected

The judgement states that:

“Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured”.

Step 2 - From what part of the property the views are obtained

The Judgement states that:

“For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic”.

Step 3 - Extent of the impact

The judgement states that:

“The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.”

Step 4 - Reasonableness of the proposal

The judgement states that:

“A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

The Table below provides a summary of the above tests as they apply to each of the relevant sites affected by the proposal.

32-34 Bunn Street

Assessment of views to be affected

Glimpses and distant partial views of the mid and top points of buildings in the Sydney CBD skyline.

These views would not be described as iconic but does have a degree of value to residents of these buildings.

From what part of the property the views are obtained

East facing balconies on Level 5 & 6 of this property.

Extent of the impact

ATTACHMENT A

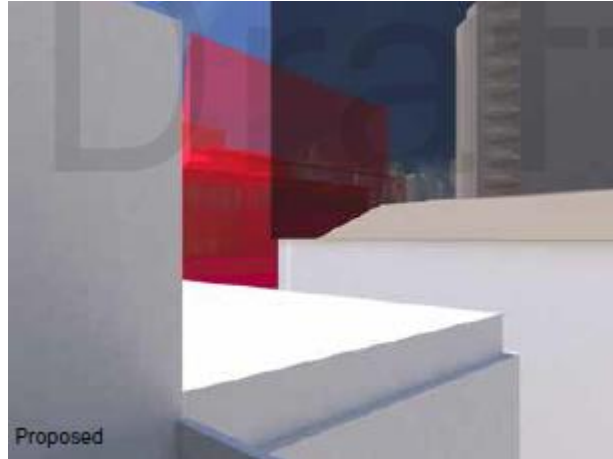
The L5 apartment enjoys limited city skyline views currently. The proposal will have a negligible impact with some glimpses of the top of CBD skyline affected by the proposed amendment.

The L6 apartment enjoys slightly better views of the city skyline which are more extensive than the L5 apartment. The proposed amendment will have a minor impact on these views, albeit with glimpses of the CBD still ultimately retained.

FIGURE 12 – VIEW SHARING (32-34 BUNN STREET)



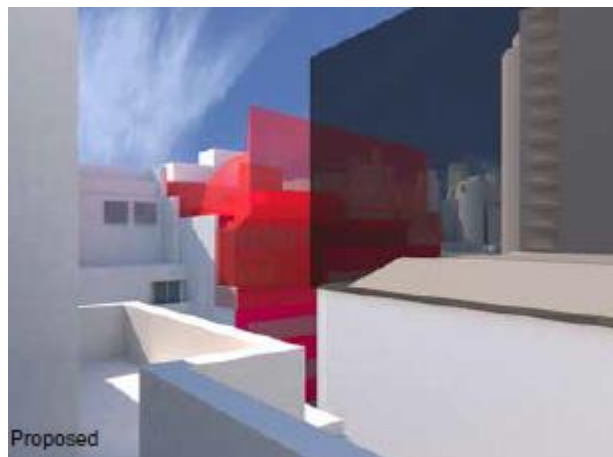
PICTURE 9 – LEVEL 5 EXISTING



PICTURE 10 – LEVEL 5 PROPOSED



PICTURE 11 – LEVEL 6 EXISTING



PICTURE 12 – LEVEL 6 PROPOSED

Reasonableness of the proposal

Based on the above, the proposed height (as facilitated under this Planning Proposal) is reasonable.

1-9 Pyrmont Bridge Road

Assessment of views to be affected

Glimpses and distant partial views of the mid and top points of buildings in the Sydney CBD skyline.

These views would not be described as iconic but does have a degree of value to residents of these buildings.

From what part of the property the views are obtained

East facing side views of balcony space on L7 and Level 8.

Extent of the impact

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The balcony of the affected unit on L7 has a unique aspect with views to north, south, east and west. The primary living spaces of this apartment are oriented to the north and west, where views in that direction are also enjoyed. This is shown in the figure below.

FIGURE 13 – VIEWS ENJOYED FROM LEVEL 7 OF 1-9 PYRMONT BRIDGE ROAD.



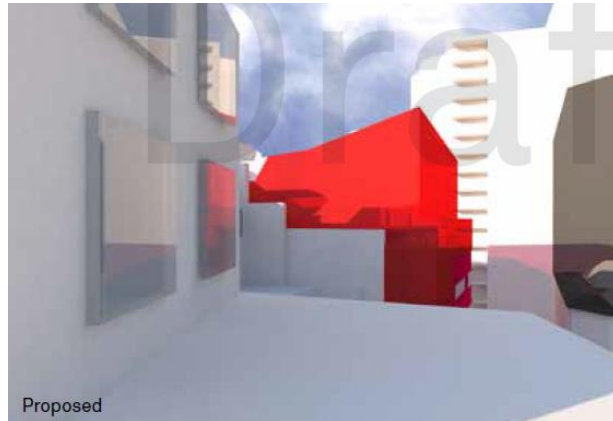
The proposal only affects views enjoyed from the courtyard/balcony space which faces south-east.

Therefore, while there is a minor to moderate impact on the glimpses of the Sydney skyline, this part of the courtyard/balcony is only part of the views enjoyed from this apartment. Further, given that this part of the courtyard/balcony is south facing the level of solar access is restricted in comparison to the other parts of this apartments private open space.

FIGURE 14 – VIEW SHARING (1-9 PYRMONT BRIDGE ROAD)



PICTURE 13 – LEVEL 7 EXISTING



PICTURE 14 – LEVEL 7 PROPOSED



PICTURE 15 – LEVEL 8 EXISTING



PICTURE 16 – LEVEL 8 PROPOSED

Reasonableness of the proposal

Based on the above, the proposed height (as facilitated under this Planning Proposal) is reasonable.

1-5 Harwood Street

Assessment of views to be affected

Glimpses and distant partial views of the mid and top points of buildings in the Sydney CBD skyline.

These views would not be described as iconic but does have a degree of value to residents of these buildings.

From what part of the property the views are obtained

East facing balcony spaces of L3, L4 & L5 and north facing balcony spaces of L6, L7 & L8

Extent of the impact

L3, L4 and L5 & L6 of this property will experience very negligible impacts on views towards the city.

While there will be a negligible to minor impact on the views from L7 and L8, these units also enjoy views to the north, as well as to the west. This is shown in the figure below.

ATTACHMENT A

FIGURE 15 – VIEWS ENJOYED FROM LEVEL 7 1-5 HARWOOD STREET

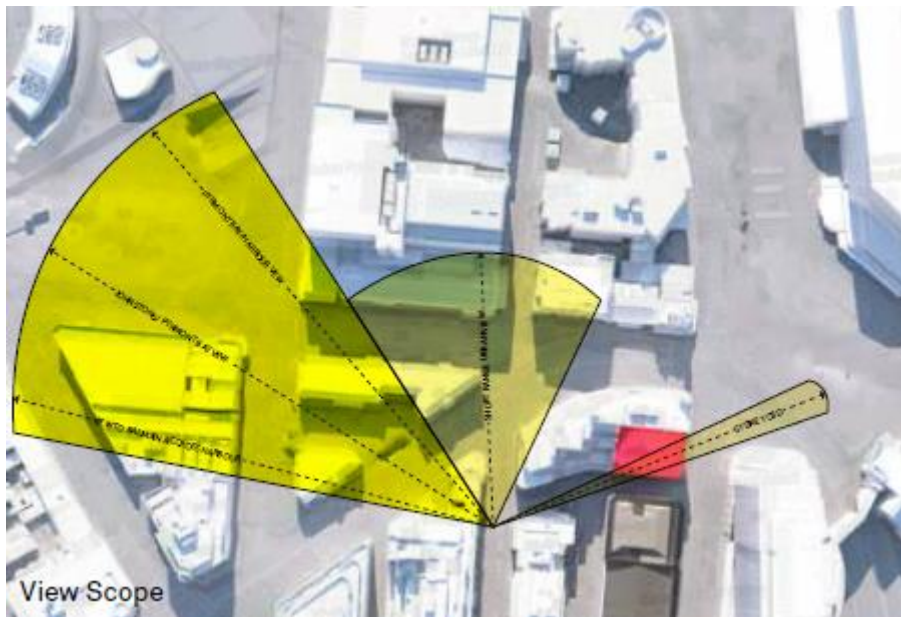


FIGURE 16 – VIEW SHARING (1-5 HARWOOD STREET)



PICTURE 17 – LEVEL 8 EXISTING



PICTURE 18 – LEVEL 8 PROPOSED



PICTURE 19 – LEVEL 4 EXISTING



PICTURE 20 – LEVEL 4 PROPOSED

Reasonableness of the proposal

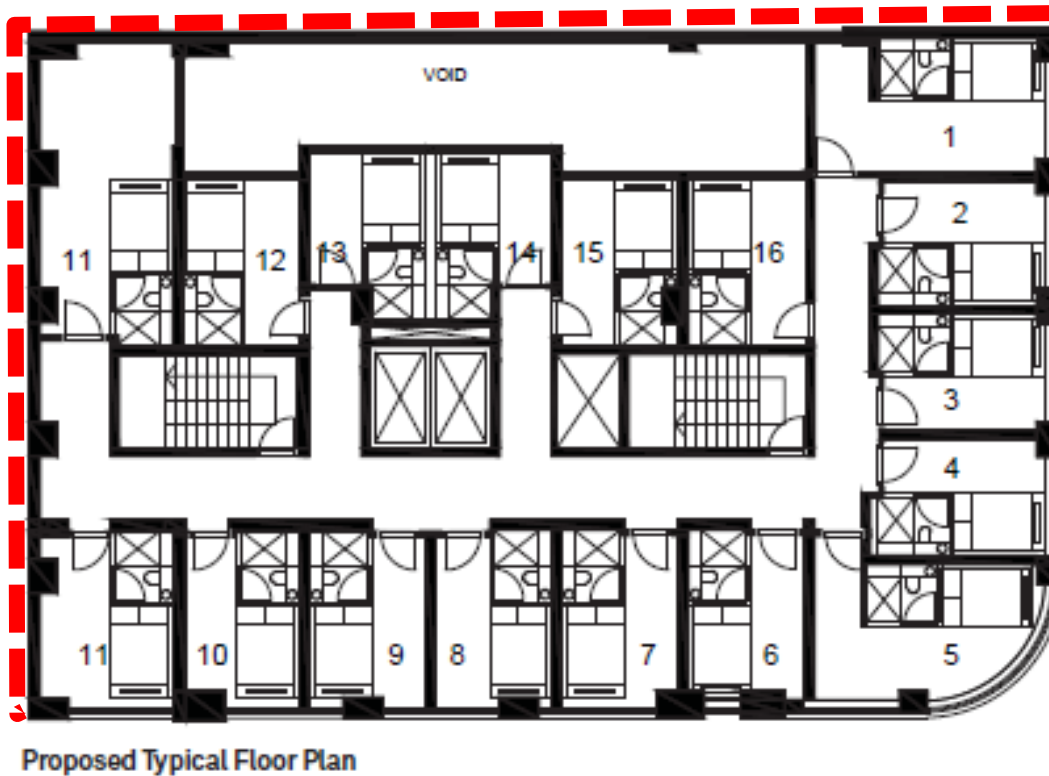
Based on the above, the proposed height (as facilitated under this Planning Proposal) is reasonable.

Privacy

The proposal is in close proximity to a number of residential properties. However, at these relevant interfaces (in particular to 1-9 Pyrmont Bridge Road and 47 Murray Street) the proposed indicative design concept and floor plans provide no windows which would give rise to any privacy impacts to these properties. This is shown in the typical floor plan layout below.

FIGURE 17 – TYPICAL FLOOR PLAN LAYOUT (SOURCE: HASSELL)

No Windows to adjoining properties



Heritage

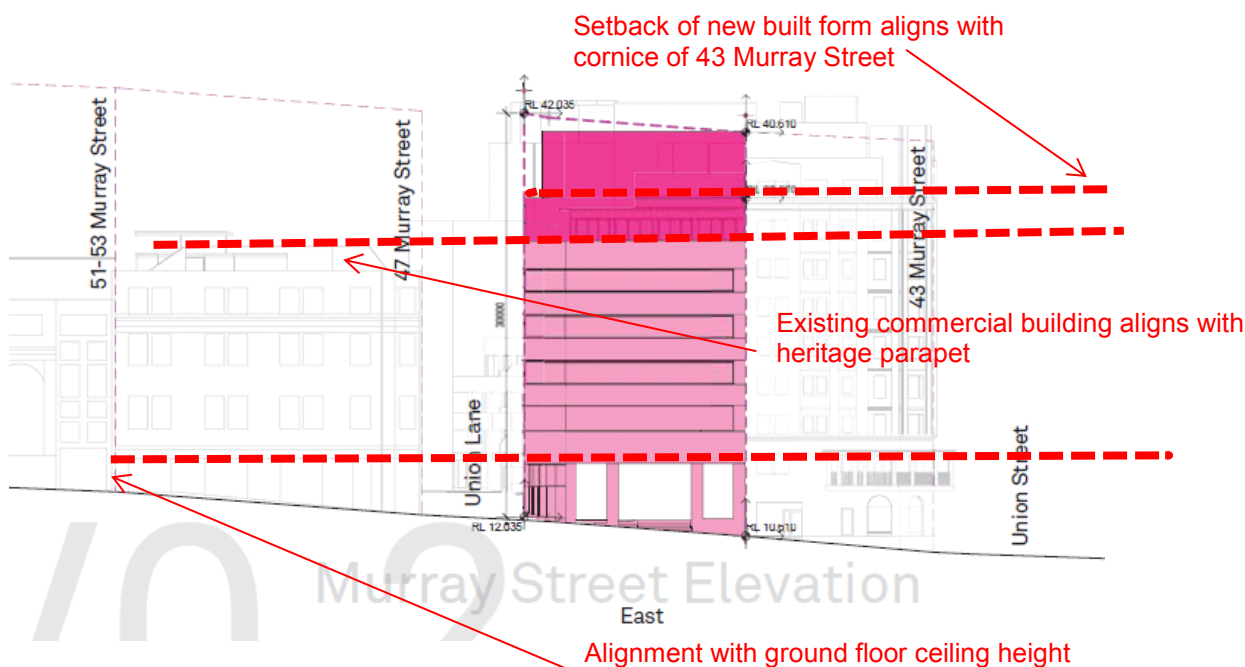
The proposal is adjacent to 47-49 Murray Street which is a locally listed heritage item under LEP 2012 referred to as the “Harry Lesnie Pty Ltd Former Warehouse”.

In accordance with the Statement of Significance from the NSW Heritage Office, the building is a good example of an Inter war warehouse building which makes a positive contribution to the streetscape. The building is one of three former commercial warehouses (Nos 43-69 and 51-53) on Murray Street erected in the interwar period of dissimilar architectural styles but of comparable height and bulk such that they form a distinctive cohesive streetscape. The array of architectural styles of this group represents the retrospective approach to building design in the Interwar period.

To respond positively to this heritage item, the proposed indicative concept proposes to align the ground floor ceiling with the ceiling height of the adjacent heritage item. Further, the existing commercial building aligns with the current parapet height of 47-49 Murray Street, with the proposed additions above this configured in a manner which aligns with the cornice line of 43 Murray Street to the north, but also setback to minimise impacts on views shared across the subject site.

Collectively, 45 Murray Street and 43 Murray Street will read as corner markers, with a setback which steps down to 47-49 Murray Street. Notwithstanding, assuming that the heritage qualities of this building can be maintained, 47-49 Murray Street, and properties further to the south along Murray Street enjoy a 30m height standard, and if these were built to this height, this would reinforce a strong, consistent street wall along Murray Street.

FIGURE 18 – PROPOSALS RESPONSE TO HERITAGE ITEM



Based on the above, the proposal will complement the existing heritage item, and not give rise to any unreasonable impacts on this locally listed item.

How has the planning proposal adequately addressed any social and economic effects?

The proposal will provide an opportunity for increased supply of tourist and visitor accommodation that increases the quantum of hotel rooms in the locality. This will have a positive range of social and economic effects which directly align with the relevant state, regional and local planning policies.

5.4.4 STATE AND COMMONWEALTH INTERESTS

Is there adequate public infrastructure for the planning proposal?

The Planning Proposal does not alter the public infrastructure requirements that would be required when compared to the existing zoning and planning controls. The site is within walking distance of public transport (trains and buses), employment and lifestyle retail facilities within Pyrmont and the Sydney CBD. Upgrades to infrastructure arising from the development of the site (such as utilities and traffic) would be assessed during the development application process.

What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Appropriate consultation with relevant government agencies would be undertaken by Council following a gateway determination.

5.5 PART 4 - COMMUNITY CONSULTATION

Public consultation will be undertaken in accordance with the requirements of the Gateway Determination.

The project team has met with City of Sydney Council to outline the Planning Proposal and to understand Council's preferred path forward. The outcomes of this meeting have formed the basis for the documentation submitted as part of the planning proposal to ensure adequate information and analysis is provided.

ATTACHMENT A

Section 57 of the *Environmental Planning and Assessment Act 1979* requires a planning proposal to be publicly exhibited for community consultation. It is anticipated that the planning proposal would be exhibited for a period of 14 or 28 days dependent on the outcome of the gateway determination. This exhibition would be conducted in accordance with Council's policies for community consultation.

6 Conclusions

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal provides a comprehensive justification of the proposed amendment to LEP 2012, and is supported on the following grounds:

- The current site and built form fails to respond positively to the opportunities created by a prominent, strategic Sydney site, and is underdeveloped with regard to the surrounding built form context.
- The proposal provides the potential for high quality tourist and visitor accommodation, in a highly prominent location adjacent to Darling Harbour, with few sites in Sydney having comparable strategic credentials for this type of development.
- Well designed, centrally located and high quality tourist accommodation is a key initiative of state, regional and local planning policies. The proposal will assist with the express objective of doubling the tourist expenditure in NSW by 2020, and in particular responding to the severe shortage of mid-star accommodation in Sydney LGA referred to in Council's 2030 Strategy and recently released Draft Accommodation Action Plan. The proposal is also consistent with applicable State Environmental Planning Policies and Section 117 Directions.
- The proposal is generally consistent with DCP 2012 and will enable a future detailed design outcome to be facilitated which can respond positively to this document.
- The proposal provides the opportunity for a high quality urban design outcome which responds positively to the surrounding built form context.
- The proposed increase in the building height standard applicable to the site has been evaluated with regard to the potential environmental, social and economic impacts on the surrounding locality which are discussed in this report. This demonstrates that the proposal will respond positively to the surrounding context with no unreasonable impacts.

Overall, it is considered that the Planning Proposal has a range of positive benefits, and it is requested that City of Sydney Council take the necessary steps to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

ATTACHMENT A

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ATTACHMENT A

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Appendix A

Indicative Design Concepts

ATTACHMENT A

Appendix B

Visitor Accommodation Provisions from DCP 2012

ATTACHMENT A

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United Kingdom

45 MURRAY STREET PYRMONT

SITE SPECIFIC DCP/LEP PROPOSAL

ATTACHMENT A



Prepared for NX HOLDINGS
January 2016

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B	2015.07.27	NGO	GS Final Issue
C	2015.11.27	NGO	GS Revised Issue
D	2015.12.01	NGO	GS Revised Issue
E	2015.12.14	NGO	GS Revised Issue
F	2016.01.20	NGO	GS Revised Issue

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Executive Summary



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Summary of Findings

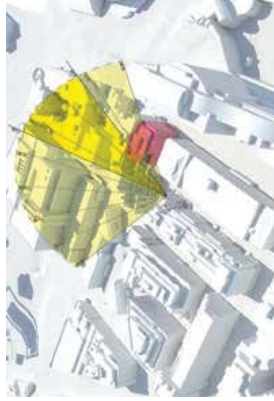
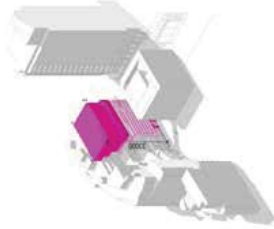
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Floor Plan layout

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Building Section

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ii Existing Site Survey

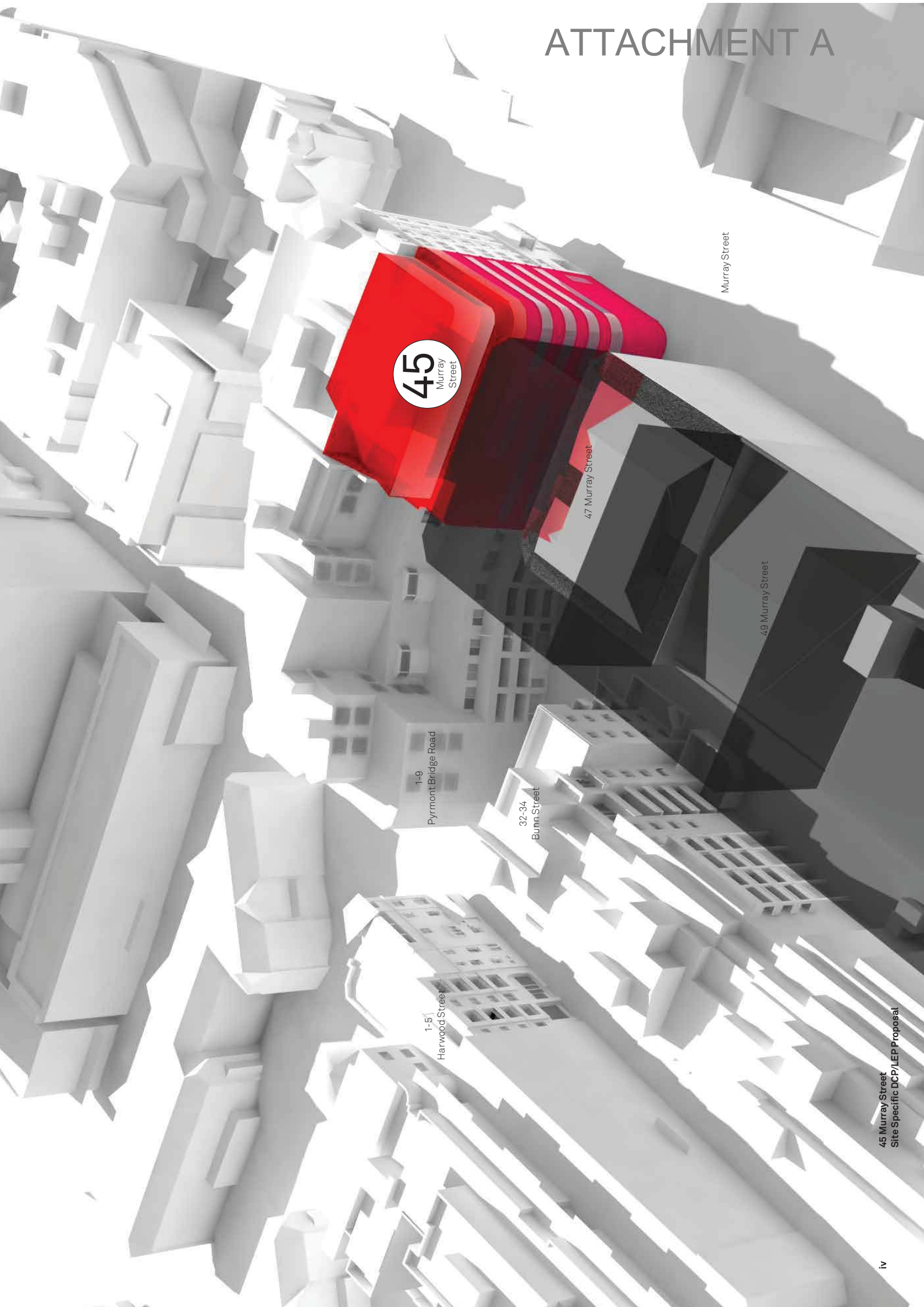
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iii Proposed Building Envelope Amendment

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iv Impact of Key Windows on Proposal

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This site provides the opportunity to create the first compact business hotel in the city CBD and entertainment precinct. It is a hotel model new to Sydney and aligns with the City of Sydney's strategy to increase hotel accommodation in the inner city.

The Proposal

The land owner of 45 Murray Street, Pyrmont proposes to expand and refurbish the existing 6 storey 20th Century Art Deco building currently occupying the site.

The proposed development will provide an 8 storey boutique business hotel with ground floor cafe and lobby.

In order to make the proposed renovations economically viable, a Site Specific LEP/DCP amendment is sought.

Key Items;

- _remove the existing, more recent, roof top extension and add two new floors of hotel rooms.
- _refurbish existing commercial floor space into boutique hotel rooms.
- _reconfigure existing ground floor, relocating street entrance to lower Murray Street level, allowing the excavation of the rear Ground Floor toward Union Lane.
- _ Incorporating new entrance lobby and cafe.
- _add a new level 1 Mezzanine within the newly created (excavated) ground floor space.

Key Factors

- _the proposal seeks to utilise an increased building height limit, currently 22m to 30m - equivalent to that of the direct neighbouring sites
- _the proposal maintains compliance with the 5:1 FSR limit
- _detailed impact studies, analysing views and solar access to neighbouring properties have been undertaken. The proposal responds to this analysis and ensures amenity is maintained in accordance with the DCP & LEP Requirements.

Summary

This report seeks to demonstrate that the LEP/DCP amendment sought, and subsequent development opportunities, are sympathetic to the neighbouring properties, are considerate of their amenity and contribute positively to the diversity and urban fabric of Pyrmont.

Amendments

The latest version of this report has amended the proposed envelope to address the City of Sydney's concerns and improve the proposals compliance with planning controls. This amendment compared to the previous scheme is contained in Appendix iii

This document supports a planning proposal seeking a site specific LEP/DCP amendment to allow development on the site beyond the current development controls. The document follows a number of initial reports, studies and analysis which tested the viability of the proposal. It represents ongoing communication with the City of Sydney and strives to address and overcome valid concerns around the proposal. It summarises building mass, solar access impacts and view loss impacts and seeks to demonstrate the appropriateness of the proposed planning control amendments.

Project Background

In late 2013, NX Holdings, in collaboration with Urbis and HASSELL presented to the City of Sydney Planning Department the request to amend the DCP/LEP for the subject site - 45 Murray Street, Pyrmont - the amendment sought is the increase of the maximum permissible height limit applicable to the site, currently 22m to 30m, - matching that of the adjacent neighbours.

A series of studies followed, addressing several key concerns which were raised by the City of Sydney planning department.

These included:

View Impact

The impact to existing residential properties, and their current view east to the Sydney City skyline.

Solar Access

The impact on solar access to neighbouring residential properties. This included preservation of existing solar access, plus compliance with requirements of the LEP & DCP.

Building Form

The relationship of the proposed envelope to the surrounding built form. This included overall height, mass, setback and built form.

Each of these concerns were systematically worked through in a series of reports, studies and investigations. This report summarises these investigations and provides a thorough analysis and summary of findings in support of a formal proposal for a Site Specific DCP/LEP amendment.

02 Context & Analysis

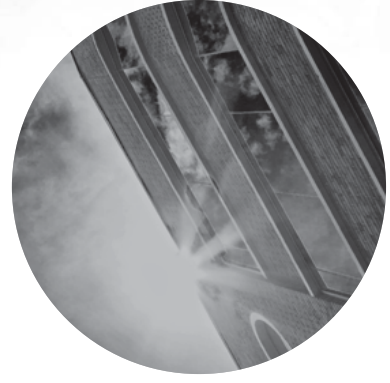
Site Location

45 Murray Street

Pymont. NSW. 2009

Lot 1

DP 507091



02 Context & Analysis

Existing Planning Framework

SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

These Map extracts have been taken from the City of Sydney LEP 2012.

The table below indicates the controls on the subject site - 45 Murray Street, and the adjacent sites.

This proposal addresses primarily the building height of the subject site relative to those directly adjacent.

	Subject Site	Adjacent Sites
Acid Sulphate Soils	Class 5	Class 5
Location & Site Identification Map	Land Affected by Cross City Tunnel Ventilation Stack	Land Affected by Cross City Tunnel Ventilation Stack
Maximum Floor Space Ratio	Z = 5:1	Z = 5:1
Heritage Map	n/a	n/a
Maximum Building Height	R = 22m	U1 = 30m
Land Use and Transport Integration	Category B	Category B
Landuse Zoning Map	B4	B4
Public Transport Accessibility Level	Category E	Category E

LEGEND



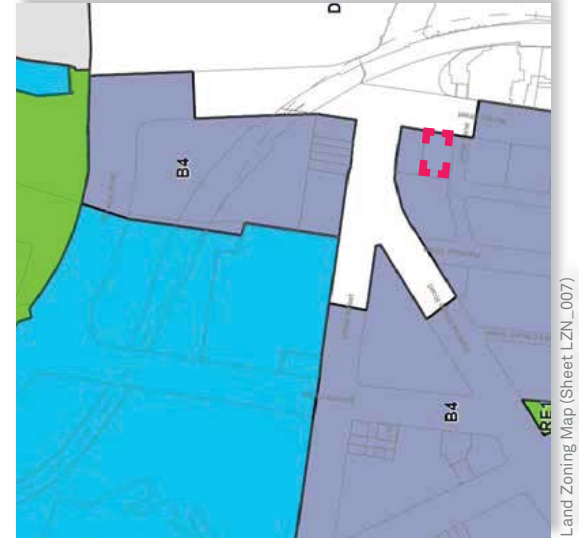
Subject Site



Acid Sulfate Soils Map (Sheet ASS_007)



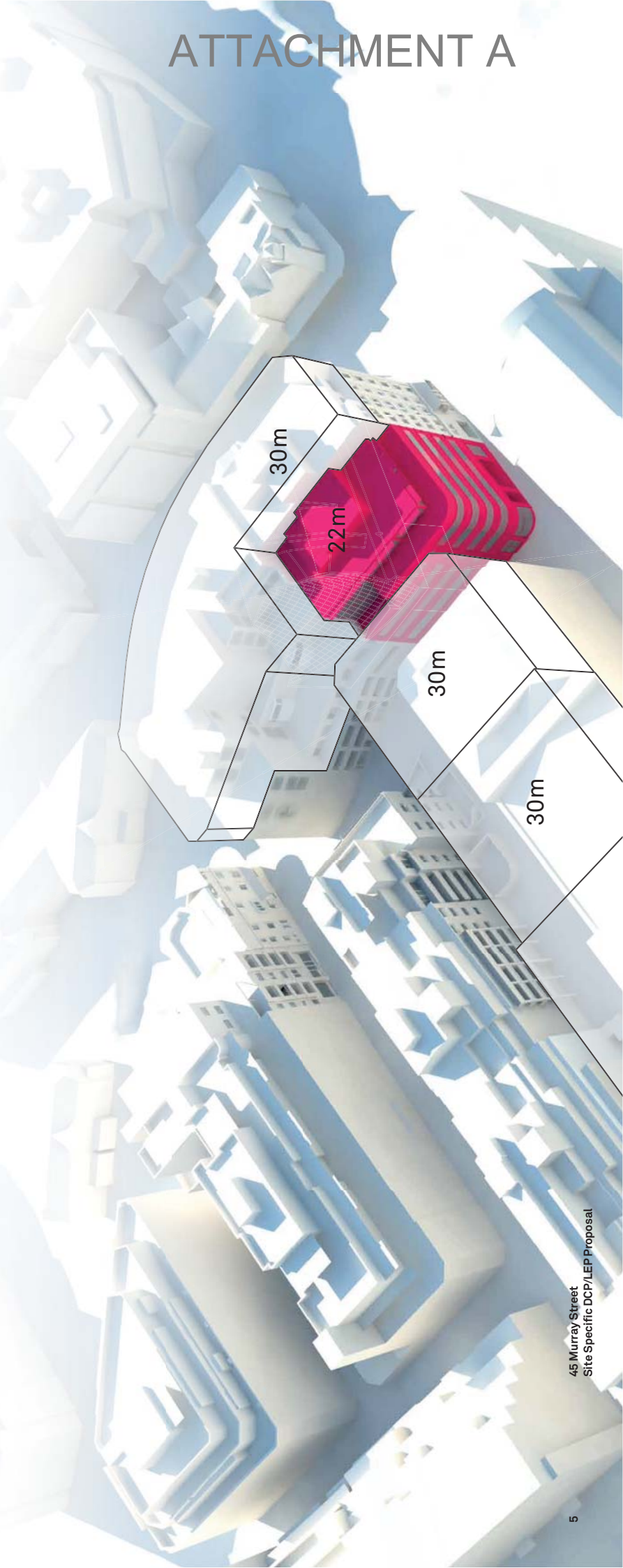
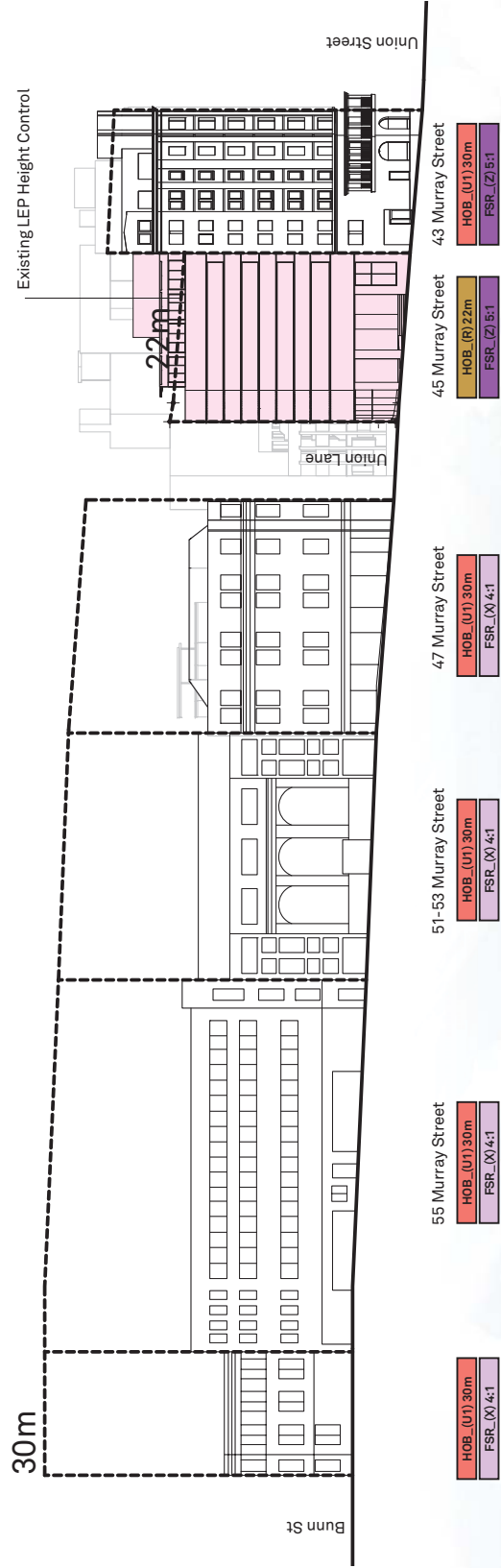
Floor Space Ratio Map (Sheet FSR_007)



02 Context & Analysis
Existing Planning Framework

Building Height & FSR

The following diagrams illustrate the maximum building height and FSR under the current LEP.



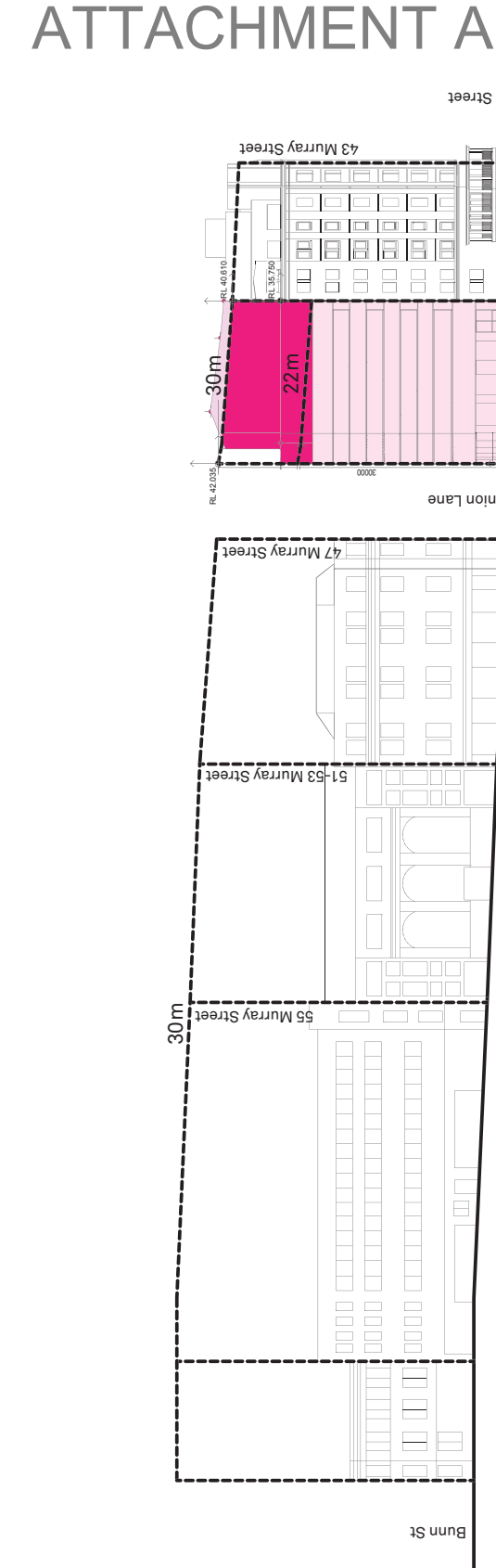


03 Proposal

Maximum Building Envelope

Overview

The following diagrams describe the rationale behind the proposed maximum building envelope. They demonstrate the steps taken to provide a increased building mass that remains sympathetic to the surroundings, and minimises adverse impacts on the neighbouring properties.

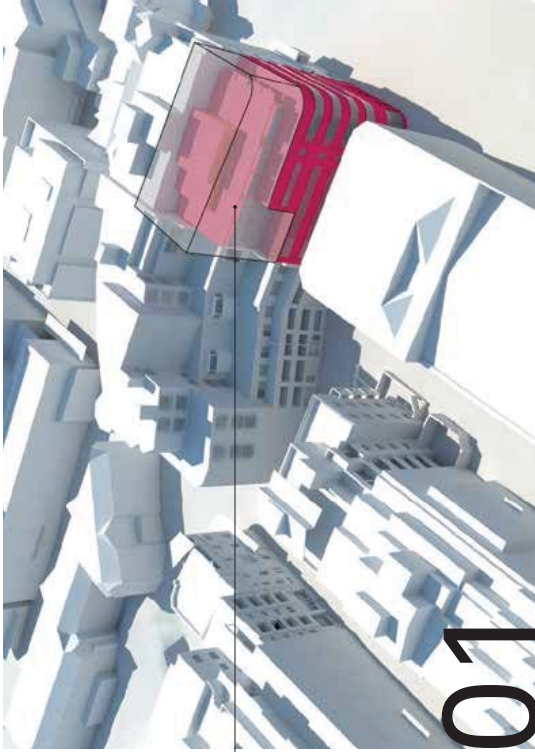


Murray Street Elevation East

Step 1

Site footprint extruded up to proposed maximum 30m height limit above Natural Ground Level.

Maximum Volume as indicated

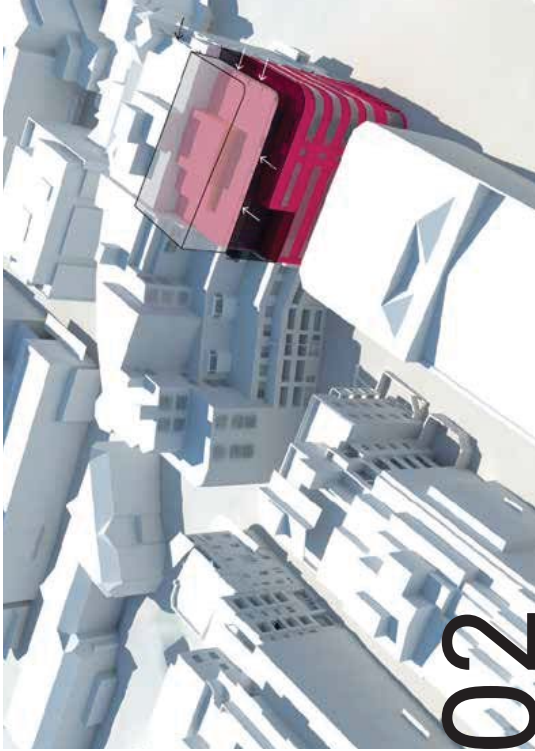
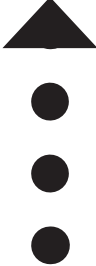


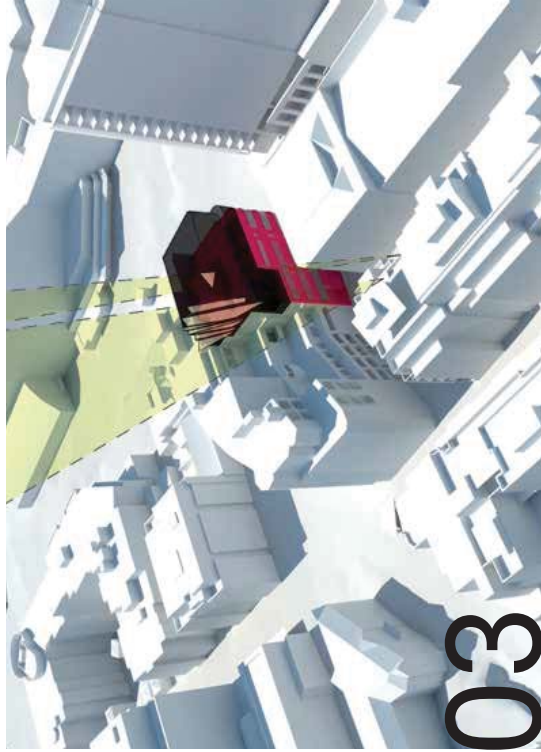
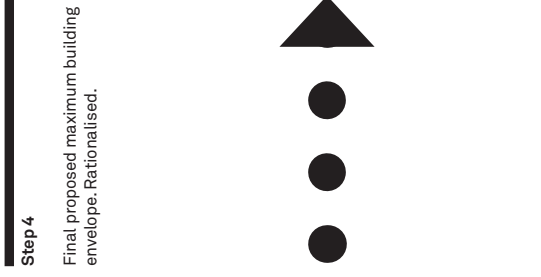
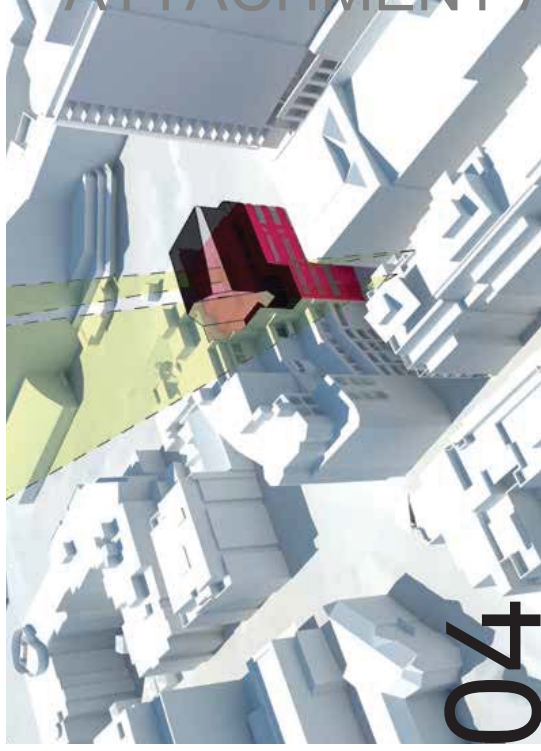
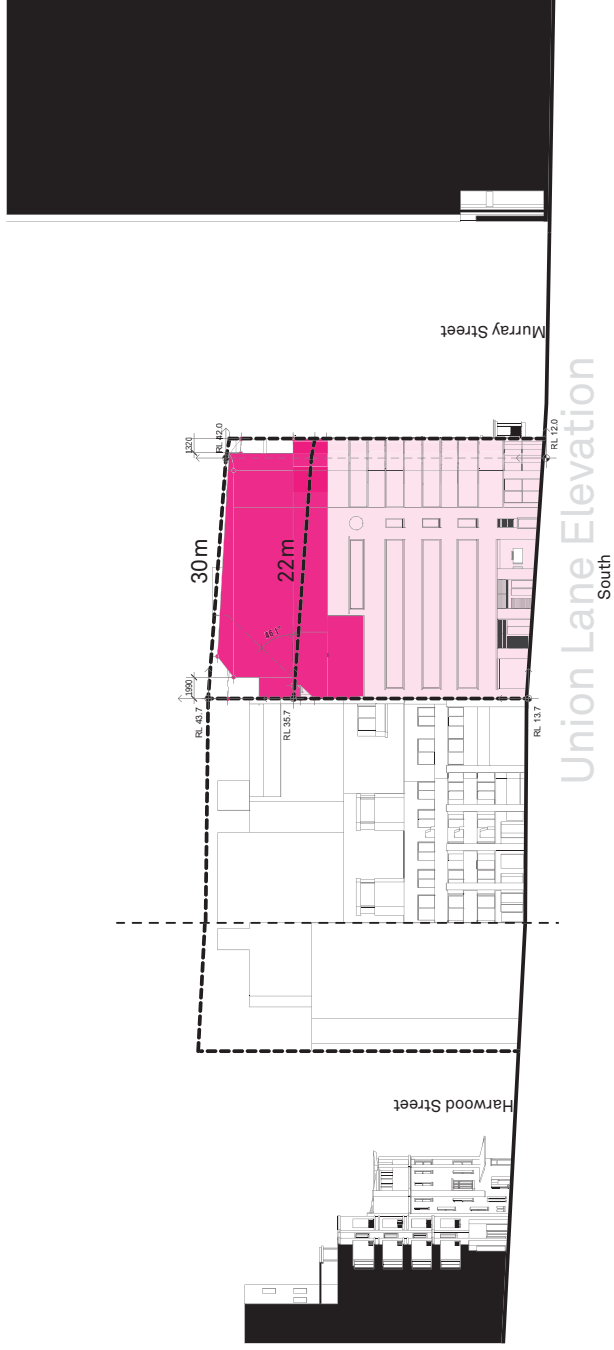
Step 2

Maximum building envelope on Murray Street and Union Lane frontages restrained to cornice level of adjacent 43 Murray Street.

Cornice Level: RL 35.750

Built form above cornice level stepped back 1.32m to align with 43 Murray Street upper level.



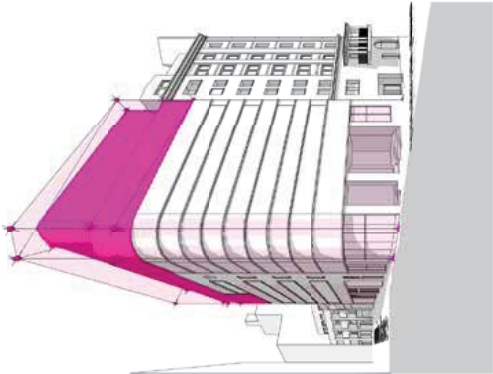
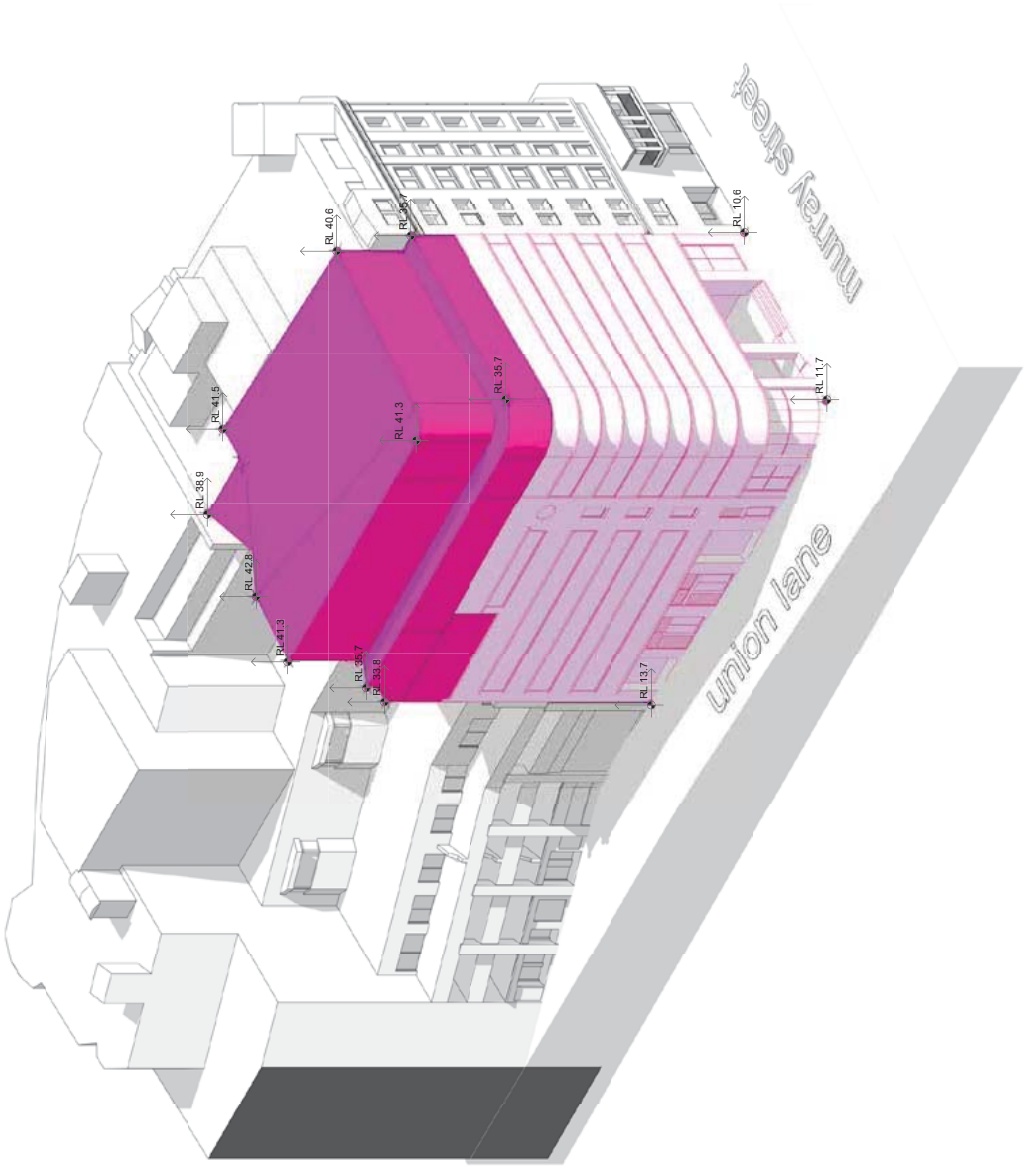


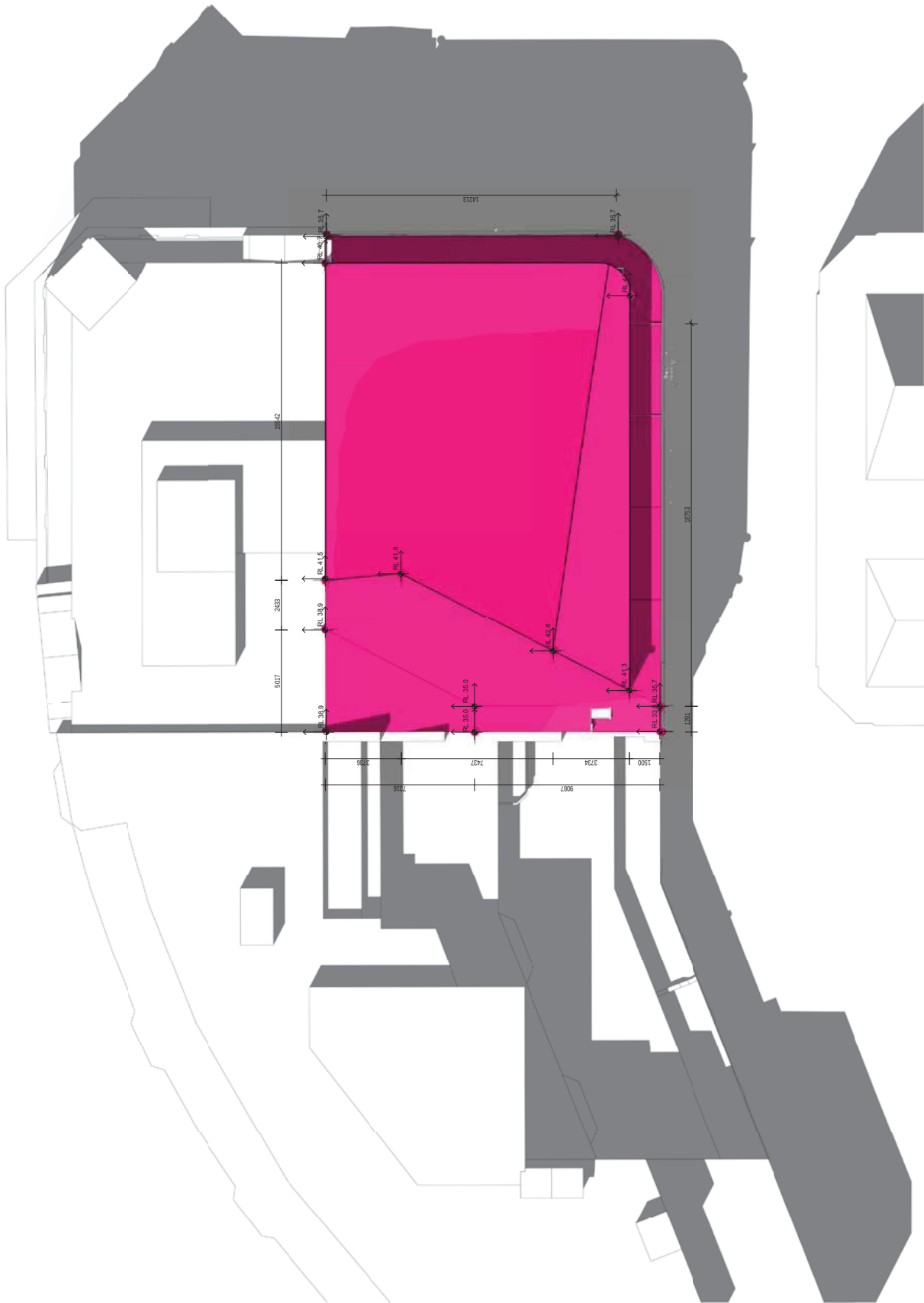
Maximum building envelope carved to maintain adequate solar access to neighbouring 32 Harwood Street.

Solar Access Parameters as per SEPP65, City of Sydney Planning Controls. The requirement of a minimum 2 hours between 9am and 3pm is observed.

Final proposed maximum building envelope. Rationalised.

03 Proposal
Maximum Building Envelope





03 Proposal

Site Utilisation: FSR Calculations

The increased building envelope will allow for an additional 2 usable floor levels. (1 new top level + 1 Mezzanine Level)

This section illustrates the potential FSR
It is proposed to maintain the existing FSR of 5:1

Terminology

Gross Building Area - GBA
Measured from the external face of external walls

Gross Floor Area - GFA
As per the Sydney Local Environmental Plan 2011.

Measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor.

- And includes:
- (a) the area of a mezzanine, and
 - (b) habitable rooms in a basement or an attic, and
 - (c) any shop, auditorium, cinema, and the like, in a basement or attic,

- But excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
 - (e) any basement: (i) storage, and (ii) vehicular access, loading areas, garbage and services, and
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
 - (h) any space used for the loading or unloading of goods (including access to it), and
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and
 - (j) voids above a floor at the level of a storey or storey above.

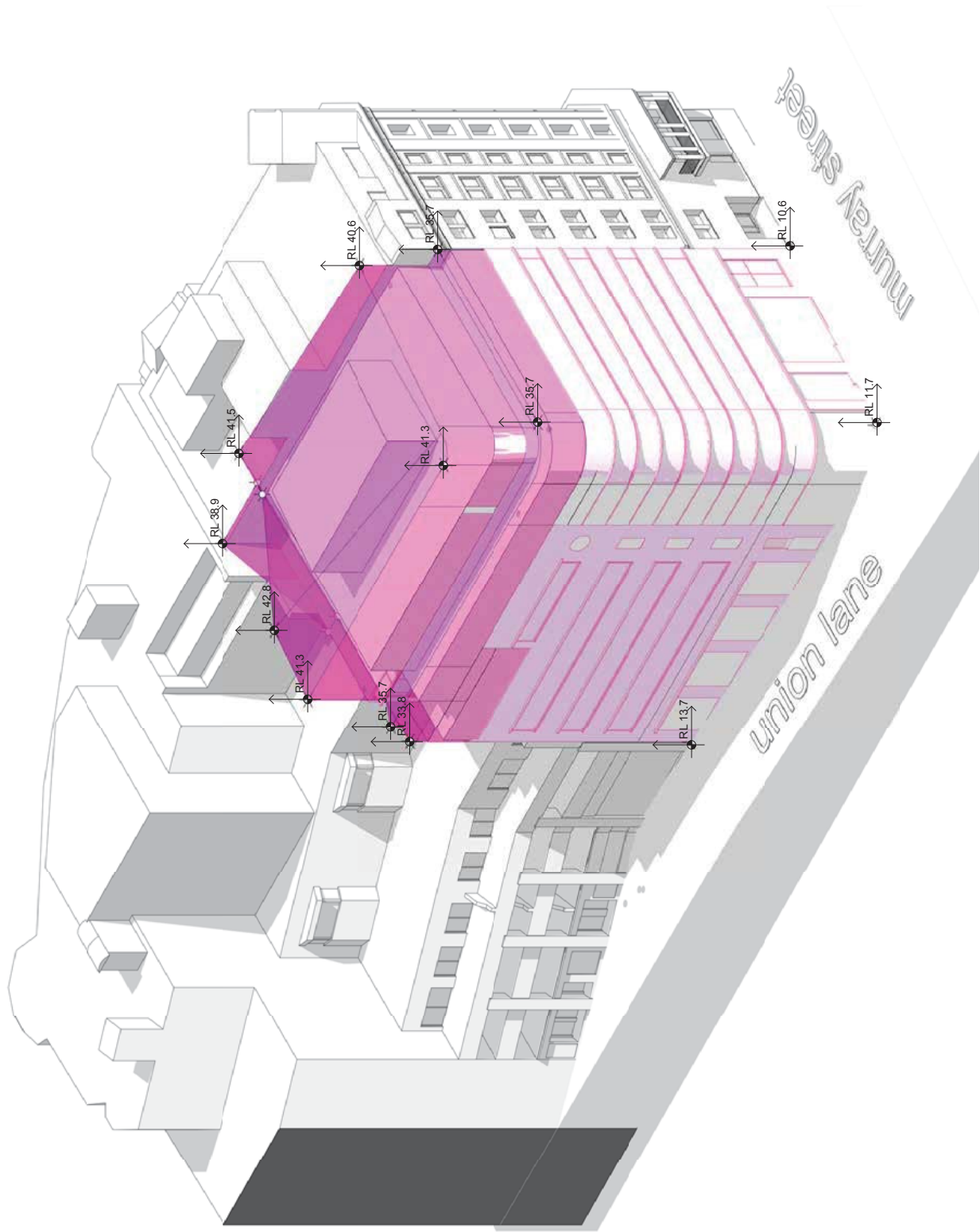
	Proposed (Potential)
Ground Floor	202.0m ²
Mezzanine	204.7
Level 1	286.7m ²
Level 2	286.7m ²
Level 3	286.7m ²
Level 4	286.7m ²
Level 5	272.9m ²
Level 6	167.1m ²
Total GFA	1993.5m ²
Floor Space Ratio	4.99:1
Allowable FSR	5:1



Site Area |

398.839m²

03 Proposal
Maximum Building Envelope



ATTACHMENT A



04 Impact Analysis: Views

Overview

This section shows the view impact that the proposed building envelope will have on the surrounding buildings of 45 Murray Street.

Methodology

The view analysis studies have been produced by HASSELL using Rhinoceros 5.0 using a standard 50mm camera lens.

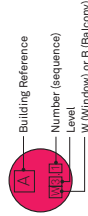
Registered surveyors, Lester Franks were commissioned to provide detailed 3D Laser Scanning of the immediate context. This 3D Scan provided the location of all required windows and balconies with accurate AHD. Refer Appendix I for more information.

This data, in conjunction with the 3D city model of Sydney licenced for use by HASSELL, provides an accurate representation of the site conditions on which the following analysis is based.

Please note:

These view analysis studies are accurate to the implied limits of the supplied base information. Every effort has been made by HASSELL to ensure the accuracy and reliability of this information, however HASSELL can not accept responsibility for any inaccuracy of this base information.

Legend



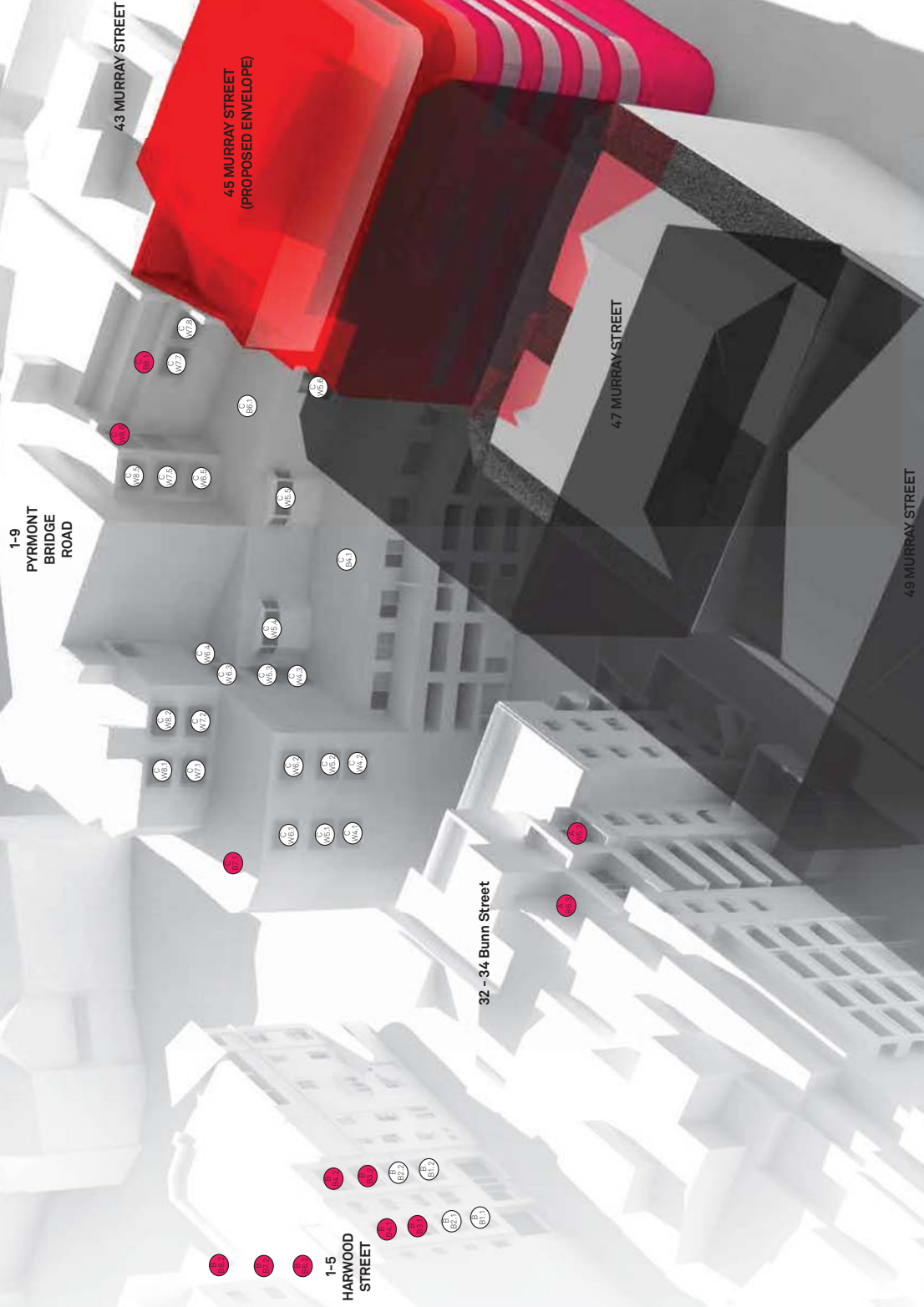
'Affected' for the purposes of this study refers to the obscuring of views of the Sydney skyline across Cockle Bay

All Camera Angles are at eye level of the corresponding floor level (1625mm AFFL).

Windows / Balconies affected by the proposed building envelope

Windows / Balconies unaffected by the proposed building envelope





Summary of Findings

The view analysis study of all potentially affected vantage points demonstrates that several windows, balconies, and roof top balconies within surrounding buildings have existing views eastward toward the city affected by the proposed maximum building envelope.

These vantage points are indicated red, and include:

- 1-5 Harwood Street Upper Levels
- 1-9 Pyrmont Bridge Road Roof Top Terraces
- 32-34 Bunn Street Roof Top and Level 5

The imagery in the following pages demonstrates the extent of this impact by comparing existing views to the proposed view.

The analysis includes a massing of 47 and 49 Murray Street to the permissible 30m height limit (transparent black). In some instances, the impact imposed by these forms renders the impact of the subject site mass redundant.

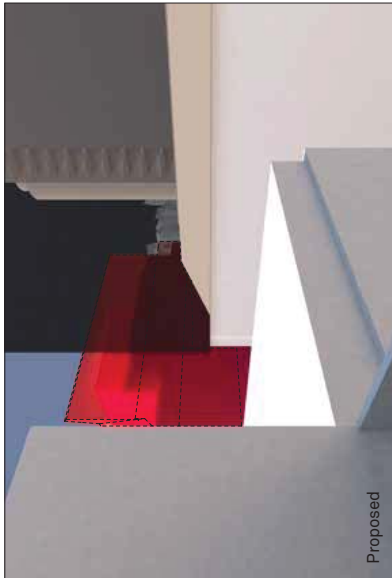
Refer to accompanying planners report for the impact assessment of this analysis.

ATTACHMENT A

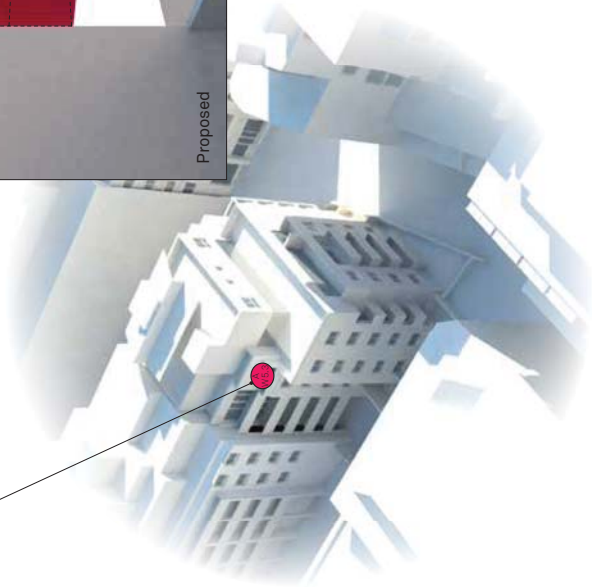
32-34 Bunn Street

Building A
32-34 Bunn Street

Vantage Point: Window
Level: 5
Aspect: North-East



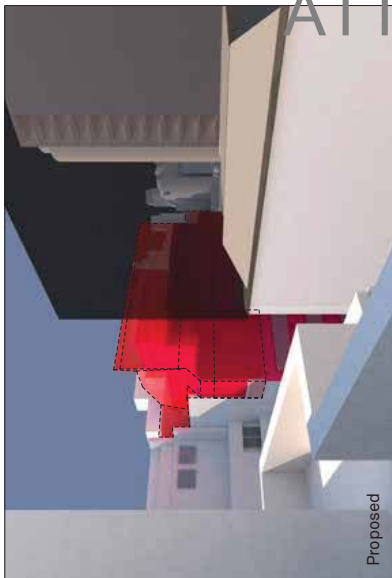
Window Location Key:



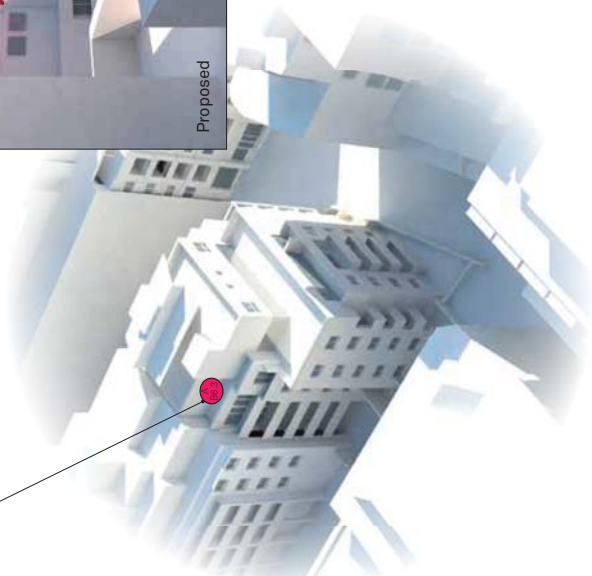
32-34 Bunn Street

Building A
32-34 Bunn Street

Vantage Point: Window
Level: 6
Aspect: North-East

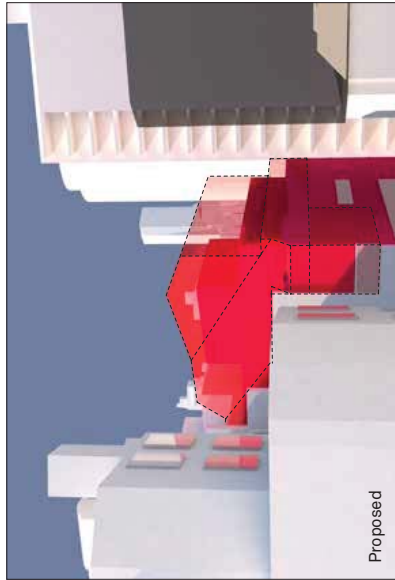
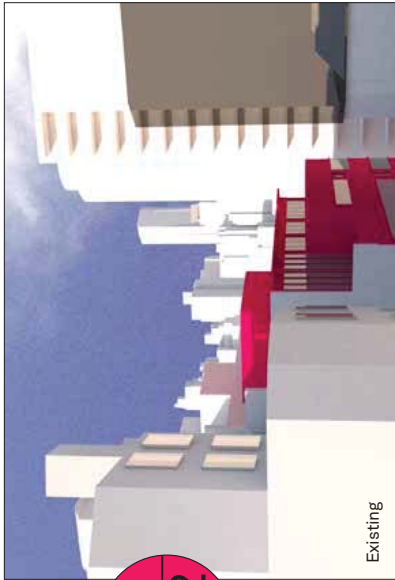
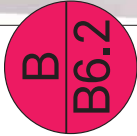


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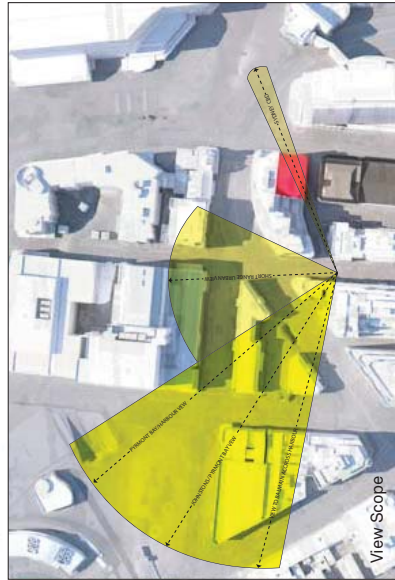
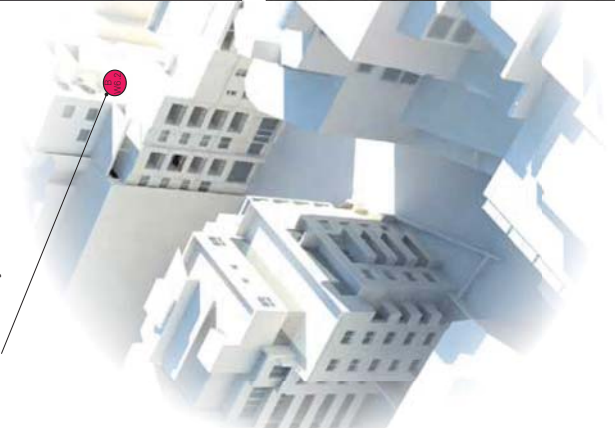


1-5 Harwood Street

Building B
1-5 Harwood Street
Vantage Point: Balcony
Level: 6
Aspect: North

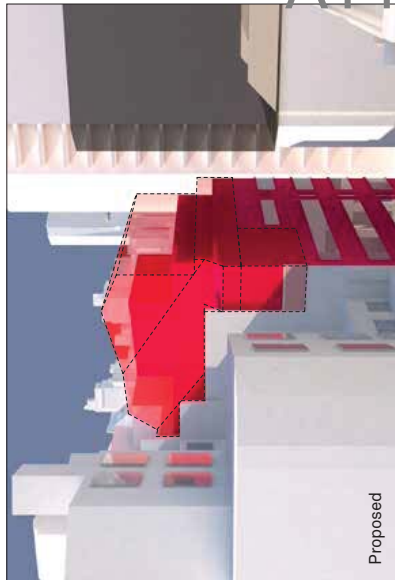
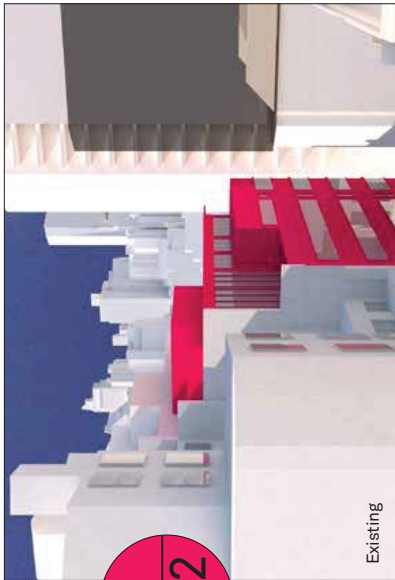
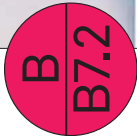


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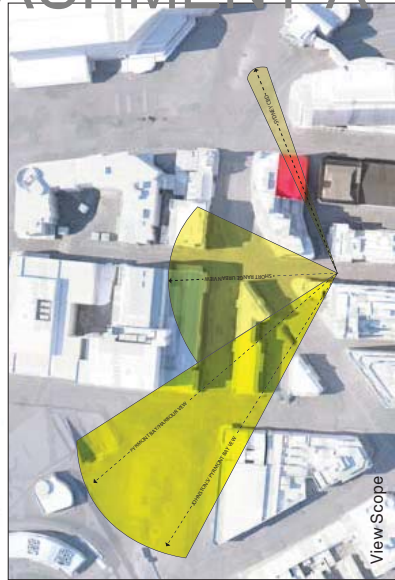


1-5 Harwood Street

Building B
1-5 Harwood Street
Vantage Point: Balcony
Level: 7
Aspect: North



Window Location Key:

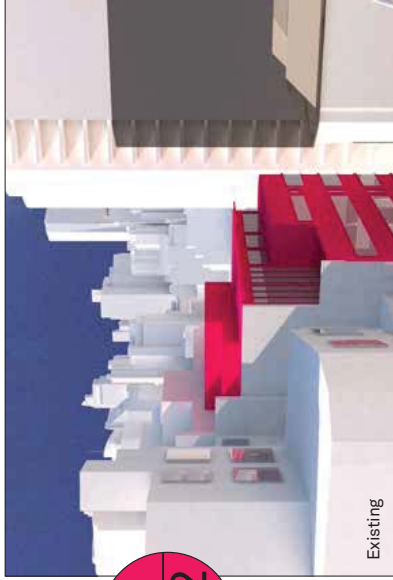


1-5 Harwood Street

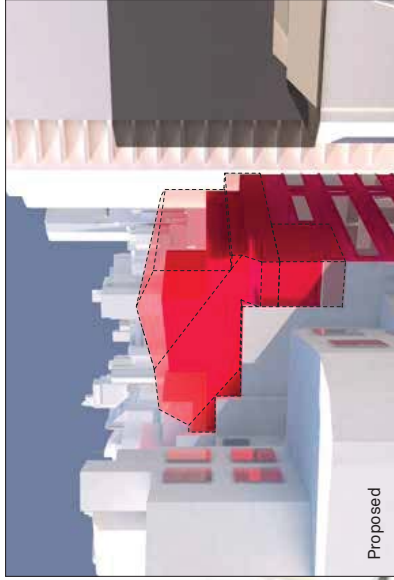
Building B
1-5 Harwood Street

Vantage Point: Balcony
Level: 8
Aspect: North

B
B8.2



Existing



Proposed

Window Location Key:

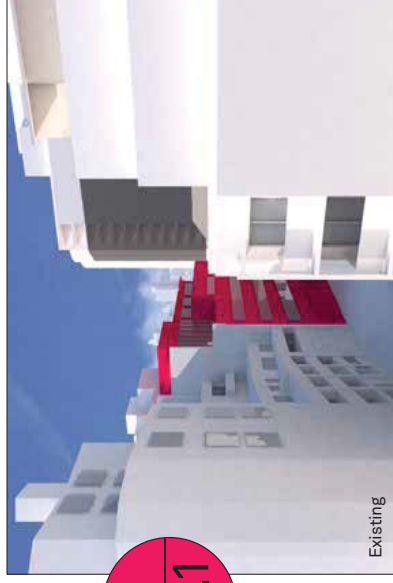


1-5 Harwood Street

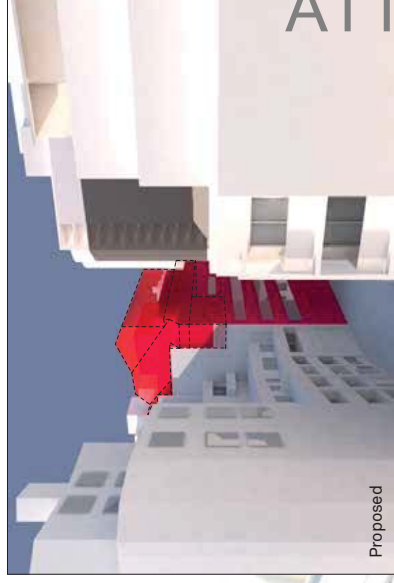
Building B
1-5 Harwood Street

Vantage Point: Balcony
Level: 4
Aspect: East

B
B4.1

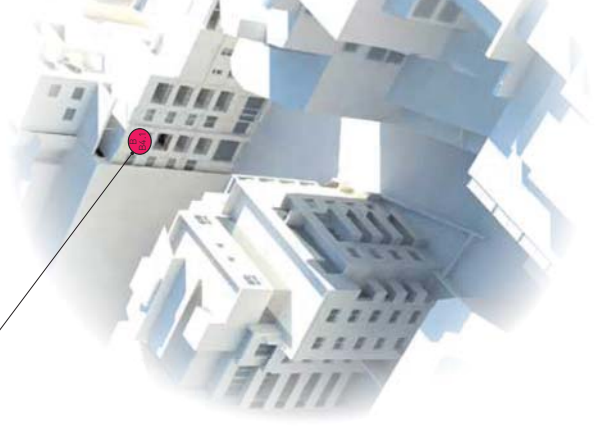


Existing



Proposed

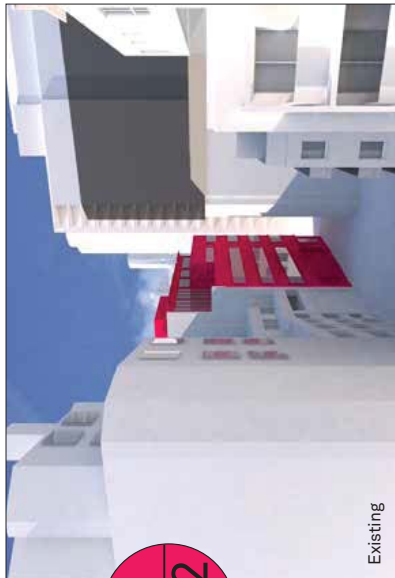
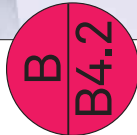
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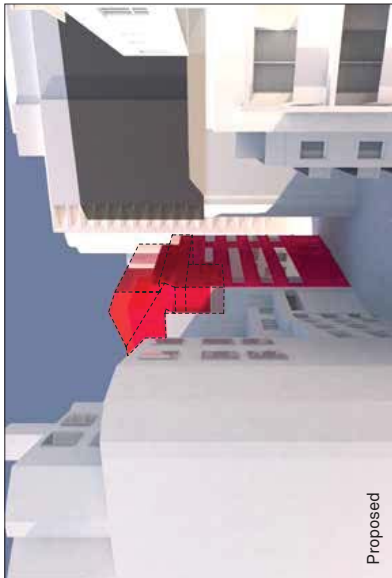
1-5 Harwood Street

Building B
1-5 Harwood Street

Vantage Point: Balcony
Level: 4
Aspect: East

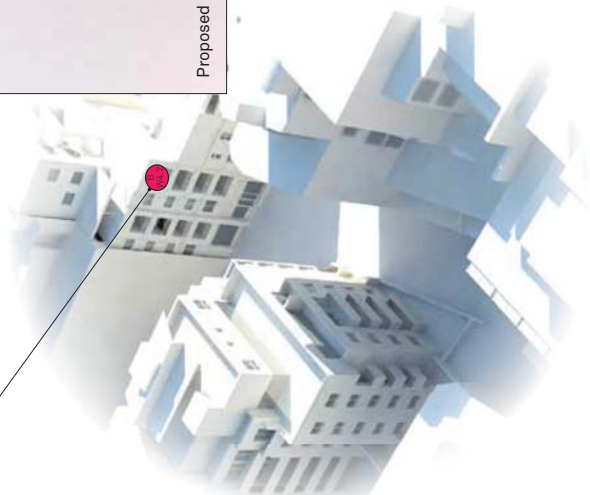


Existing



Proposed

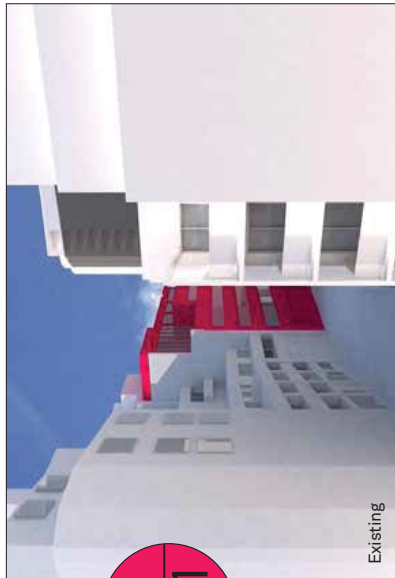
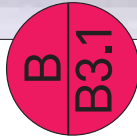
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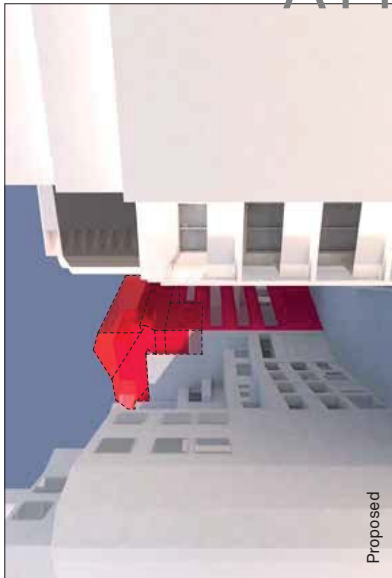
1-5 Harwood Street

Building B
1-5 Harwood Street

Vantage Point: Balcony
Level: 3
Aspect: East

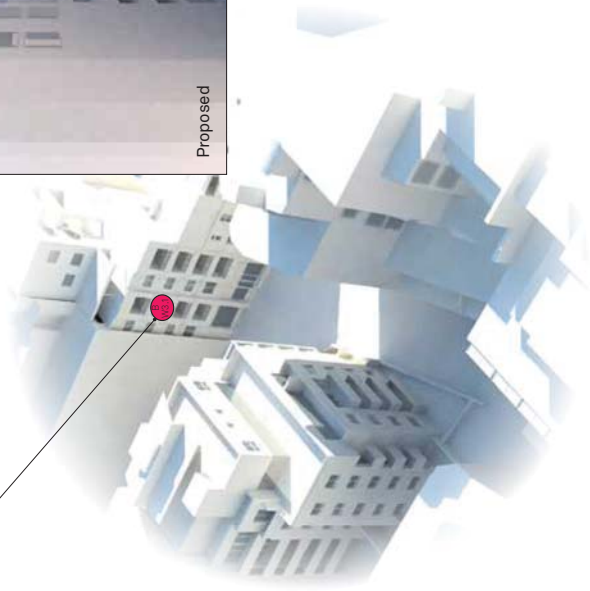


Existing



Proposed

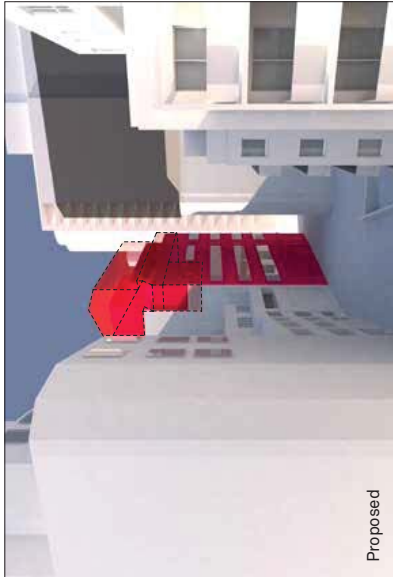
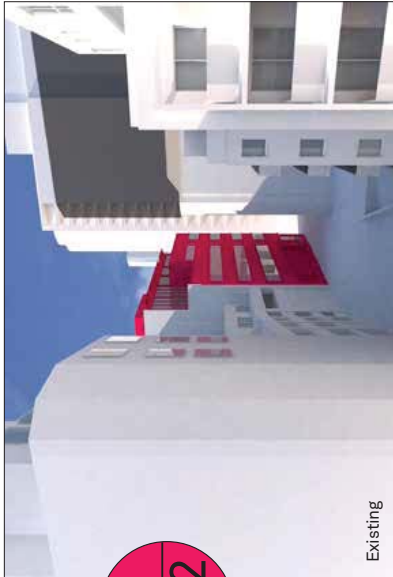
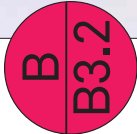
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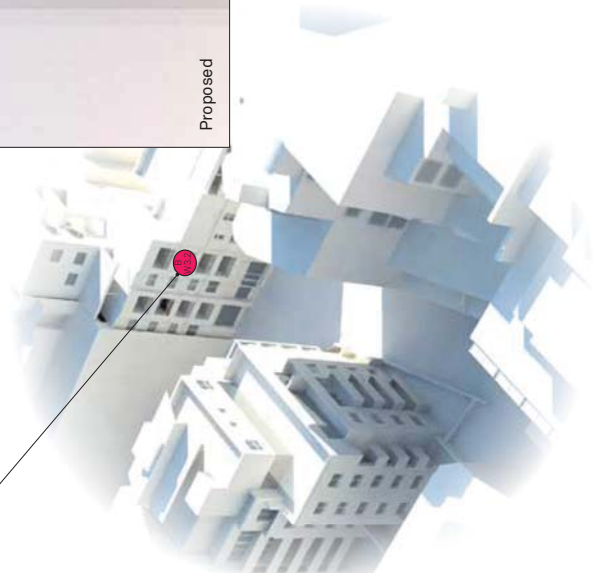
1-5 Harwood Street

Building B
1-5 Harwood Street

Vantage Point: Balcony
Level: 3
Aspect: East

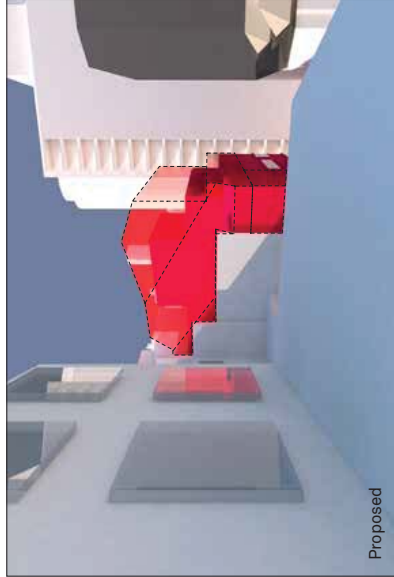
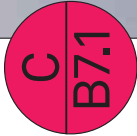


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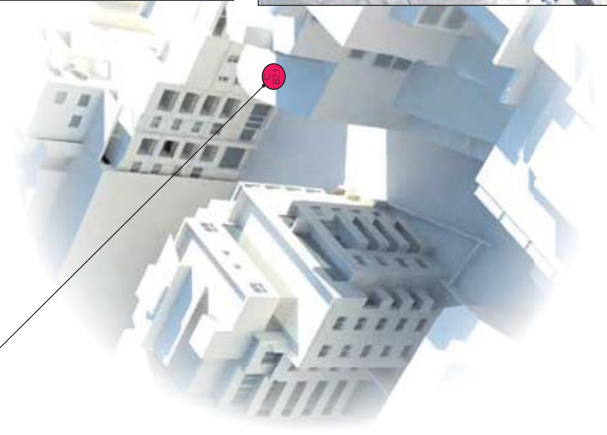


1-9 Pymont Bridge Road

Building C
1-9 Pymont Bridge Road
Vantage Point: Balcony
Level: 7
Aspect: East

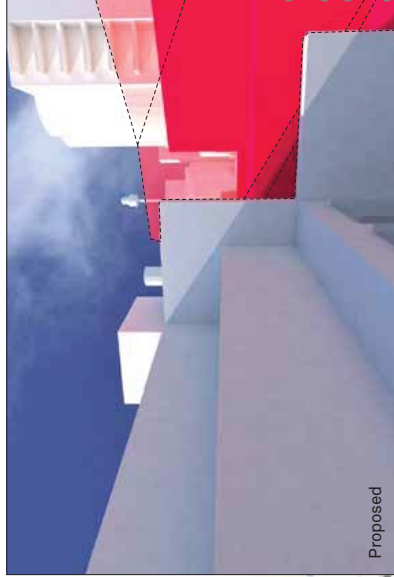


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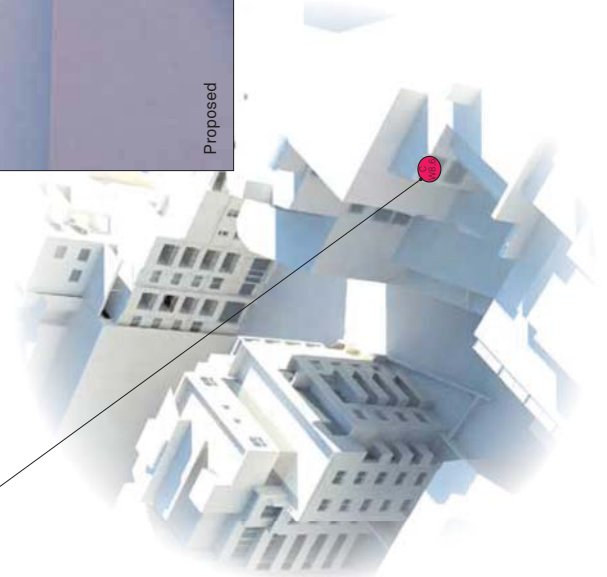


1-9 Pymont Bridge Road

Building C
1-9 Pymont Bridge Road
Vantage Point: Window
Level: 8
Aspect: East

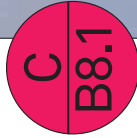


Window Location Key:



1-9 Pyrmont Bridge Road

Building C
1-9 Pyrmont Bridge Road
Vantage Point: Balcony
Level: 8
Aspect: East

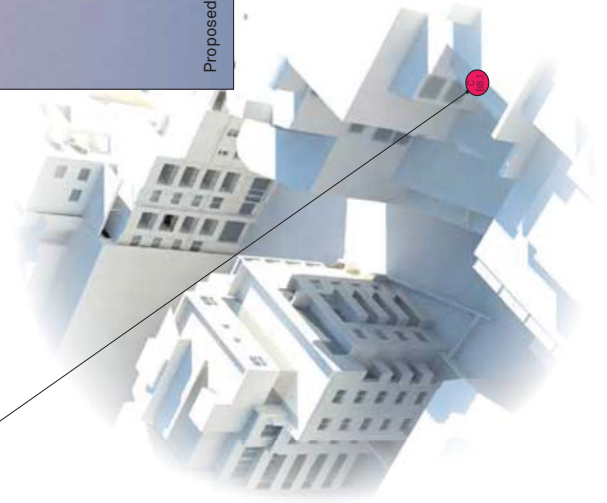


Existing



Proposed

Window Location Key:

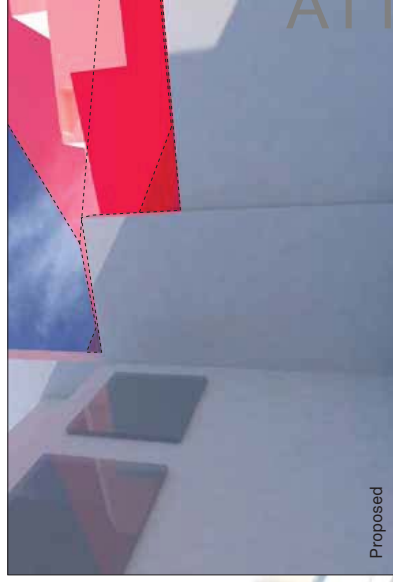


1-9 Pyrmont Bridge Road

Building C
1-9 Pyrmont Bridge Road
Vantage Point: Balcony
Level: 6
Aspect: East

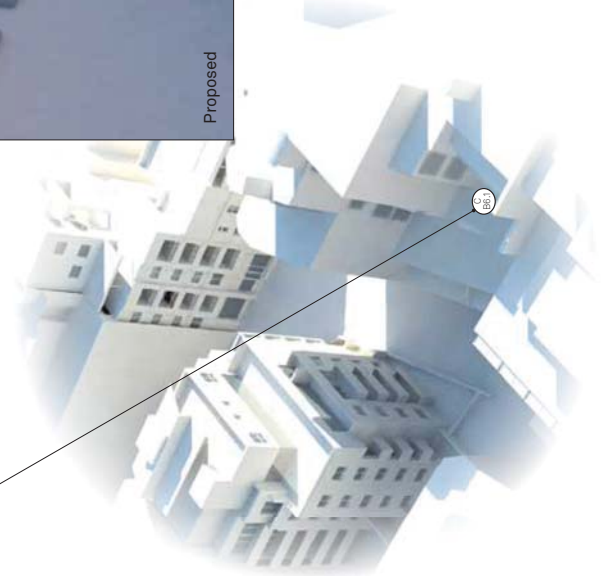


Existing



Proposed

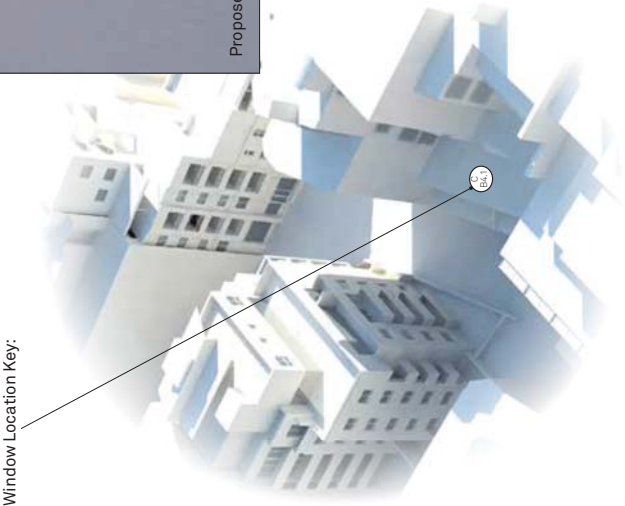
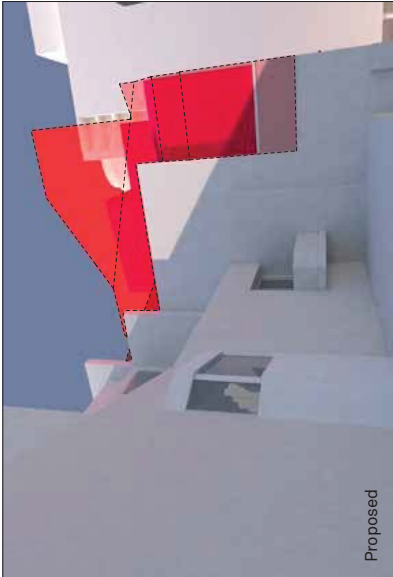
Window Location Key:



01 View Analysis

1-9 Pyrmont Bridge Road

Building C
1-9 Pyrmont Bridge Road
Vantage Point: Balcony
Level: 4
Aspect: East





05 Impact Analysis
Solar Access

Overview

This section shows the overshadowing impact that the proposed building envelope will have on the surrounding buildings of 45 Murray Street.

The chart summarises the solar access impacts of the proposal. It demonstrates the existing amount of solar access to each nominated windows and the affect (if any) of the proposal on this existing amount of solar access.

The minimum solar access requirements are as defined in the SEPP65 and City of Sydney DCP/LEP.

Methodology

The solar access studies have been produced by HASSELL using Rhinoceros 5.0.

Registered surveyors Lester Franks were commissioned to provide detailed 3D Laser Scanning of the immediate context.

This data, in conjunction with the 3D city model of Sydney licenced for use by HASSELL, provides an accurate representation on the site conditions on which the following analysis is based.

Please note:

These studies are accurate to the implied limits of the supplied base information. Every effort has been made by HASSELL to ensure the accuracy and reliability of this information, however HASSELL can not accept responsibility for the inaccuracy of this base information.

Analysis was conducted to determine the current solar access - Identified in the following table.

The proposed envelope as defined in Section 3 was then added to the site.

Analysis was then undertaken to determine the extent of this building mass that impacted on the solar access to neighbouring properties such that it reduced the direct sunlight to less than 2hrs.

Where required, the building mass was cut and shaped in order to maintain the minimum continuous existing solar access or 2hr direct solar access requirements.

LEVEL	Window	Current	Proposed	Impact
Ground Floor	AB2.2	0:00	0:00	0:00
	AB3.3			
	AW3.3			
	AW3.4	0:39	0:39	0:00
	AW3.5	0:00	0:00	0:00
	AW3.6			
	AW3.7	0:32	0:32	0:00
Level 3	AB3.2	0:10*	0:00	-0:10
	AB3.3	0:00	0:00	0:00
	AW3.3	0:00	0:00	0:00
	AW3.4	2:28	2:00	-0:28
	AW3.5	2:08	2:00	-0:08
	AB3.4	1:50	1:50	0:00
	AW3.6	1:28	1:28	0:00
Level 4	AB3.5	1:17	1:17	0:00
	AW3.7	0:48	0:48	0:00

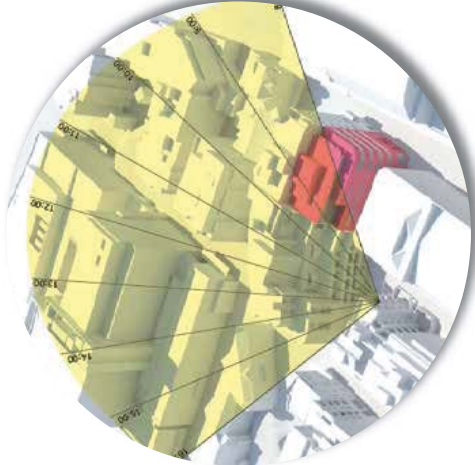
Summary of Findings

The analysis demonstrates that the proposed maximum building envelope maintains either the existing solar access to habitable spaces if less than 2hrs, or a minimum of 2 hours where the existing habitable spaces receive more than two hours currently.

There are two windows which are affected but as their current solar access is less than 15 minutes they are not considered. These windows are marked with an *.

Refer to accompanying planners report for the **impact assessment** of this analysis.

LEVEL	Window	Current	Proposed	Impact
Level 1	AB1.2	0:00	0:00	0:00
	AB1.3	0:00	0:00	0:00
	AW1.3	0:00	0:00	0:00
	AW1.4	1:07	1:07	0:00
	AW1.5	0:25	0:25	0:00
	AB1.4	0:19	0:19	0:00
	AW1.6	0:00	0:00	0:00
Level 4	AB4.2	0:28	0:28	0:00
	AB4.3	0:00	0:00	0:00
	AW4.3	0:00	0:00	0:00
Level 4	AW4.4	2:28	2:00	-0:28
	AW4.5	2:28	2:00	-0:28

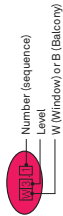


05 Impact Analysis
Solar Access

LEVEL	Window	Current	Proposed	Impact
Level 2	AB2.2	0:10*	0:00	-0:10
	AB2.3	0:00	0:00	0:00
	AW2.3	0:00	0:00	0:00
	AW2.4	1:48	1:48	0:00
	AW2.5	0:39	0:39	0:00
	AB2.4	1:34	1:34	0:00
	AW2.6	0:28	0:28	0:00
	AB2.5	0:18	0:18	0:00
	AW2.7	0:32	0:32	0:00
Level 5	AB5.2	1:24	1:24	0:00
	AB5.3	0:00	0:00	0:00
	AW5.3	0:00	0:00	0:00
	AW5.4	2:30	2:30	0:00
	AW5.5	6:00	6:00	0:00
Level 6	AB6.3	2:30	2:30	0:0
	AW6.6	6:00	6:00	0:00
	AW6.7	6:00	6:00	0:00

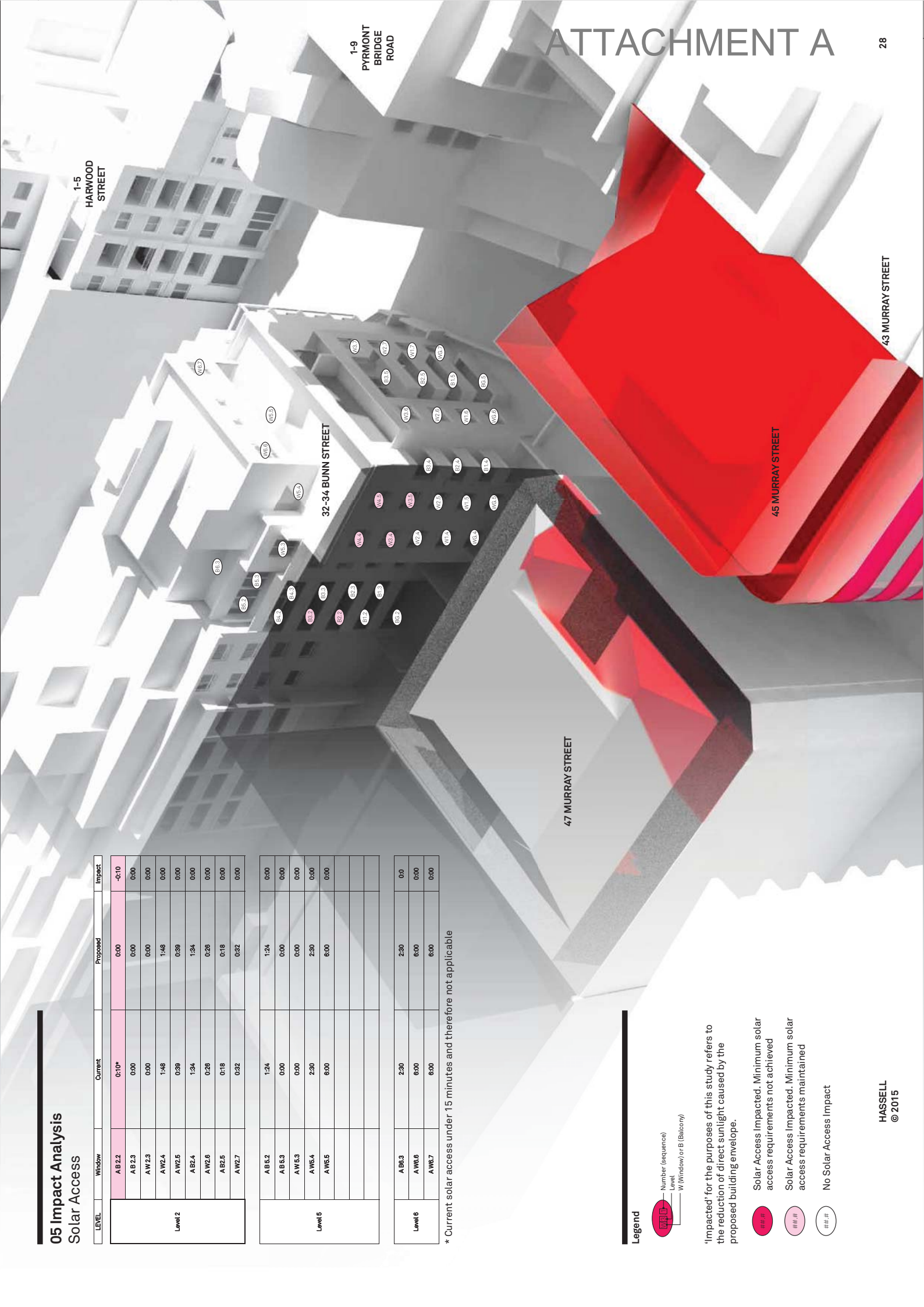
* Current solar access under 15 minutes and therefore not applicable

Legend



'Impacted' for the purposes of this study refers to the reduction of direct sunlight caused by the proposed building envelope.

- Solar Access Impacted. Minimum solar access requirements not achieved
- Solar Access Impacted. Minimum solar access requirements maintained
- No Solar Access Impact

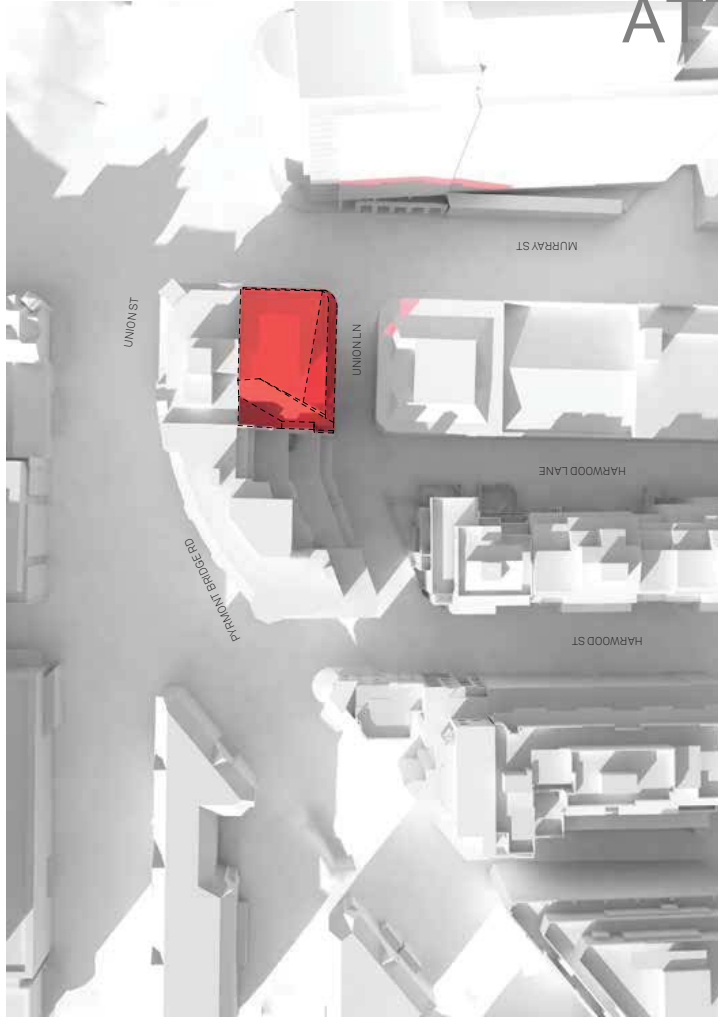


05 Impact Analysis:
Solar Access - Shadow Diagrams

Below are the traditional plan solar study.



Shadow Diagram - 22nd June 9am
Red shadow indicates additional overshadowing cast by proposed maximum building envelope.



Shadow Diagram - 22nd June 3PM
Red shadow indicates additional overshadowing cast by proposed maximum building envelope.



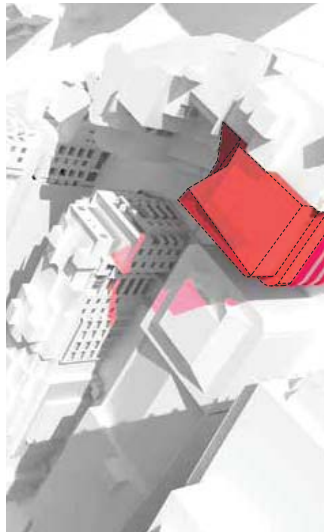
Shadow Diagram - 22nd June Noon
Red shadow indicates additional overshadowing cast by proposed maximum building envelope.

05 Impact Analysis: Solar Access - Shadow Diagrams

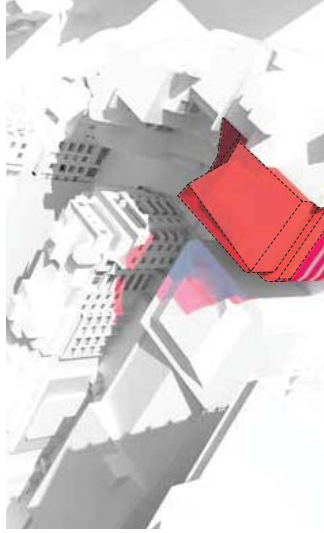
This solar study provides detailed analysis of the North and East elevations of 32 Harwood Street.

Due to its location relative to the proposed development, particular attention was paid to these window openings.

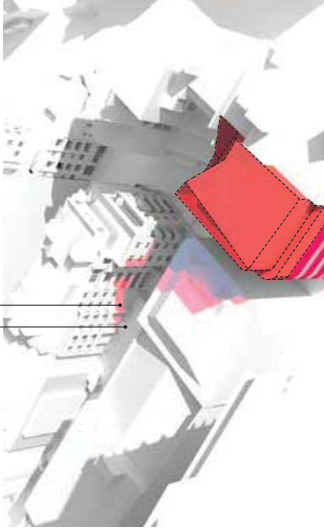
Grey shadow indicates existing shadow.
Red shadow indicates the additional overshadowing cast by the proposed maximum building envelope



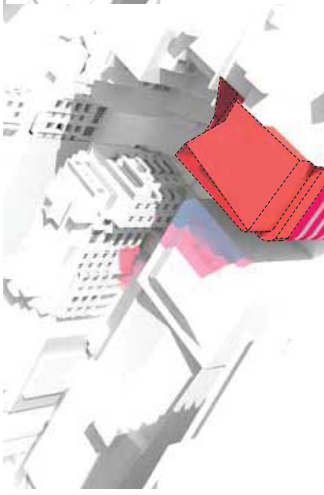
Shadow Diagram - 22nd June 9am



Shadow Diagram - 22nd June 9.15am



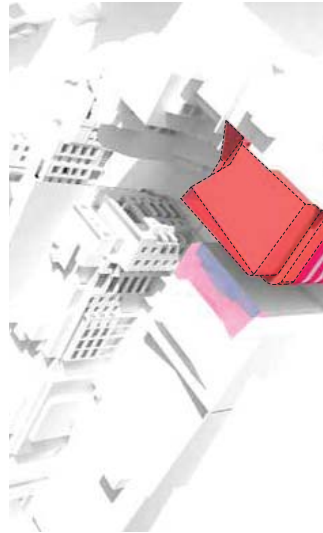
Shadow Diagram - 22nd June 9.30am



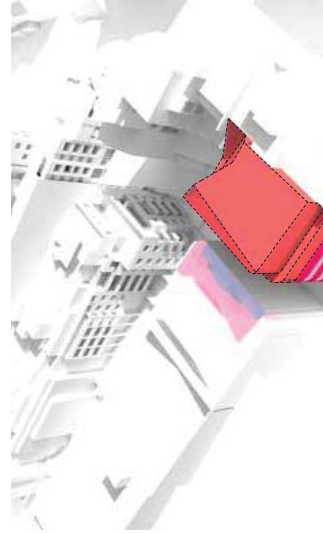
Shadow Diagram - 22nd June 9.45am

09.30

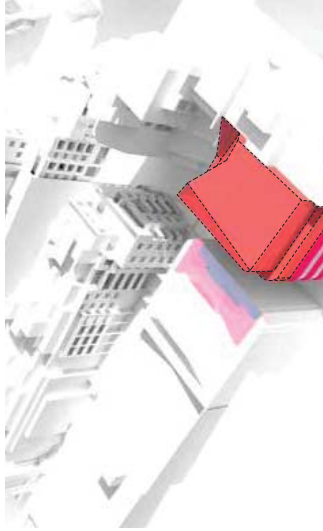
09.00



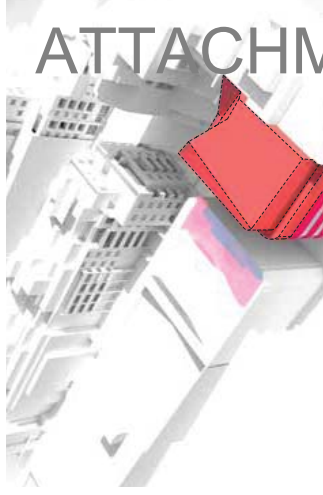
Shadow Diagram - 22nd June 10.45am



Shadow Diagram - 22nd June 11am



Shadow Diagram - 22nd June 11.15am



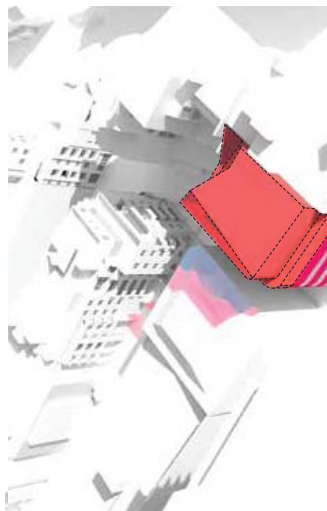
Shadow Diagram - 22nd June 11.30am

11.00

11.30

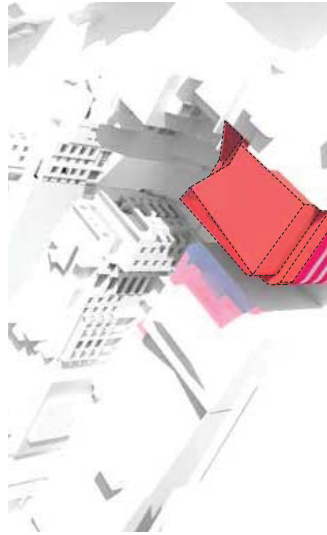
ATTACHMENT A

05 Impact Analysis:
Solar Access - Shadow Diagrams

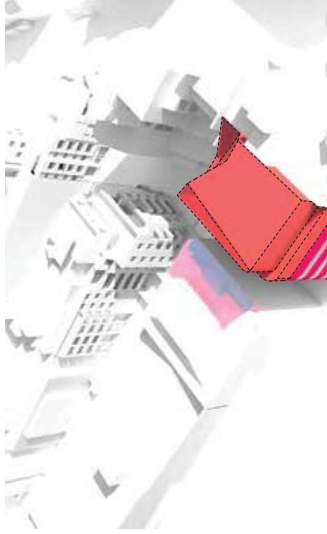


Shadow Diagram - 22nd June 10am

10.00

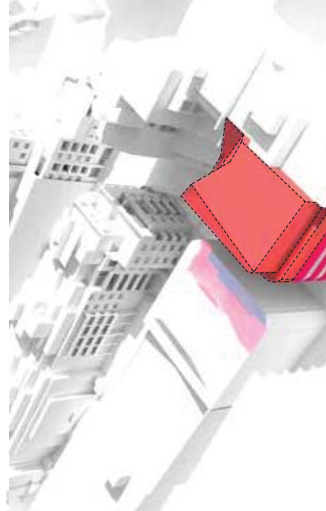


Shadow Diagram - 22nd June 10.15 am

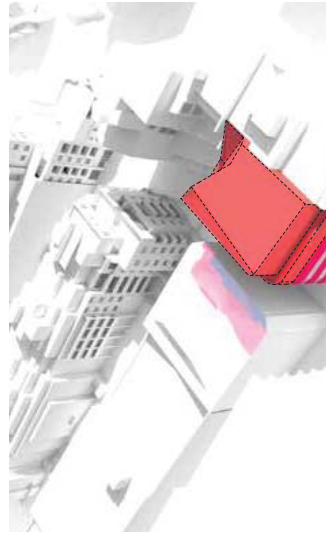


Shadow Diagram - 22nd June 10.30 am

10.30

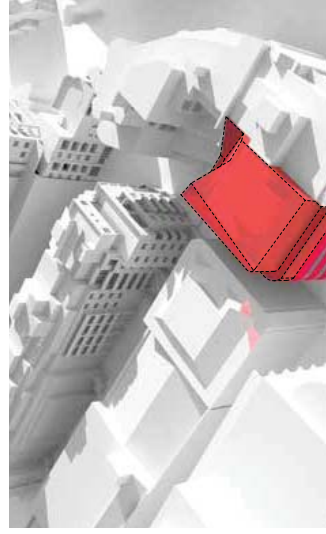


Shadow Diagram - 22nd June 11.45am



Shadow Diagram - 22nd June Noon

12.00



Shadow Diagram - 22nd June 3PM

ATTACHMENT A



06 Preliminary Concept Development Reference Project – The ‘HUB’ Hotel

Overview

The proposed redevelopment of 45 Murray Street will convert commercial space into high-spec, overnight commuter style hotel accommodation.

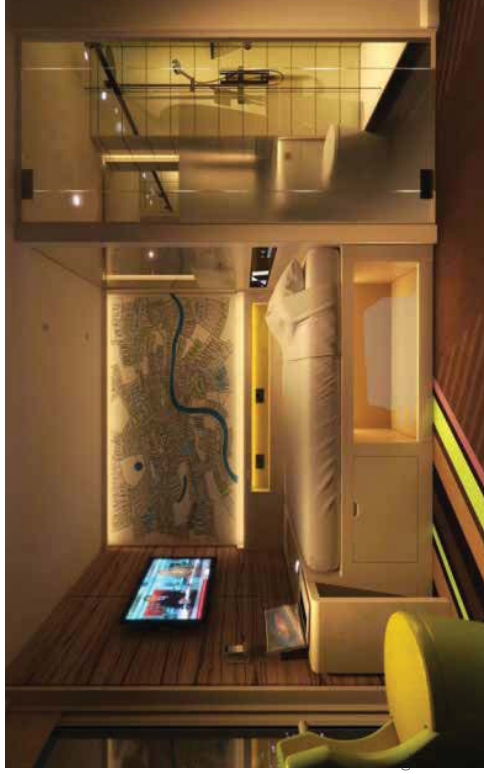
This is based on a model adopted by Premier Inn in Covent Garden, London – HUB Hotel.

The hotel aesthetic is modern and ‘tech-savvy’. The rooms are stylish, compact and cleverly planned, and smartphone apps allow room customisation.

See further details on their website:
<https://www.hubhotels.co.uk/p/home.xhtml>



covent garden. london. uk



06 Preliminary Concept Development

The 'Look & Feel' - Design Ideas

Aesthetic

The proposed aesthetic for the hotel is 'refined urban'.

Materiality that is true to itself, yet refined and crafted.

Detail that is finely considered, bespoke and original.

Integrated joinery that offers sleek, modern spaces, Compact and efficient, but inviting.

Below are several precedents that evoke the design aesthetic to be explored in the development of this hotel offering.

Design Precedents

01_ **Floating Pots**
UAP Studio

02_ **Brushed Metal Cabinets**
Murdock Young Architects

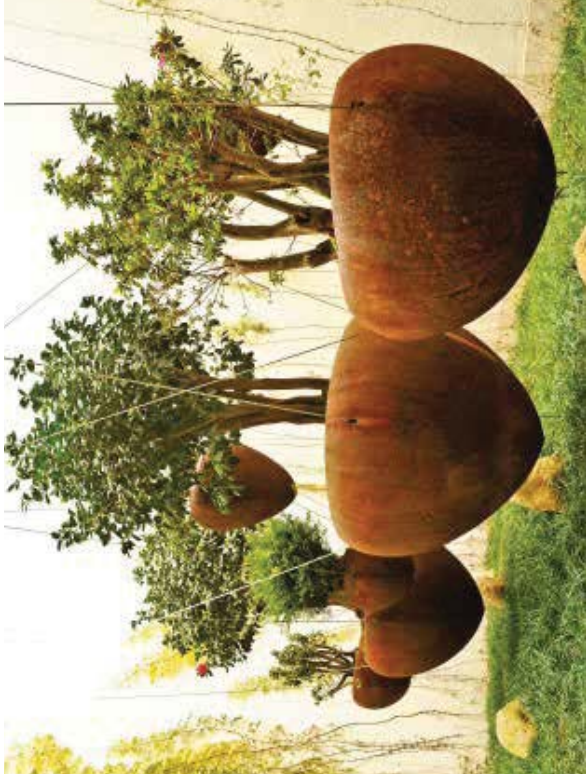
03_ **Waterhouse Hotel, Shanghai**
NHDRO Architects

04_ **New | Old, Taiwan**
Miemasu

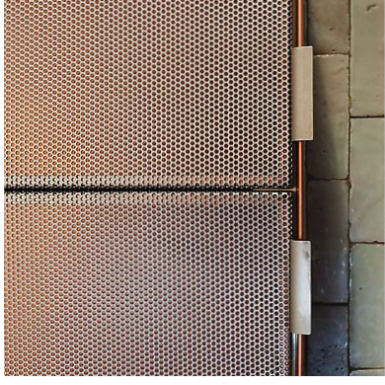
05_ **Tennat Bodega/Bar, Barcelona**
Abag Arquitectura

06_ **Nude Coffee & Wine Bar, Moscow**
Form Bureau

07_ **158 Cecil Street, Singapore**
Tierra POD



01_



02_



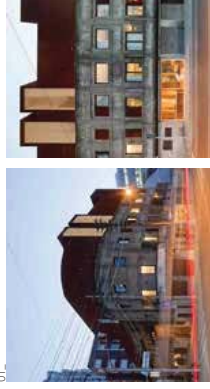
07_



04_



06_



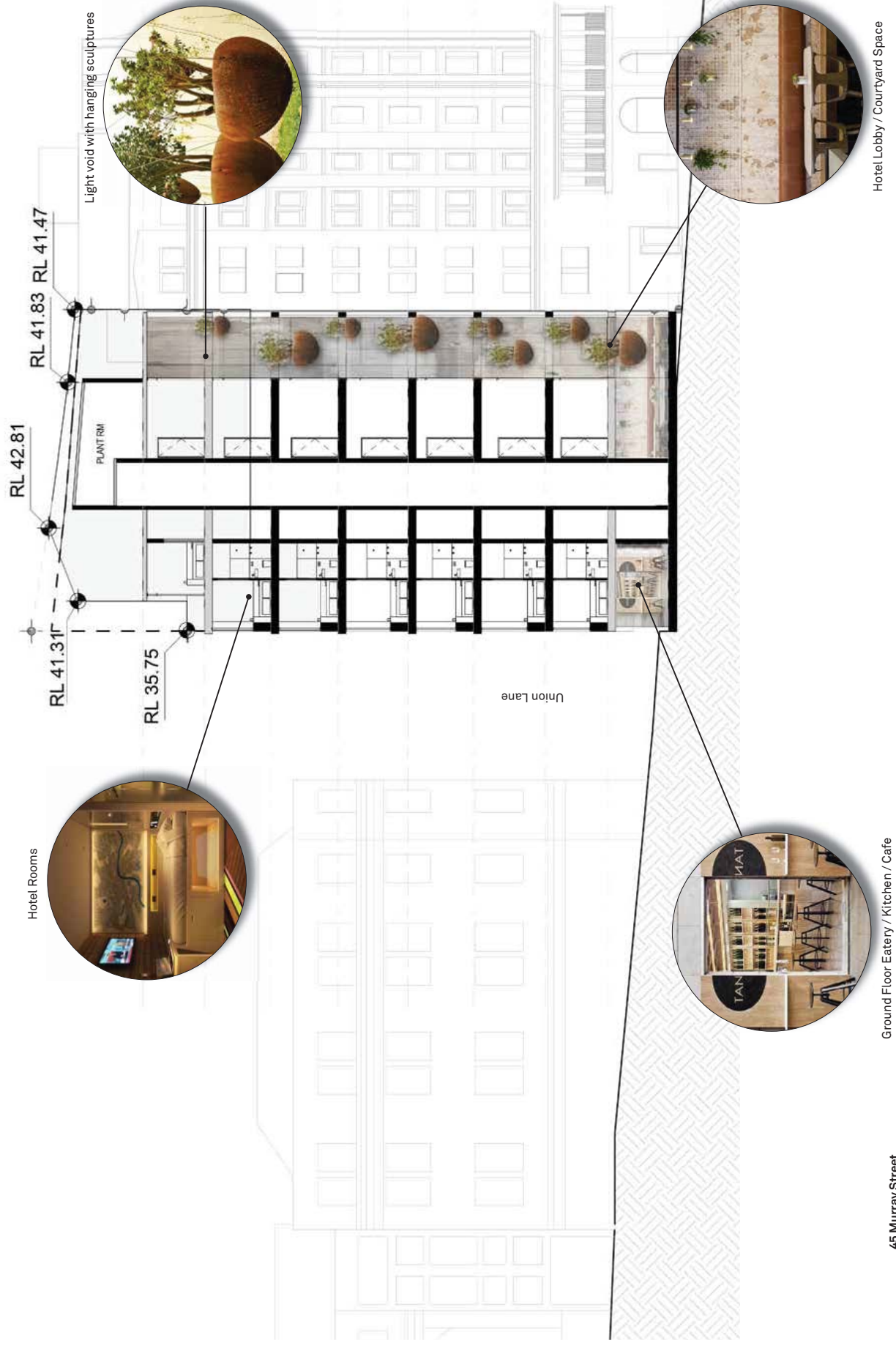
03_



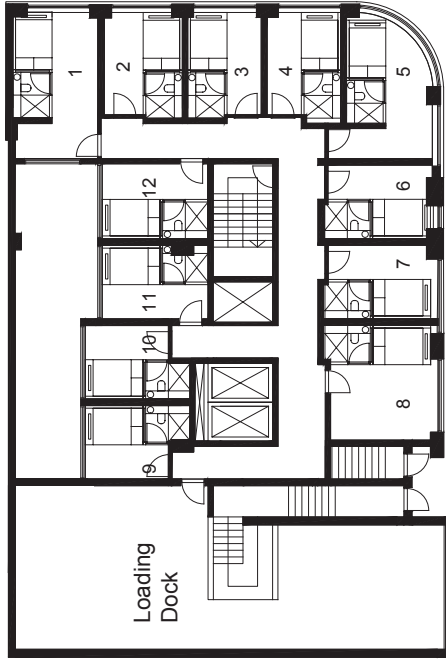
05_

06 Preliminary Concept Development Building Section

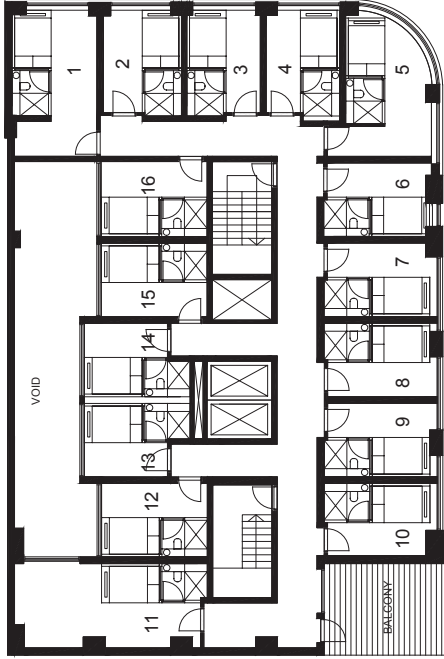
Note: This is not a finalised proposal and further development is required. This is only intended to give a flavour of what is envisioned for the hotel.



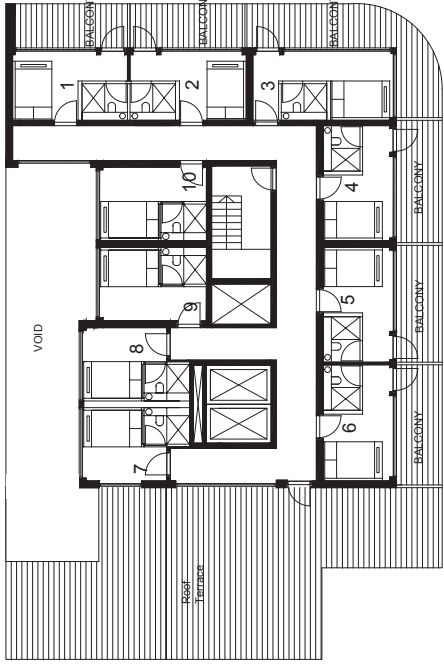
06 Preliminary Concept Development Floor Plan Layout



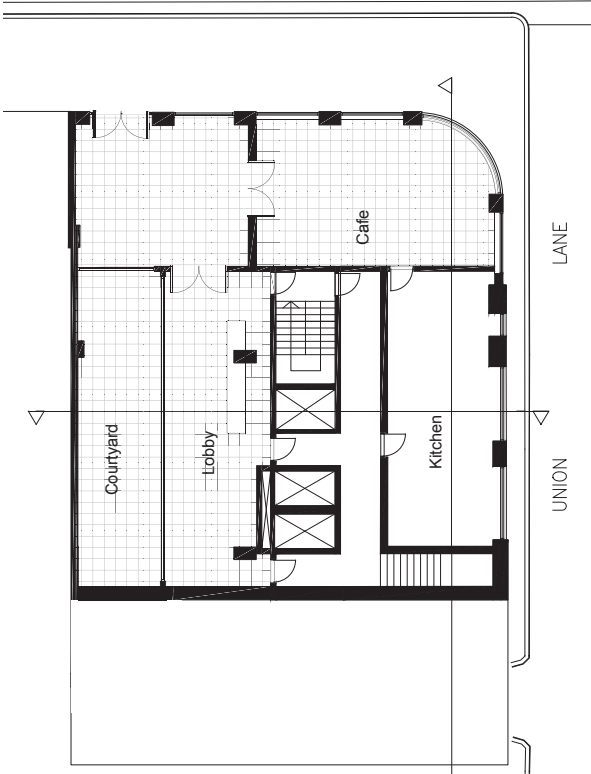
Proposed Mezzanine Floor Plan



Proposed L05 Floor Plan

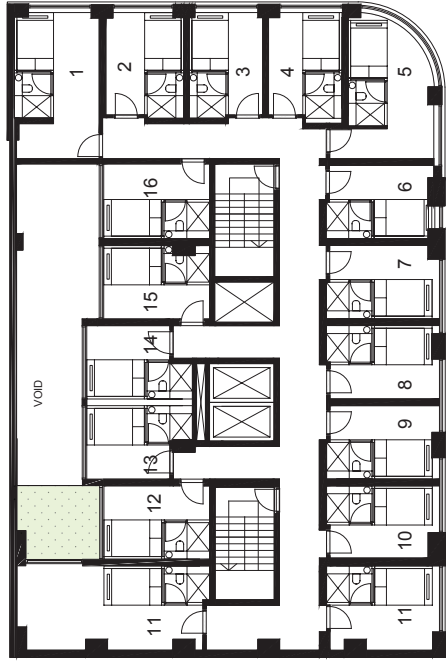


Proposed L06 Floor Plan



Proposed Ground Floor Plan

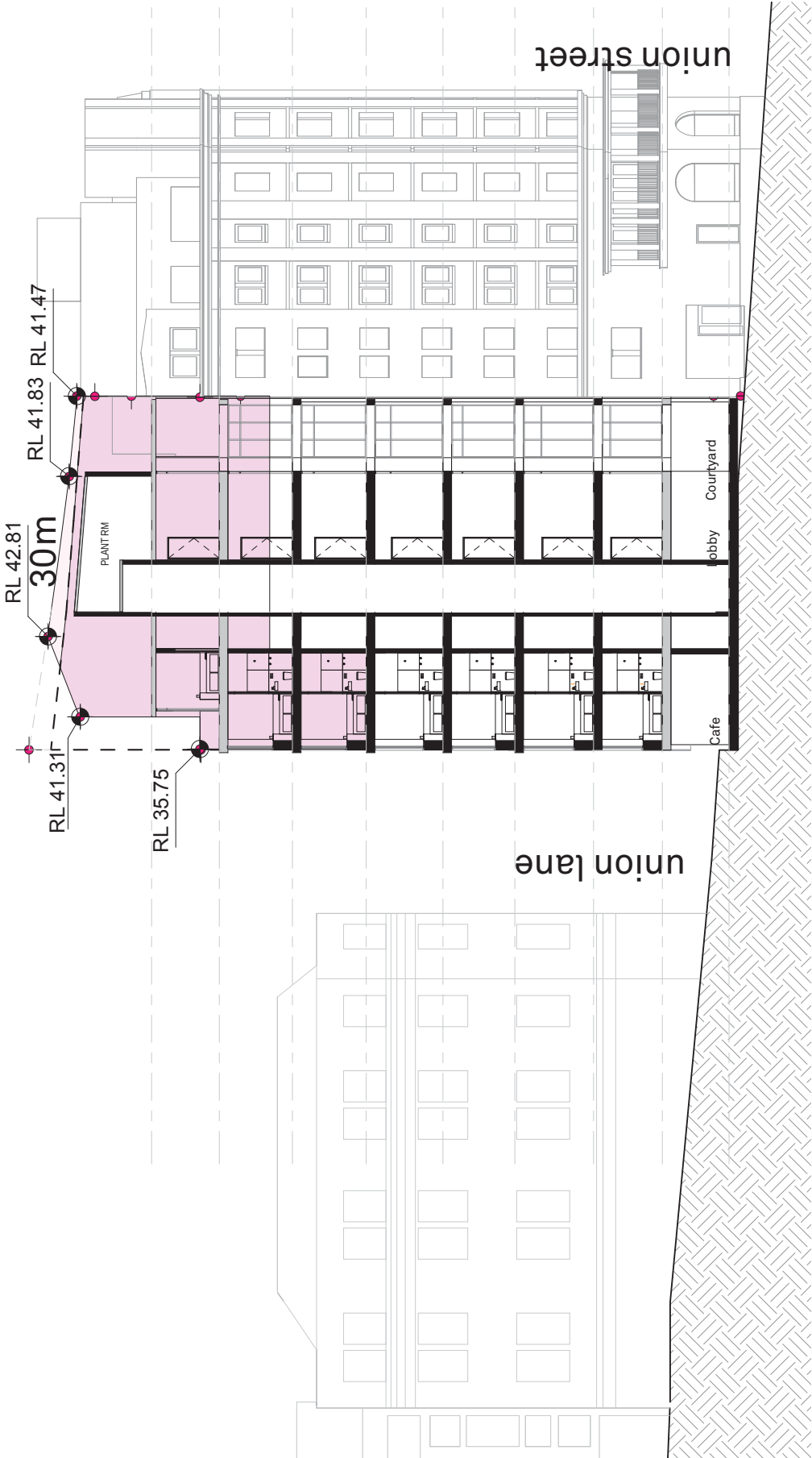
ATTACHMENT A



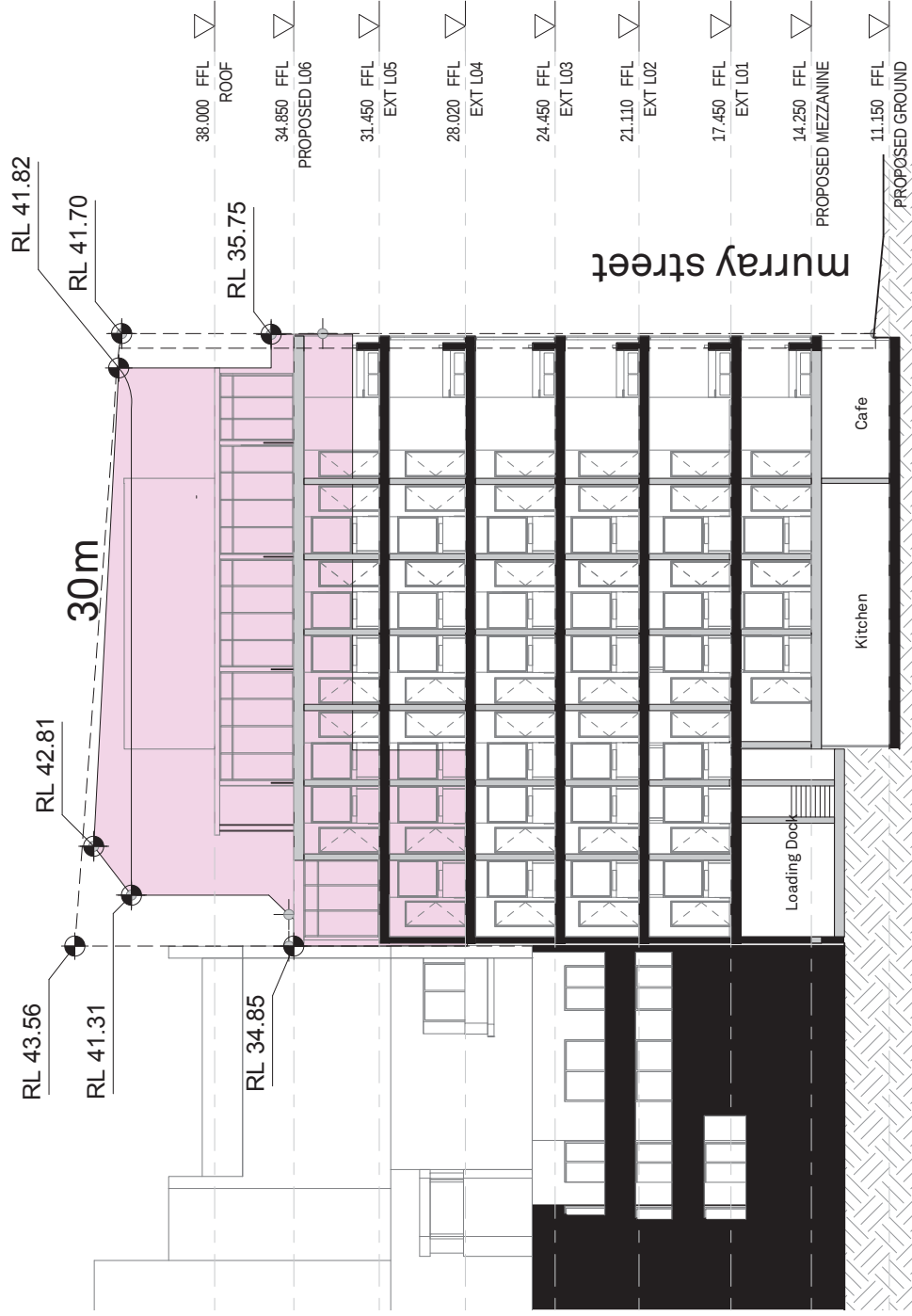
Proposed Typical Floor Plan (L01 - L04)



ATTACHMENT A



Section 01_North/South



Section 02_East/West



ATTACHMENT A

Appendix

ATTACHMENT A

Reference Documents

- i 3D Laser Scan Survey
- ii Existing Site Survey
- iii Proposed Building Envelope Amendment



MCNALLY MANAGEMENT

PYRMONT BUILDING FAÇADE

3D LASER SCAN SURVEY AND MODELLING

PROJECT # M01278

PROJECT DELIVERY & METADATA REPORT

LESTER FRANKS

Spatial Relationships | Human Technology

ADELAIDE BRISBANE DEVOIRPORT HOBART MACKAY MELBOURNE PORT AUGUSTA SYDNEY TOWNSVILLE

1. INTRODUCTION

Lester Franks was contracted by McNally Management to provide a terrestrial laser scan survey and 3D mass modelling of selected buildings in Pyrmont, NSW. The survey was undertaken by Mark Smith and Robert Edwards on the 8th April 2015 with the alignment and modelling conducted by James Head-Mears.

This document details information in regard to the metadata for the supplied datasets included within this archive as well as sample images of the deliverables.

2. INTENDED USE OF DATA

The supplied data has been provided to assist in a view impact study to be conducted by Hassell.

IMPORTANT: please note that the data is not to be used for purposes beyond that explicitly agreed in the description of the Services provided by Lester Franks.

3. SURVEY METADATA

Date of survey: 8th April 2015.

Laser Scanner Instrument: Faro Focus 120 Laser Scanner.
Total Station: Leica TS15 Total Station.
Range Accuracy: Range accuracy ±3mm @ 30m.
Field Crew: Mark Smith and Robert Edwards
Approximate Weather Conditions: Dry conditions with a temperature range 20 - 25°C.

Final point cloud accuracy: Approximately ±5mm in three dimensions.

All datasets (unless stated otherwise) provided within this archive are supplied in ground distances with the following properties:

Vertical Datum: AHD71.
Horizontal Datum: MGA Zone 55 (plane).
Ground Scale Point: SSI 081146 333,337,633m
Eastings: 6,250,811,647m
Northings: 8,674m
RL:

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Document Reference: 050 M01278 10 0004 1 Metadata Report.docx

4. SUPPLIED DIGITAL DATA

The following folders and files have been supplied within this archive:

4.1. CAD DATA

All as-built CAD data was modelled using Rhino3D and has been supplied in both a native format and exported to 3D DWG format in order to facilitate multi-platform interoperability.

CAD data has been supplied on a per building basis where applicable and to the LOD as per document 050 M01278 10 0001 1 Rev1. Building models have been grouped into the CAD file based on their street location.

Please be advised that in some areas requested at LOD200 this was not possible due to limitation in LDR data coverage. This has been annotated in Figure 4.

As Rhino3D does not fully support large coordinate numbers the data supplied in 3DS format has been translated by the following values:

Eastings: 333,200,000m
Northings: 6,250,700,000m
RL: 0.000m

The DWG data has been kept in large MGA94 and AHD71 coordinates.

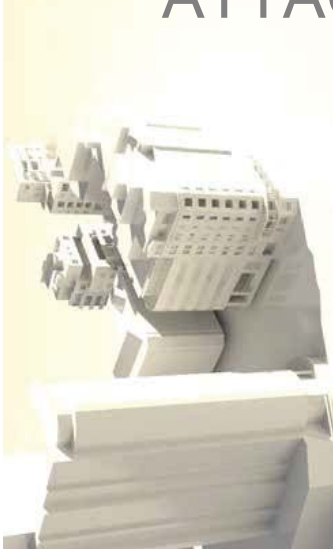


Figure 1: Example view of combined CAD data.

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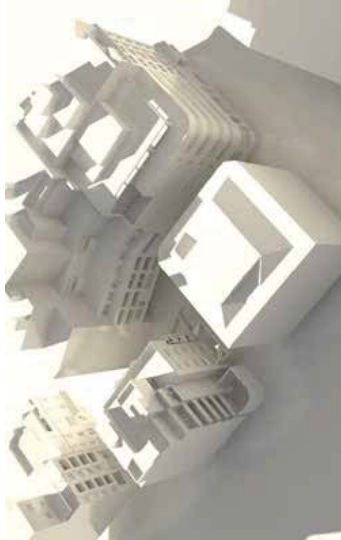


Figure 2: Example model of combined CAD data.

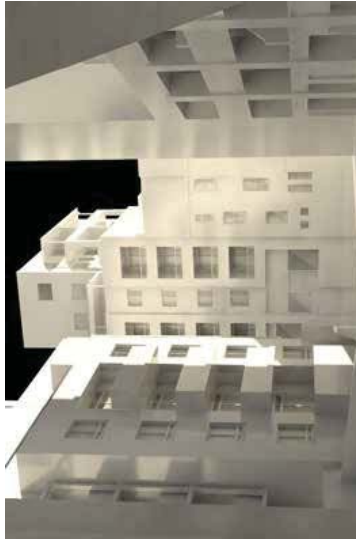


Figure 3: Example model of combined CAD data.

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Figure 4: Render showing areas of reduced accuracy attributable to limitations with the aerial LiDAR data coverage.

4.2. 3D LASER SCAN DATA

The laser scanned data for this project has been supplied in Autodesk Recap format.

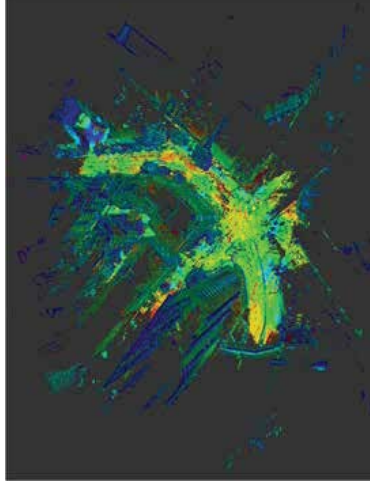


Figure 5: Overview of Recap point cloud.

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Document Reference: 050 M01278 10 0004 1 Metadata Report.docx

5. POINT OF CONTACT

Nicholas Davies, Director
13/21 Sabre Drive, Port Melbourne, VIC 3207

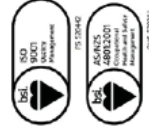
T: +61 3 9846 1111
M: +61 438 839 038

6. THANK YOU

On behalf of Lester Franks, I wish to thank McKay Management for the opportunity to perform this work. We look forward to working with you in the future.

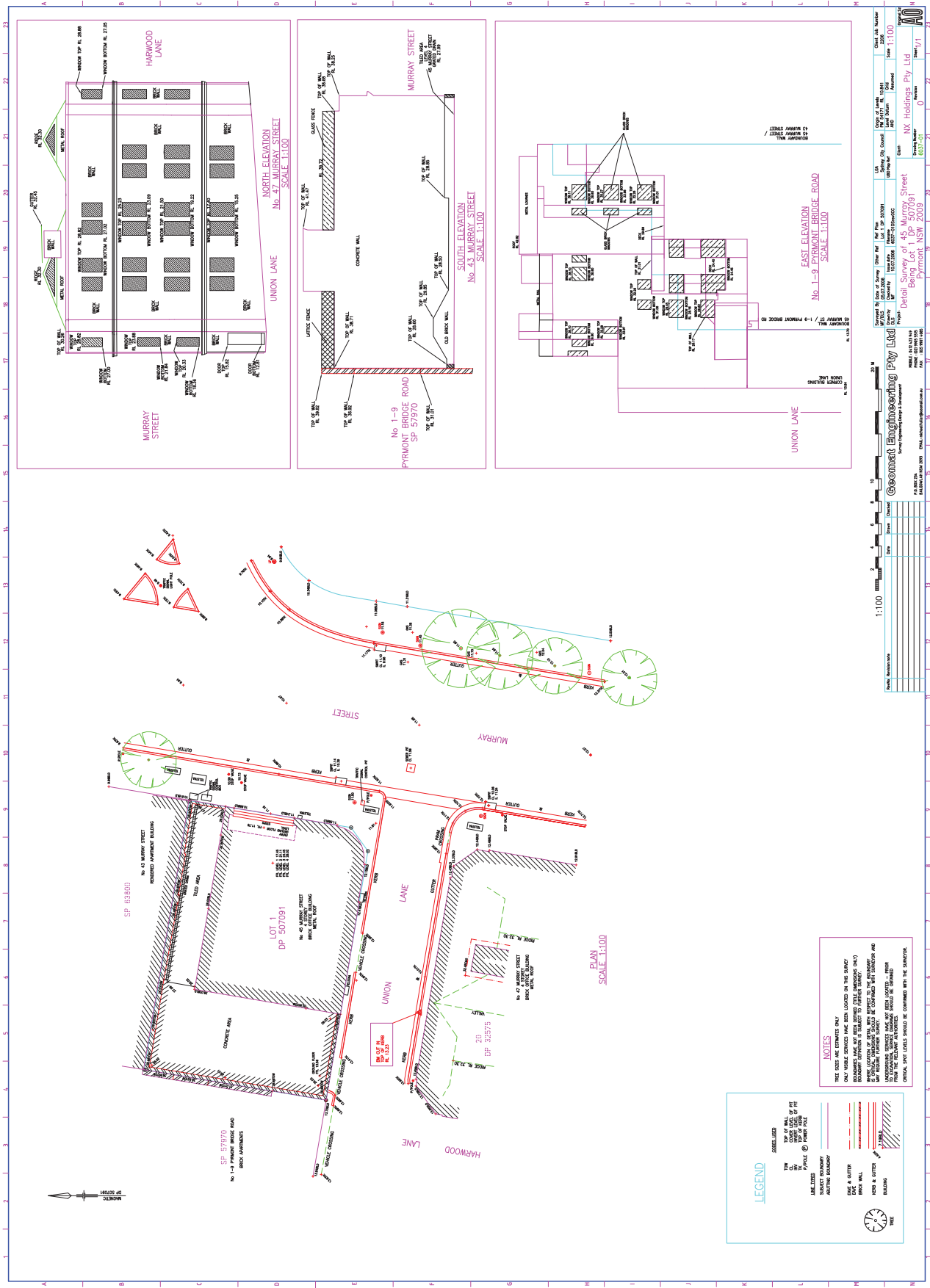
Lester Franks

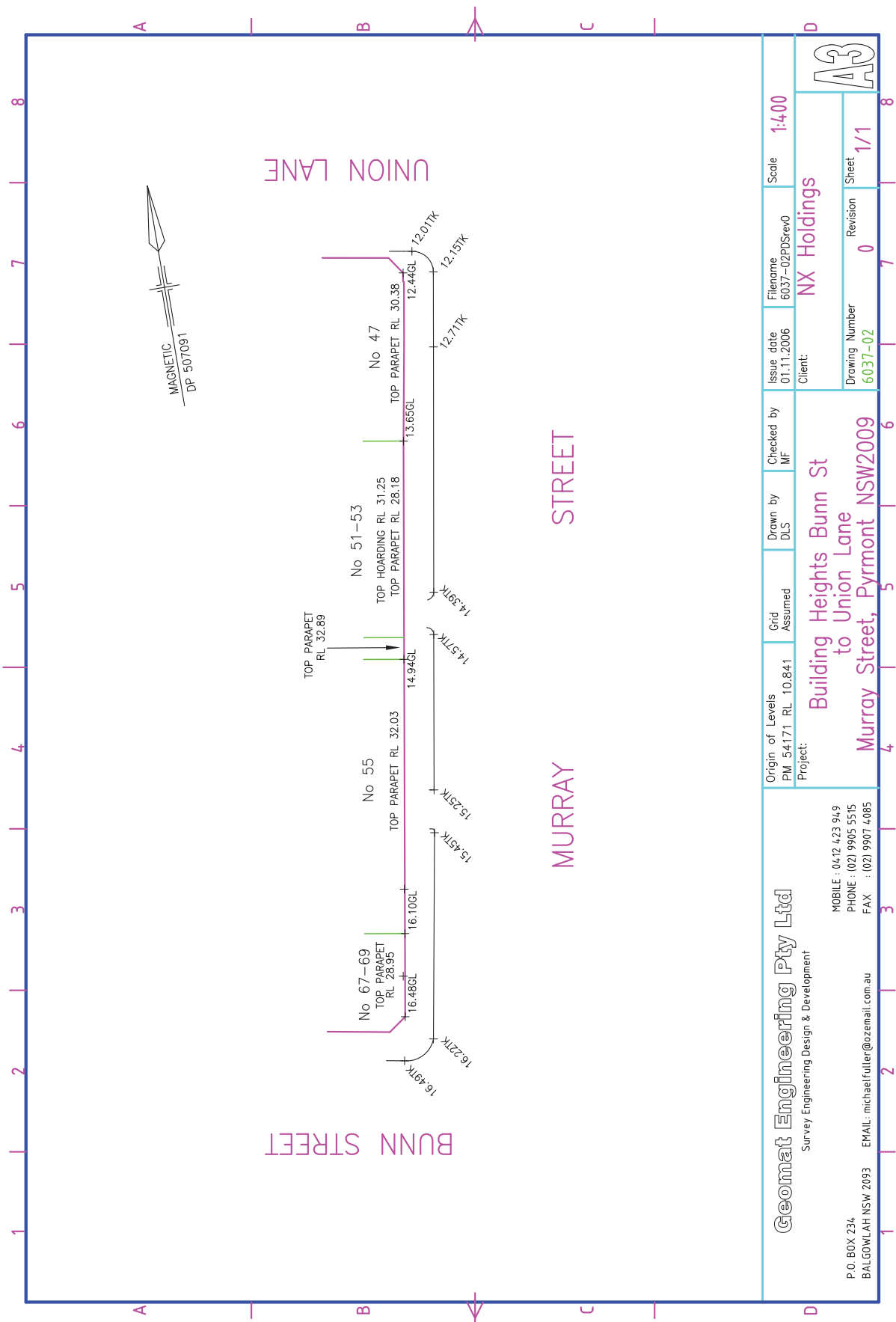
Per Nicholas Davies



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Note: Survey drawing not to scale. Original survey can be provided on request

Previously Proposed LEP Envelope



Diagram Section_ Previously Proposed LEP Envelope

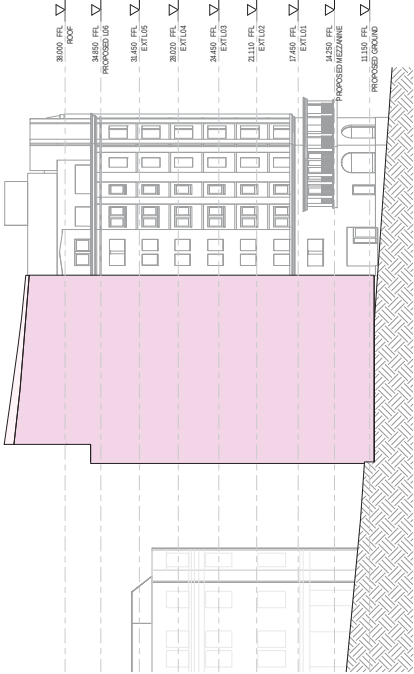
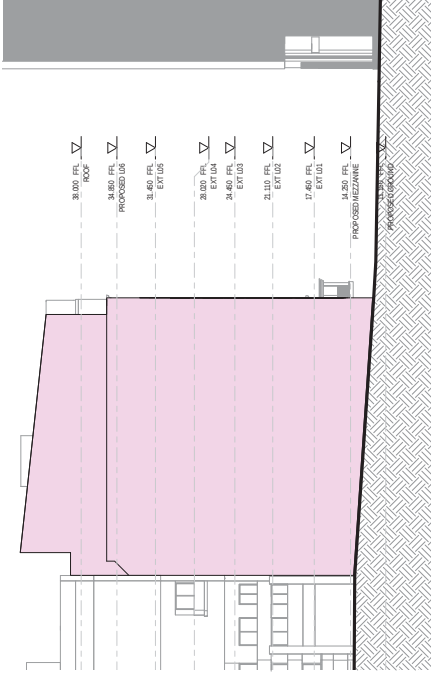


Diagram Section_ Previously Proposed LEP Envelope



Solar Impact Data _ LEP Envelope

Date	Window	Current	Proposed	Impact
June 22nd	A B 2.2	0:10*	0:00	-0:10
	A B 3.2	0:10*	0:00	-0:10
	A B 4.2	0:26	0:00	-0:26

* Current solar access under 15 minutes and therefore not applicable

[illegible][illegible]

A 3D perspective view of a city street scene. The buildings are represented by white and grey rectangular blocks. A large red rectangular prism highlights a specific building footprint. Labels include "MAIN STREET" at the top, "NEW YORK CITY" and "MANHATTAN" on the red building, "N. 6TH STREET" on the left, "W. 10TH STREET" at the bottom, "E. 10TH STREET" on the right, and "NEW YORK CITY" at the very bottom.

Date	Window	Current	Proposed	Impact
------	--------	---------	----------	--------

June 22nd	AB 2.2	0:10*	0:00	-0:10
	AB 3.2	0:10*	0:00	-0:10
	AB 4.2	0:26	0:26	-0:0

\\sydproj\fs02\010063-61A-P\Reports\Design\10063_LEP Report_V0.3.indd

Appendix iv

Impact of Key Windows on Proposal

Overview

The solar study completed by Hassell identified two key windows (A B2.2 and A B3.2) affected by the proposed LEP Envelope. This section of the report will outline the extent of this solar access and the impact upon the proposed LEP Envelope should this access be maintained.

The results indicate that these key windows only receive sunlight during the months of June and July. Beyond this short time period, solar access is impeded by the building mass of 47 Murray Street and 32-34 Bunn Street, notably the balcony above each window and the protruding mass alongside each balcony.

To maintain this solar access, substantial area would need to be removed from the proposed LEP Envelope, thus reducing the viability of the proposed scheme.

Solar Access to Key Windows

Date	Window	Current	Proposed	Impact
June 22nd	A B2.2	0:10*	0:00	-0:10
	A B3.2	0:10*	0:00	-0:10
July 22nd	A B2.2	0:13	0:00	-0:13
	A B3.2	0:13	0:00	-0:13
August 22nd	A B2.2	0:00	0:00	-0:00
	A B3.2	0:00	0:00	-0:00
March/Sep 22nd	A B2.2	0:00	0:00	-0:00
	A B3.2	0:00	0:00	-0:00
October 22nd	A B2.2	0:00	0:00	-0:00
	A B3.2	0:00	0:00	-0:00
December 22nd	A B2.2	0:00	0:00	-0:00
	A B3.2	0:00	0:00	-0:00

* Current solar access under 15 minutes and therefore not applicable

Floor Plan

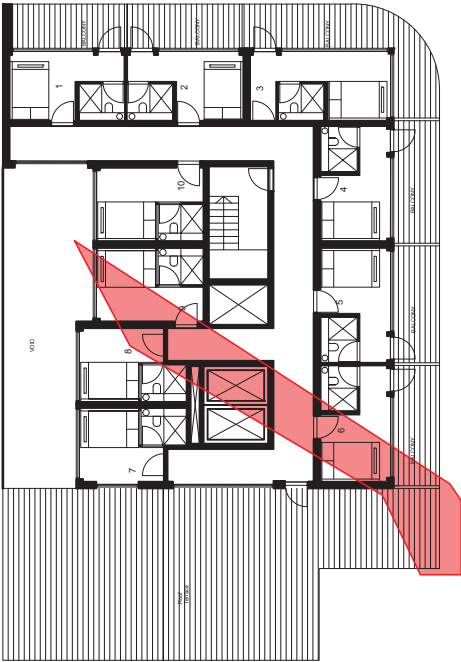
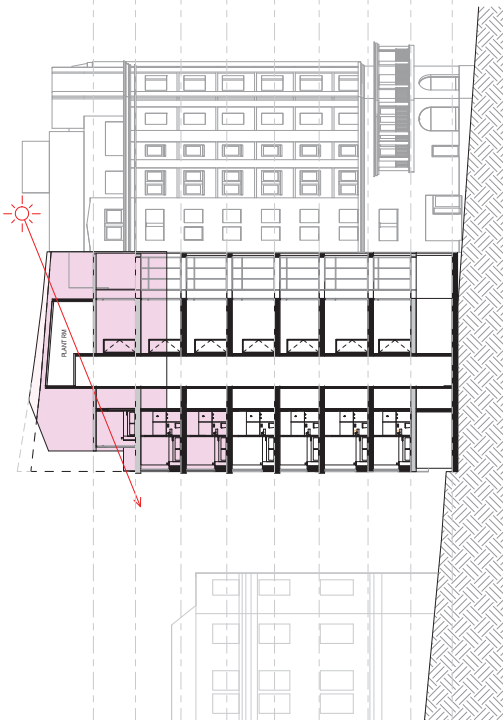


Diagram Section



Australia	China	United Kingdom
Adelaide HASSELL Level 1 82 Waymouth Street Adelaide SA Australia 5000 T +61 8 8220 5000 E adelaide@hassellstudio.com	Beijing HASSELL 501 Tower B Raycom Wangjing Centre Chaoyang District Beijing 100102 China T +8610 5126 6908 E beijing@hassellstudio.com	Cardiff HASSELL Level 4, James William House 9 Museum Place Cardiff CF10 3BD United Kingdom T +44 29 2072 9071 E cardiff@hassellstudio.com
Brisbane HASSELL 36 Warry Street Fortitude Valley QLD Australia 4006 T +61 7 3914 4000 E brisbane@hassellstudio.com	Hong Kong HASSELL 22F, 169 Electric Road North Point Hong Kong T +852 2552 9098 E hongkong@hassellstudio.com	London HASSELL Level 2 Morelands 17 – 21 Old Street Clerkenwell London EC1V 9HL United Kingdom T +44 20 7490 7669 E london@hassellstudio.com
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