

Item 7.

Public Exhibition – Planning Proposal – 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

File No: X018846

Summary

Sydney's tourism industry makes a significant contribution to the local and state economy. During the 2017/18 financial year, over six million international and domestic overnight visitors stayed in visitor accommodation located in the City of Sydney local government area. The availability of visitor accommodation in the City of Sydney is important to the success of the local, regional and national economies. Domestic and international overnight visitors stay in Sydney annually for a range of purposes including leisure, education and business travel.

Analysis by the City of Sydney in 2013 found that a sustainable supply of visitor accommodation is needed to support projected tourism growth. The City's Sustainable Sydney 2030 and Visitor Accommodation Action Plan (2015) aim to facilitate development of additional visitor accommodation. This planning proposal will provide for additional hotel accommodation supply in a highly central and accessible location.

In August 2019, Council deferred the determination of the planning proposal to investigate an amended planning proposal and draft development control plan for the whole street block of 4-44 Wentworth Avenue.

The City has carried out an urban design analysis for the street block investigating changes to the building height at 24-44 Wentworth Avenue. The analysis shows that only minor fragmented additional height can be accommodated above 24-44 Wentworth Avenue before creating overshadowing of the neighbouring residential apartment building at 148 Goulburn Street.

Based on the City's findings from the urban design analysis, this report recommends the original planning proposal for 4-22 Wentworth Avenue be approved for public exhibition with two minor modifications that have resulted from the urban design analysis. The modifications relate to the additional floor space that can be achieved by satisfying design excellence requirements. They consist of a simplified tower cantilever form and a reduction in the podium setback at 8-22 Wentworth Avenue, from 3m to zero. This permits a minor increase in floor space and provides additional flexibility at the design competition stage.

The proposed outcome allows for amenity-sharing between the subject site and surrounding residential properties, is consistent with solar access provisions detailed in the Apartment Design Guide and does not conflict with Council's current approach to minimising overshadowing impacts to residential properties.

It is recommended the Central Sydney Planning Committee approve the amended planning proposal for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination and public exhibition, and approve the draft development control plan for public exhibition.

Recommendation

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) the Central Sydney Planning Committee approve the Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council’s Transport, Heritage and Planning Committee on 2 December 2019 that Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal – 4-22 Wentworth Avenue, Surry Hills;
- (D) the Central Sydney Planning Committee note the recommendation to Council’s Transport, Heritage and Planning Committee on 2 December 2019 that Council approve Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills shown at Attachment D to the subject report for public authority consultation and public exhibition together with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, following receipt of the Gateway Determination, and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

Attachments

- Attachment A.** Committee Report 12 August 2019: Public exhibition – Planning Proposal – 4-22 Wentworth Avenue, Surry Hills
- Attachment B.** Resolution of Council 19 August 2019 - Item 9.4: Planning Proposal – 4-22 Wentworth Avenue, Surry Hills
- Attachment C.**
- C1. Planning Proposal – 4-22 Wentworth Avenue, Surry Hills
 - C2. Planning Proposal - Proponent’s Urban Design Report
 - C3. Planning Proposal - Proponent’s Indicative Plans
 - C4. Planning Proposal - Proponent’s Heritage Impact Statement
- Attachment D.** Draft Development Control Plan – 4-22 Wentworth Avenue, Surry Hills
- Attachment E.** Urban Design Analysis for 24-44 Wentworth Avenue, Surry Hills

Background

1. Sydney's tourism industry makes a significant contribution to the local and state economy. During the 2017/18 financial year, over six million international and domestic overnight visitors stayed in visitor accommodation located in the City of Sydney local government area. The availability of visitor accommodation in the City of Sydney is important to the success of the local, regional and national economies. Domestic and international overnight visitors stay in Sydney annually for a range of purposes including leisure, education and business travel.
2. Tourism and accommodation is recognised as one of the key sectors which will continue to play a major role in the city's economy and supporting Sydney's status as a premier destination on both the local and international scale. However, research carried out by the City of Sydney in 2013 indicates a considerable shortfall in the number of mid-range hotel rooms for the city.
3. This report seeks Central Sydney Planning Committee approval of Planning Proposal – 4-22 Wentworth Avenue, Surry Hills (the Planning Proposal), at Attachments C1-C4, for submission to the Department of Planning, Industry and Environment (the Department) with a request for a Gateway Determination to allow public exhibition. The planning proposal seeks to amend the maximum building height control and floor space ratio control for the site in Sydney Local Environmental Plan 2012 (the LEP) for a hotel or motel accommodation use only.
4. This report also notes seeking Council approval of Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills (draft DCP), at Attachment D, to be publicly exhibited alongside the Planning Proposal. The draft DCP amends Sydney Development Control Plan 2012 (the DCP) to include detailed built form, overshadowing, heritage and sustainability provisions to guide redevelopment of the site.
5. A request to prepare a planning proposal was submitted to Council by the landowner in June 2018. The request is to increase the maximum building height to around 70m and to increase the maximum FSR to 6.3:1 to support the development of a hotel. The submission follows a resolution of Council and the Central Sydney Planning Committee to investigate planning control changes to the site when the LEP was adopted in 2012. Through an extensive review of the submitted documentation and subsequent amendments, the City has worked with the proponent to amend the proposal to ensure the proposed building is capable of complying with a reasonable solar access standard, which is proposed to be the design criteria contained in the NSW Department of Planning's 'Apartment Design Guide' (ADG). Hotel parking was also originally proposed, which has been revised and removed from the proposal. These issues are discussed in greater detail below in this report.
6. The proposed base floor space ratio has been reduced during the course of the City's assessment, from 6.3:1 to 5.7:1. This reflects changes to the proposed envelope based on overshadowing impacts, recommendations made by the Design Advisory Panel and allowances for external shading, building articulation and architectural expression. This is particularly important given the subject site's highly visible, long west-facing facade. The reduced FSR will allow for more nuanced architectural expression through the design competition. The reduced FSR results in an envelope that is compliant with planning controls whilst providing for additional hotel room supply.

7. The proposed increase to the maximum building height and FSR have been reduced from about 70m to a maximum height of 62.25m with and a maximum FSR of 5.7:1 across the site. In accordance with Clause 6.21(7) of the LEP, the site may be awarded 10% additional FSR for achieving design excellence increasing the maximum FSR to 6.3:1.

Site details

8. The subject site at 4-22 Wentworth Avenue, comprises five adjoining land parcels located on a narrow street block in Surry Hills, just south of Oxford Street. The site has a primary street frontage to Wentworth Avenue to the west and secondary frontages to Wemyss Lane to the north and east. The combined site area of 4-22 Wentworth Avenue is 1,219sqm. The land slopes from north to south down the site, resulting in 16-22 being nearly a storey below 4-6 Wentworth Avenue. The site occupies the northern half of the street block and is shown in blue in Figure 1.
9. Museum station is about 200m west of the site, and Central Station is about 650m south-west of the site. Hyde Park is less than 100m to the north of the site with Harmony Park less than 100m south of the site. The site is located across the road from and just outside of the designated Central Sydney area. The site is located close to the intersection between Liverpool Street and Wentworth Avenue, with Oxford Street to the north-east.
10. The site is occupied by five 3 to 7 storey (13 to 29m) warehouse buildings constructed between 1915 and 1921. The buildings have full site coverage, and form part of larger group heritage listing of 4-34 Wentworth Avenue known as 'former warehouse group including interiors' (I2271). The site is not located in a Heritage Conservation Area.
11. In August 2019, a resolution of Council identified the southern half of the street block at 24-44 Wentworth Avenue for investigation. The southern half of the street block comprises six adjoining land parcels, shown in purple in Figure 1. The buildings range in height from 3 to 5 storeys and include commercial warehouse buildings belonging to the same group heritage listing as detailed above. The hotel on the southern end of the site, at 40-44 Wentworth Avenue, is an individually listed heritage item known as the "Macquarie Hotel including interior" (I1647).

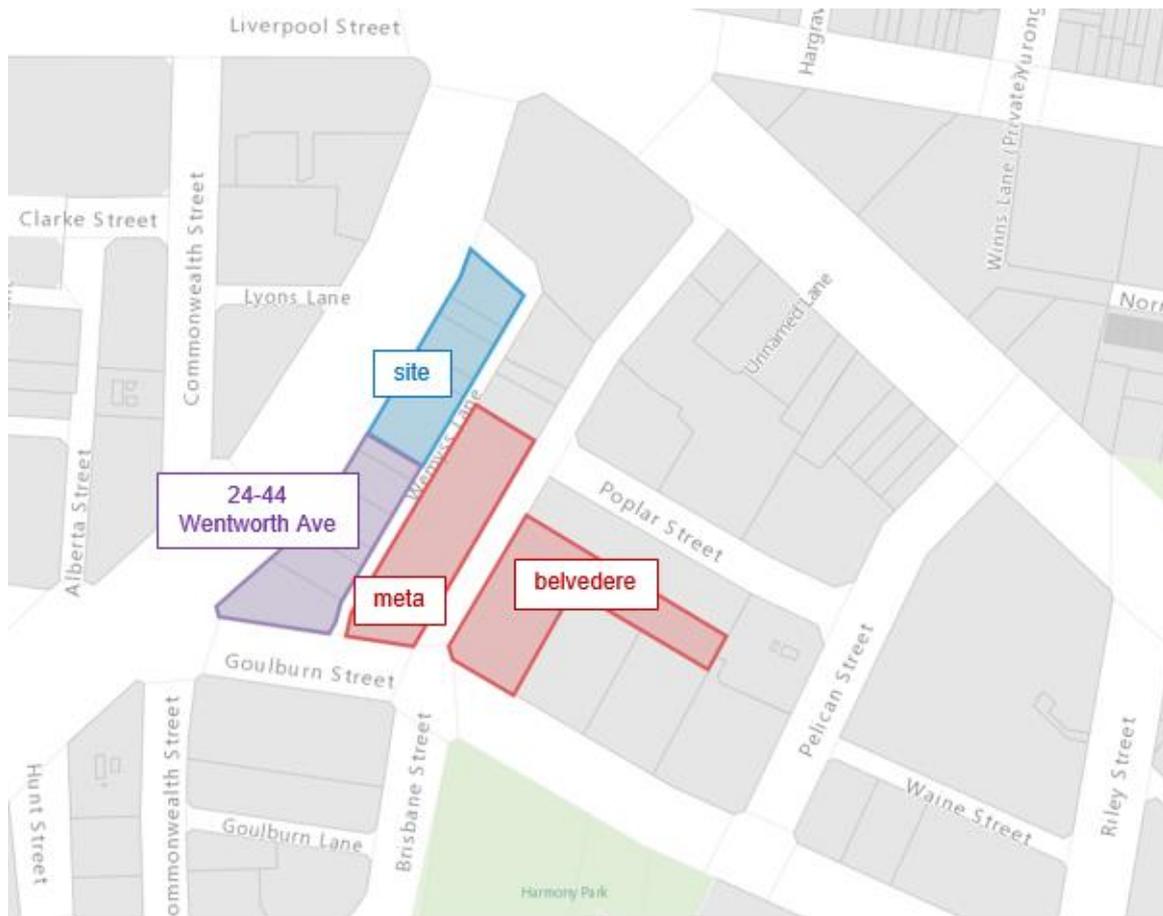


Figure 1: Plan of subject site (in blue) and immediate surrounds, nearby affected residential apartment buildings indicated in red, sites to be investigated for potential changes to planning controls in purple

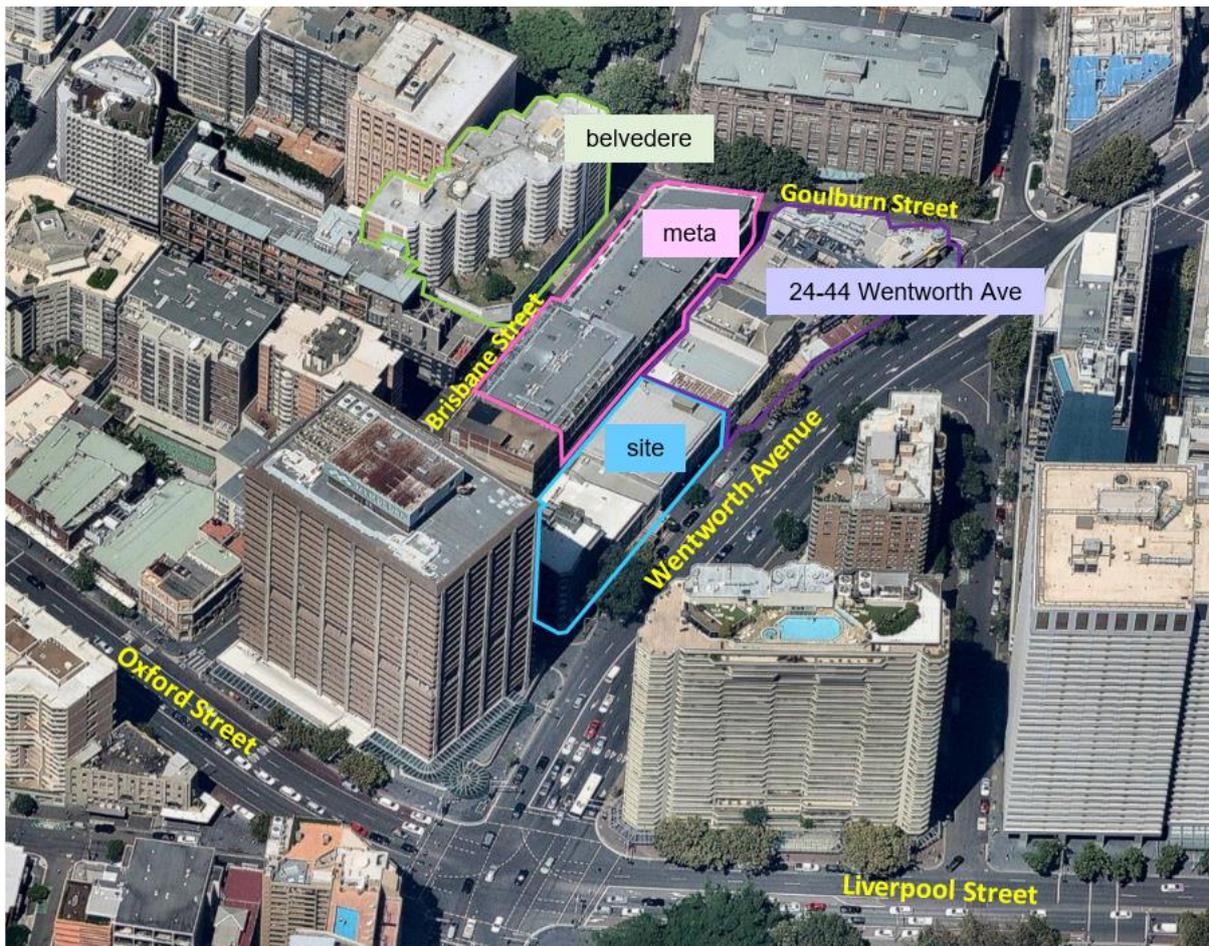


Figure 2: Site context

12. The site is surrounded by the following development:
- North: 1 Oxford Street, a 24 storey commercial office building owned by 'Memocorp' is located to the north of the site across Wemyss Lane.
 - East: to the east is a three storey warehouse building used as a liquor store/distribution centre, a two storey terrace used as a restaurant, a six storey building owned and used by the Philatelic Association of NSW, and a part four, part six storey residential flat building known as Meta apartments. The rear facades of these buildings face the subject site. Across Brisbane Street are the Belvedere and Poplar apartment buildings.
 - South: a four storey commercial warehouse building adjoins the site immediately to the south, followed by a three storey warehouse building and a five storey warehouse building. The warehouses are part of the same group local heritage listing as the subject site.
 - West: the western side of Wentworth Avenue features a mix of commercial and residential buildings varying from four storeys to 14 storeys. A 30 storey residential apartment building is located on the corner of Liverpool Street and Wentworth Avenue, opposite the Memocorp building.



Figure 3: View north-east along Wentworth Avenue showing 3-4 storey warehouse buildings and 7 storey hotel building on site, Memocorp building to north



Figure 4: View south-east from intersection of Wentworth Avenue and Liverpool Street showing existing 7 storey hotel building on corner of Wentworth Avenue and Wemyss Lane



Figure 5: View north along Wemyss Lane, rear of site shown left of image



Figure 6: View north-east along Wentworth Avenue at Goulburn Street intersection, showing whole street block

Current planning controls

13. Sydney LEP 2012 contains zoning and principal development standards, as summarised below:
 - (a) 'B4 Mixed Use' which permits a broad range of suitable business, office, residential, retail and other development in accessible locations;
 - (b) a floor space ratio of 6:1 at 4-6 Wentworth Avenue, and 5:1 at 8-22 Wentworth Avenue; and
 - (c) a maximum building height of 22m at 4-6 Wentworth Avenue, and 18m at 8-22 Wentworth Avenue.
14. Sydney DCP 2012 contains built form controls which show a maximum building height of seven storeys at 4-6 Wentworth Avenue, three storeys at 8-14 Wentworth Avenue, and four storeys at 16-22 Wentworth Avenue.

Previous planning proposal

15. In June 2018, Pongrass Properties Pty Ltd, the landowner of the site, submitted their request for site-specific amendments to the LEP and DCP to increase the height and floor space for the use of the site as hotel or motel accommodation use only. It sought an increase in height to 70m and an increase in FSR to 6.3:1 across the whole site.
16. The previous planning proposal is discussed in detail in Attachment A to this report.

Street block analysis and implications

17. On 19 August 2019, Council resolved to defer consideration of the previous iteration of this planning proposal for 4-22 Wentworth Avenue to enable the preparation of an amended planning proposal and draft DCP to take into account the whole street block length for 4 to 44 Wentworth Avenue.

Street block context

18. The City has carried out an urban design analysis for the street block investigating uplift in building height at 24-44 Wentworth Avenue. The study area encompassed six sites, being numbers 24, 26-28, 30-32, 34, 36-38 and 40-44 Wentworth Avenue. The majority of the sites are commercial warehouse buildings ranging from three to five storeys in height. Numbers 24, 26-28, 30-32 and 34 belong to the same group local heritage item as the warehouse buildings to the north at 4-22 Wentworth Avenue.
19. The southernmost site at 40-44 Wentworth Avenue is a locally listed heritage item (I1647), a pub known as Harpoon Harry's. The existing height control for all six sites is 18m and the existing FSR control is 5:1. The residential apartment building known as Meta is located immediately to the east of the site across Wemyss Lane. Nearby heritage items include 'Former warehouse facades "Mark Foy's"' at 133 Goulburn Street (I1554), also known as Sydney Mansions, and "'Griffith's Building" including interior' at 46-52 Wentworth Avenue (I1648), also identified as 69 Commonwealth Street. These sites are shown in Figure 7 below.

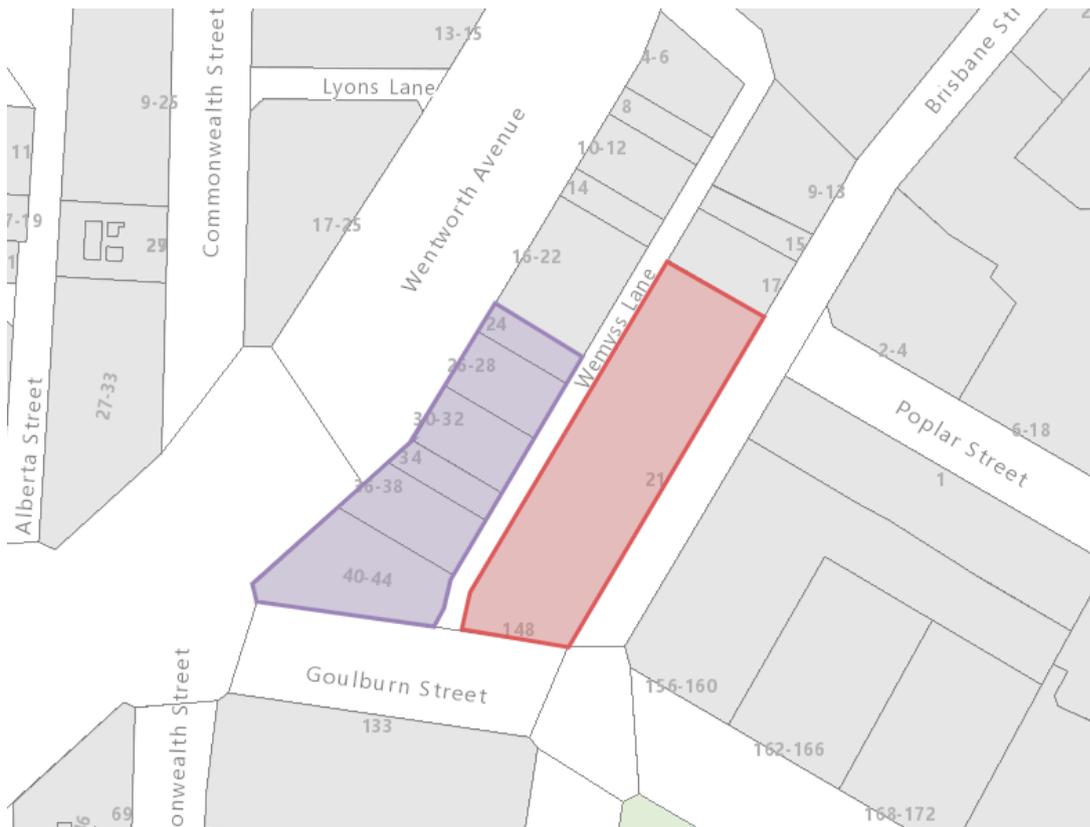


Figure 7: 24-44 Wentworth Avenue, Surry Hills shown in purple, Meta (148 Goulburn Street) shown in red

Establishing additional building height

20. The urban design study considered additional height above 24-44 Wentworth Avenue, using existing building and parapet heights on the street block and in the immediate surrounding area as reference points to establish building forms. A datum of RL 50 was chosen to extend across numbers 24, 26-28, 34 and 36-38 Wentworth Avenue. This height responds to the following surrounding building heights:
 - RL 50 - proposed podium height above heritage listed 8-22 Wentworth Avenue
 - around RL 48 - parapet height of heritage listed 133 Goulburn Street, and
 - around RL 51 - parapet height of heritage listed 46-52 Wentworth Avenue.
21. This results in an additional 6.4m of height at 24 and 26-28, facilitating about two more storeys, and an additional 12.5m at 34 and 36-38 Wentworth Avenue which would allow for three to four more storeys.
22. The existing building at 30-32 Wentworth Avenue is five storeys. Due to its taller height, a datum of RL 58.38 was chosen for an addition. This corresponds to the parapet height of 4-6 Wentworth Avenue and relates the addition above 30-32 to the new planning envelope at the northern end of the street block. This reflects a 14.1m increase in height, or four storeys, which is an appropriate response to the existing building's taller form and establishes some height variation within the block consistent with the existing character.

23. The southernmost site at 40-44 Wentworth Avenue is an individually listed heritage item, however the curtilage of the listing only extends to numbers 42-44. It is not considered acceptable to propose additional height above the heritage listed portion of the building due to the building's heritage significance and distinct roofline with a cupola and complex parapet arrangement. The City has however investigated providing additional height above the non-listed portion of the site at number 40. An RL of 44.26 was selected for this section of the site in response to the parapet height of several of the commercial warehouse buildings in the row, including numbers 10-12, 16-22 and 30-32 Wentworth Avenue. This provides an additional 7.5m of height, or two storeys. See Figures 8 and 9 below.

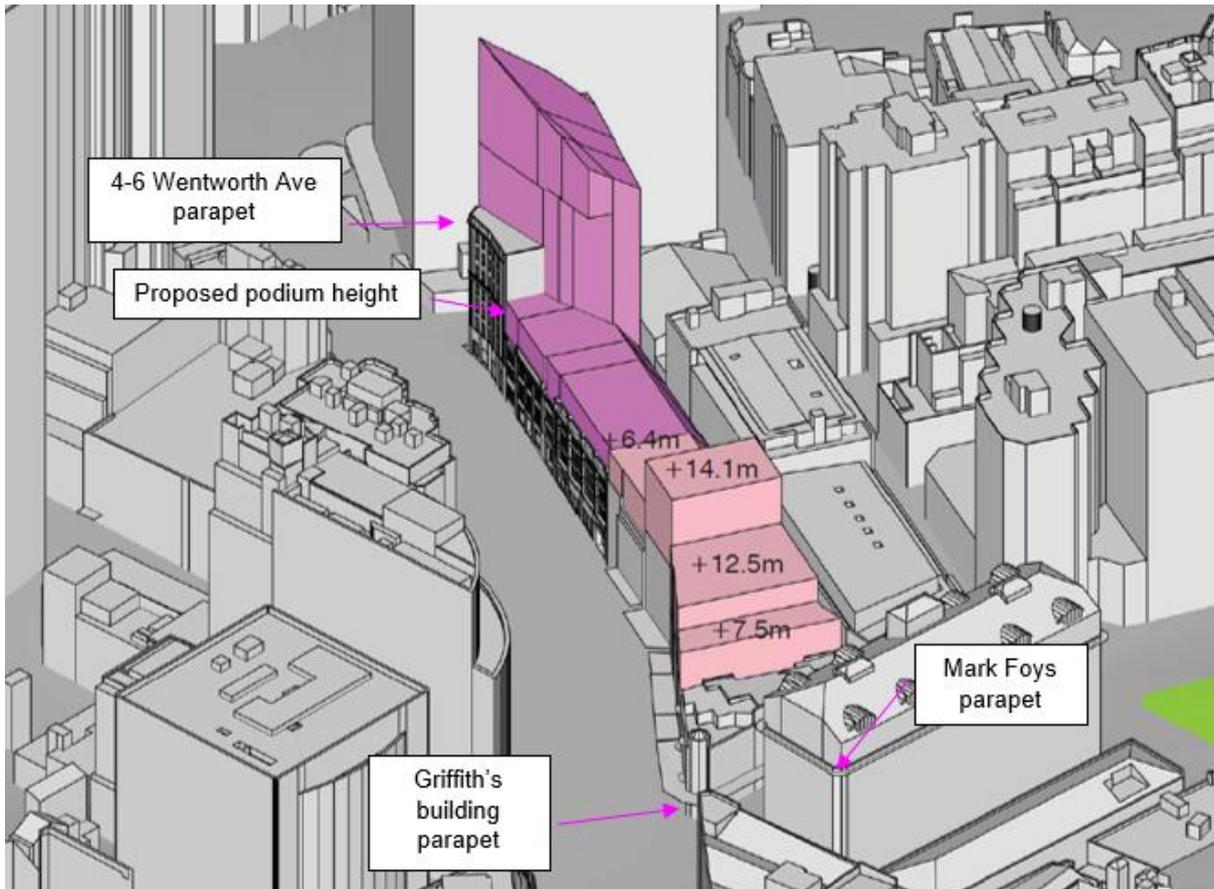


Figure 8: Additional heights (shown in light pink) above 24, 26-28, 30-32, 34, 36-38 and part of 40-44 Wentworth Avenue, Surry Hills, looking north-east

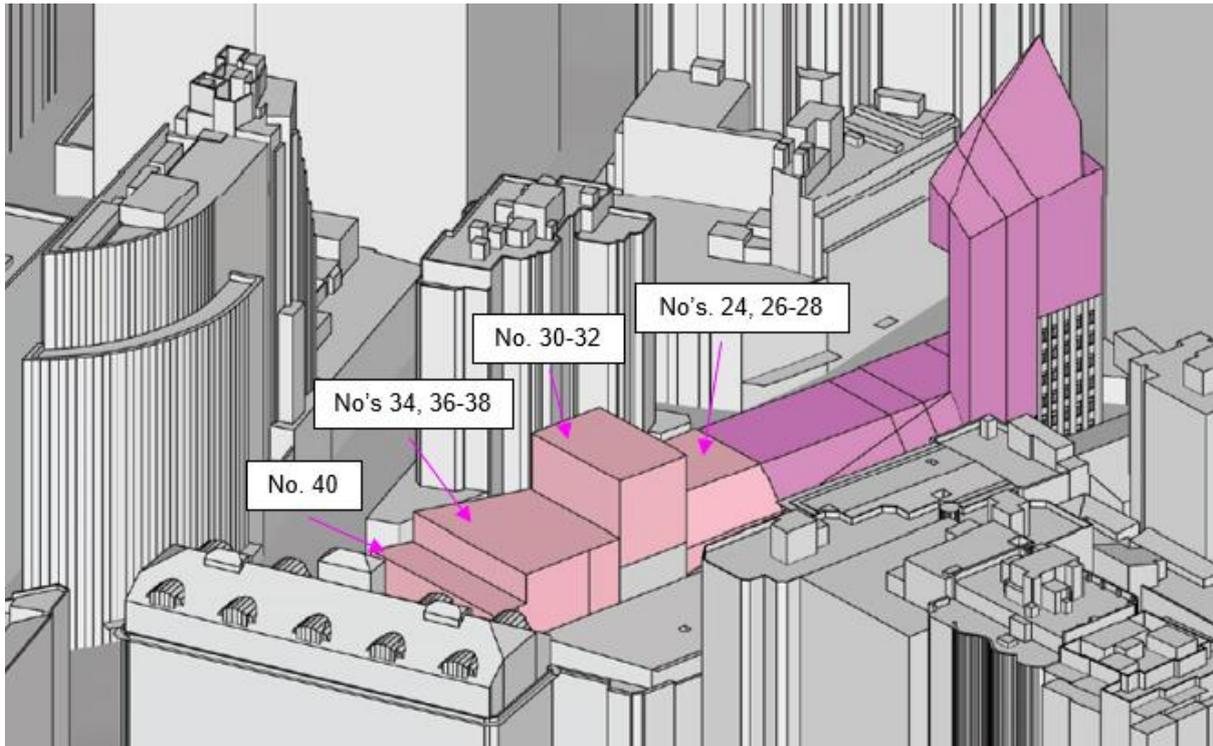


Figure 9: Additional heights above 24-44 Wentworth Avenue (shown in light pink) looking north-west

Street block solar testing

24. The City carried out solar testing after establishing proposed building heights at 24-44 Wentworth Avenue. The proposed planning envelope for the southern half of the street block was tested for potential overshadowing impacts to two residential apartment buildings: the Meta building at 148 Goulburn Street and the Sydney Mansions building at 133 Goulburn Street. The test for both buildings was run at 15 minute intervals. It determined the proposed planning envelope did affect Sydney Mansions, however the extent of overshadowing caused was consistent with the requirements of the ADG.
25. The proposed planning envelope resulted in the following overshadowing impacts to the Meta building:
 - (a) The one apartment that currently receives over two hours of solar access is reduced to less than 15 minutes, which is considered 'no direct sun'
 - (b) Three apartments that currently receive between 15 minutes and two hours of solar access are reduced to less than 15 minutes or 'no direct sun'. Other apartments that receive between 15 minutes and two hours of sun also have the amount of sun they receive reduced. The solar analysis is shown in Figures 10 and 11.

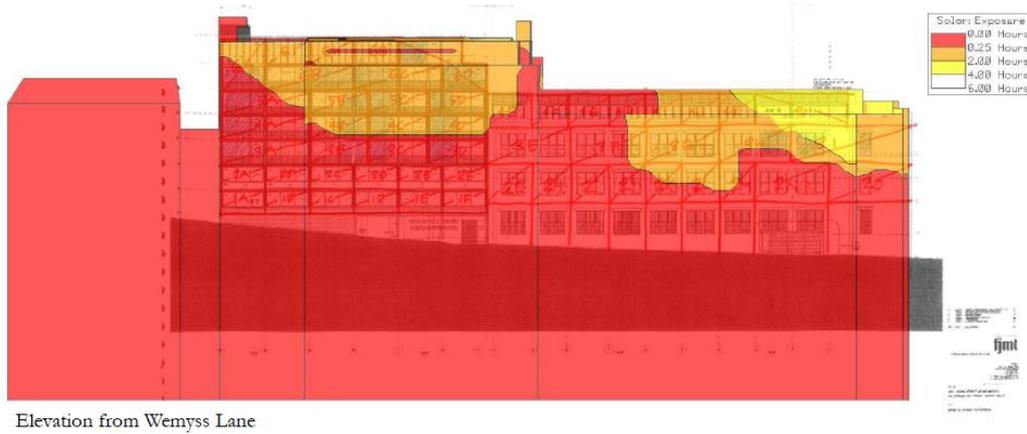


Figure 10: Existing solar access to western elevation of Meta building. Red indicates 0-0.25 hours, orange indicates 0.25-2 hours and yellow indicates 2 hours plus

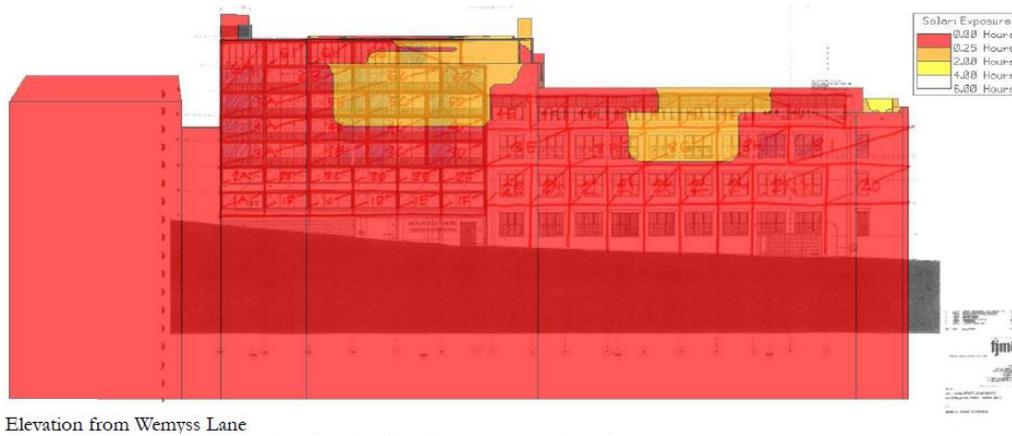


Figure 11: Western elevation of Meta building to Wemyss Lane, showing solar impacts of proposed planning envelope at northern end of street block (4-22 Wentworth Ave) and southern end of street block (24-44 Wentworth Ave). Red indicates 0-0.25 hours, orange indicates 0.25-2 hours and yellow indicates 2 hours plus

26. The ADG is being used as a benchmark for this proposal as it provides more flexibility than the City's DCP solar access controls and the possibility of sharing amenity. It is the benchmark that would apply if a residential development was proposed on the subject site. This approach is better suited to a strategic use in this precinct which transitions between Central Sydney and high density residential uses. To facilitate a strategic and underprovided use in the City fringe, the overshadowing impacts have been measured against the ADG, which provides some flexibility. This outcome represents a reasonable balance of amenity sharing for a precinct nearby to the CBD, immediately outside the Central Sydney area and with excellent transport options.

27. Objective 3B-2 of the ADG requires that if an adjoining property does not currently receive the required hours of access, the new development must ensure solar access to neighbouring properties is not reduced by more than 20% (in terms of length of time). This ADG requirement provides more flexibility than the City's current DCP solar access controls, which does not permit additional overshadowing where less than 2 hours is already received. The ADG enables amenity sharing necessary in high density precincts such as this. As the proposed planning envelope for 24-44 Wentworth Avenue does not comply with the applied ADG objective the resultant overshadowing impacts are considered unacceptable.
28. After determining the extent of the solar access impact to Meta, the City's modelling team then ran testing designed to minimise additional overshadowing to Meta, preserving the current levels of solar access. The outcome of the testing resulted in an impractical, irregular envelope that offers little development opportunity. The modified, solar-shaped envelope is depicted in Figures 12 and 13 below:

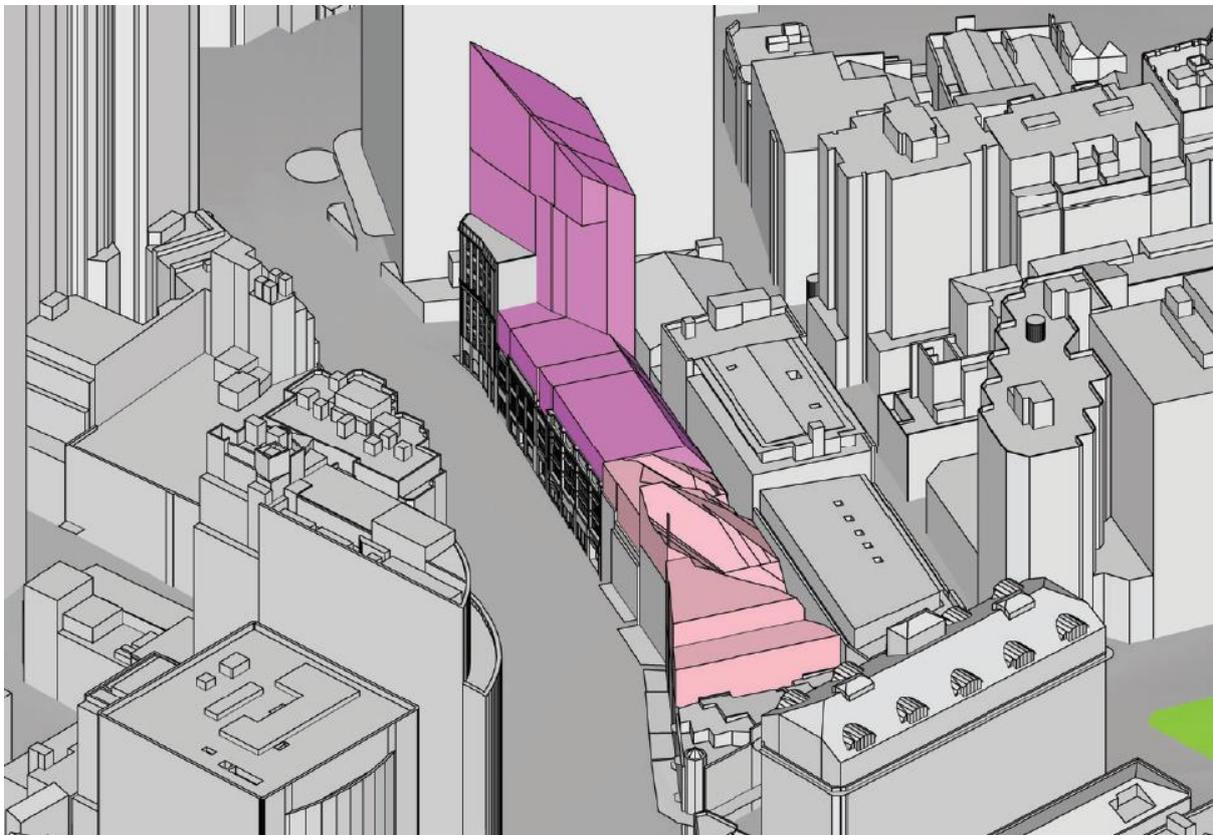


Figure 12: Solar shaped planning envelope at 24-44 Wentworth Avenue (shown in light pink), view north-east

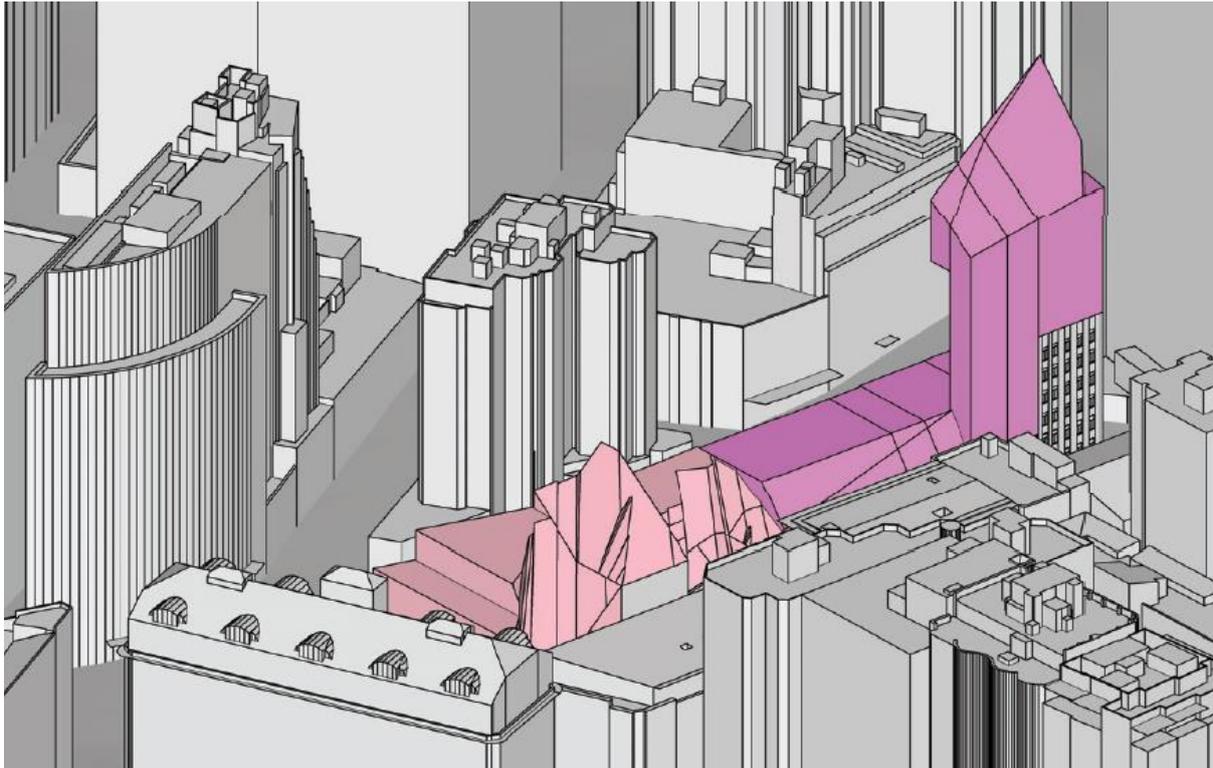


Figure 13: Solar shaped planning envelope at 24-44 Wentworth Avenue (shown in light pink), view north-west

29. The solar testing and modelling indicates that compliance with the overshadowing requirements of the ADG inhibits development at 24-44 Wentworth Avenue above existing building heights due to the degree of overshadowing to the neighbouring apartment building Meta, at 148 Goulburn Street. Additional height to the southern half of the street block cannot be meaningfully achieved within the constraints established by using the ADG as an overshadowing benchmark. As such, changes to the planning controls for 24-44 Wentworth Avenue are not sought under this planning proposal.

Alternative recommendation

30. The City has investigated an alternative built form for 24-44 Wentworth Avenue as shown in Figures 8 and 9. The form is based on context and character of the block and surrounding area and achieving strategic uses such as hotel and commercial uses to support the City's productivity objectives for this precinct. However, as noted, this form will reduce solar access for neighbouring residential properties beyond the ADG benchmark. If Council and the Central Sydney Planning Committee determines to prioritise the built form and strategic uses for the remainder of the street block, the following additional part may be added to the recommendation which would enable the planning proposal and draft DCP to be amended:

Authority be delegated to the Chief Executive Officer to amend the planning proposal at Attachments C1 to c4 of the subject report and make consequential changes to the draft development control plan at Attachment D to incorporate the following changes:

- (a) amend the objectives and intended outcomes to refer to supporting strategic employment and enterprises uses in the District Plan's Harbour CBD strategic centre;*
- (b) amend the 'Explanation of Provisions' to:*
 - (i) incorporate the following maximum building height controls, as illustrated in Figure 8 of the subject report:*
 - a. 24 Wentworth Avenue - 24.54m (or RL 50)*
 - b. 26-28 Wentworth Avenue - 25.44m (or RL 50)*
 - c. 30-32 Wentworth Avenue - 34.64m (or RL 58.38)*
 - d. 34 Wentworth Avenue - 26.63m (or RL 50)*
 - e. 36-38 Wentworth Avenue - 27.32m (or RL 50)*
 - f. 40-44 Wentworth Avenue - 27.7m (or RL 44.26m)*
 - (ii) incorporate the following maximum FSR control:*
 - a. 30-32 Wentworth Avenue - 7.5:1.*
 - (iii) require that the maximum height and FSR for 24-44 Wentworth Avenue under the clause may only be achieved if the development is commercial premises, health services facilities, educational establishments, hotel accommodation, entertainment premises, light industry and information and education facilities; and*
- (c) amend other sections to incorporate the proposed controls for 24-44 Wentworth Avenue including their justification in accordance with the subject report.*

Proposed amendments and further changes to previous scheme

31. The proposed amendments encourage the development of new visitor accommodation within a built form that retains the heritage significance of the warehouse group and achieves appropriate solar access requirements for neighbouring buildings. The proposal will retain the existing warehouses, including significant internal fabric, and restore facades. A new eight to 10 storey addition will be permitted to the previously modified seven storey building at the northern end of the site with a two storey podium to the other buildings. The building envelope has been carefully set out with setbacks and sloping planes to protect sun access to neighbouring buildings. The building envelope with and without possible design excellence awards is shown in Figures 14 and 15.
32. The planning proposal, shown at Attachment C1-C4, seeks to amend the FSR for the site from 6:1 at 4-6 Wentworth Avenue and 5:1 at 8-22 Wentworth Avenue (averaging 5.22:1 across the whole site), to 5.7:1 across the whole site. This is a marginal increase to the FSR proposed in the previous iteration of this planning proposal, which was 5.6:1. It further seeks to amend the maximum height control for the site from 22m at 4-6 Wentworth Avenue and 18m at 8-22 Wentworth Avenue to 62.25m for the tower component, and 24.13m for the rooftop podium addition. These amendments to the development standards will only apply to a hotel or motel accommodation use with ancillary commercial uses at the ground floor.
33. The proposed building height for the rooftop podium addition has increased slightly from the previous iteration of this planning proposal, from 23.13m to 24.13m (or RL 50.00). This marginal increase facilitates improved commercial floor to ceiling heights and provides greater flexibility for the design of the podium, subject to demonstrated compliance with solar access controls. The revised height also reinforces the surrounding built form datum line at neighbouring heritage items south of the study area, at 133 Goulburn Street and 46-52 Wentworth Avenue (69 Commonwealth Street), Surry Hills.
34. The revised planning proposal for 4-22 Wentworth Avenue includes two other minor changes. These consist of a simplified cantilever form for the tower portion of the proposal (resulting in a loss of around 28sqm of floor space at level 14) and a reduced design excellence setback for the rooftop podium addition, from 3m to zero (which results in a gain of around 292sqm of floor space across levels 3 and 4). The net change in floor space of around 264sqm takes the proposed FSR from 5.6:1 in the previous planning proposal to 5.7:1 as recommended in this proposal.
35. The simplified cantilever at the top of the tower form rationalises a previously complex element of the proposed envelope. Reducing the Wentworth Avenue setback for the podium addition to zero allows for more architectural flexibility for development above the heritage listed warehouses. Whilst setbacks are often employed in the treatment of additions above heritage items, zero setbacks to heritage buildings can provide a contemporary design opportunity to reference the proportion, detailing and articulation of existing fabric. The zero podium setback to Wentworth Avenue is appropriate where design excellence is achieved through acknowledging the fine grain of the streetscape and achieving a harmonious bulk and form relationship with the host building.

36. The building height and floor space ratio maps will not change. Instead, a new site-specific clause under Part 6 of the Sydney LEP 2012 is proposed. The planning proposal is drafted to allow additional building height and floor space only where development of the site provides for hotel or motel accommodation. The proposed amendment will facilitate redevelopment of the site for a hotel, while ensuring that the existing height and FSR standards will continue to apply for any other use.
37. To deliver an appropriate development within its context it is also proposed to amend the DCP to include site-specific provisions. The amendment, shown at Attachment D, includes a detailed building envelope and other site-specific controls relating to design excellence, sustainability, heritage, urban design and the public domain.

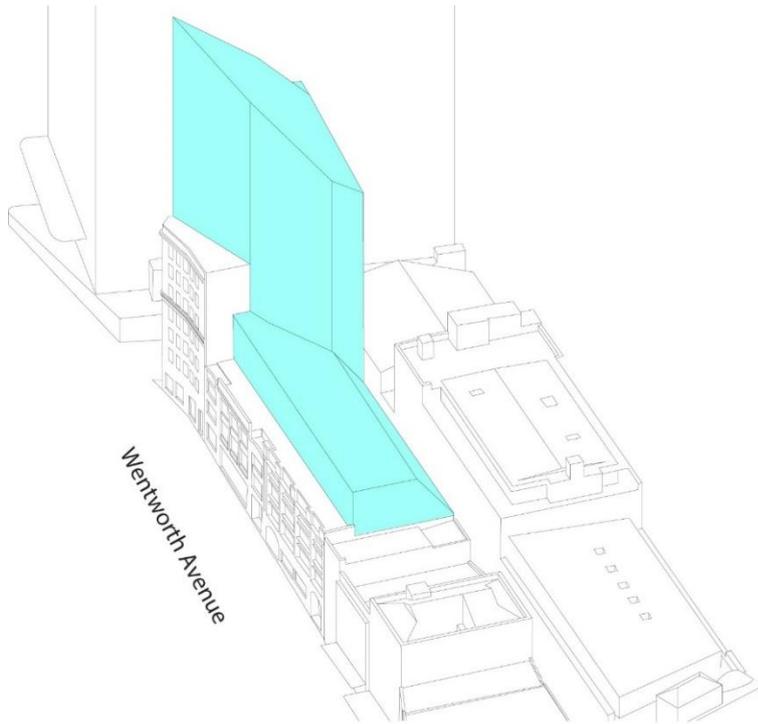


Figure 14: Proposed maximum planning envelope without design excellence, from Wentworth Avenue looking north-east

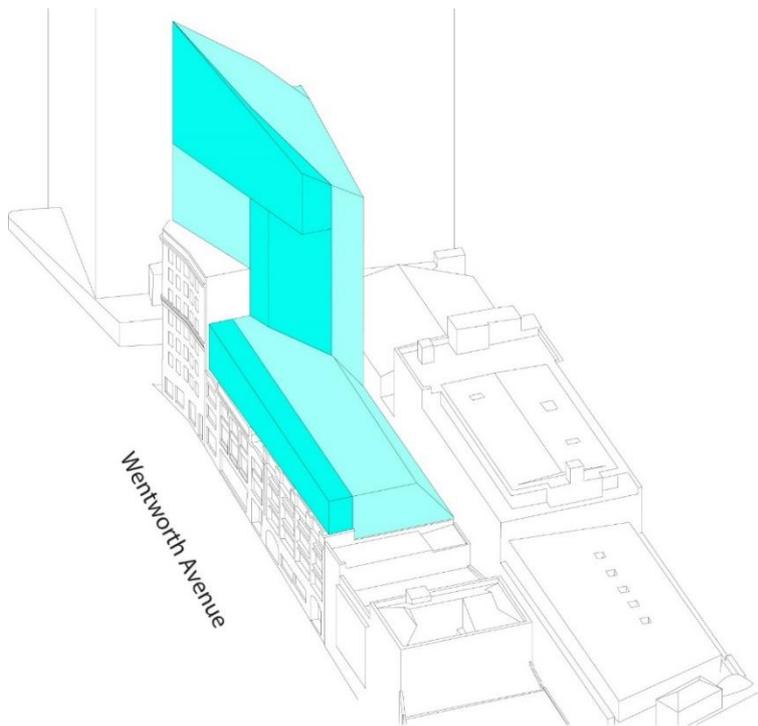


Figure 15: Proposed maximum planning envelope with design excellence, from Wentworth Avenue, looking north-east

Key Implications

Strategic Alignment - Eastern City District Plan

38. The Eastern City District Plan sets out the NSW Government's vision, priorities and actions for the Eastern District, including the City of Sydney. It establishes a 40 year vision for the Eastern District to be a global sustainability leader, managing growth while maintaining and enhancing liveability, productivity and attractiveness for residents and visitors. Priorities and associated actions for productivity, liveability and sustainability seek to deliver this vision.
39. This Planning Proposal is consistent with the following priorities from the Plan:
 - (a) Productivity Priority E7 Growing a stronger and more competitive Harbour CBD: and Productivity Priority E13: Supporting growth of targeted industry sectors – The site is within the Harbour CBD, one of the Sydney Region's three metropolitan centres and on the boundary of Central Sydney. The District Plan recognises the importance of tourism in the Harbour CBD. This Planning Proposal will support and contribute to the visitor economy by facilitating the redevelopment of the site for a hotel use in the under-supplied mid-range market. Its location on the CBD fringe and in walking distance of the City of Sydney villages of Darlinghurst and Surry Hills will support to the use of public transport. The retention and conservation of the heritage listed commercial warehouse buildings adds to the visitor experience of the hotel and Surry Hills.
 - (b) Sustainability Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently – This Planning Proposal and site-specific draft DCP will ensure sustainability benchmarks for hotel or motel accommodation use are achieved.

Strategic Alignment - Sustainable Sydney 2030 Vision

40. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 1 - A Globally Competitive and Innovative City - The planning proposal is consistent with the City's adopted Tourism Action Plan (2013) and Visitor Accommodation Action Plan (2015). This planning proposal will facilitate redevelopment of the site for a future hotel, delivering needed mid-range visitor accommodation and supporting Sydney's tourism economy. It will also offer employment opportunities. This investment in the site will contribute to making Sydney attractive to global visitors and investors.
 - (b) Direction 2 provides a road map for the City to become A Leading Environmental Performer - Redevelopment of the site, facilitated by this Planning Proposal and through the design excellence process, will deliver new building stock with significantly better environmental performance than the current development through extensive sustainability provisions detailed in the attached DCP.
 - (c) Direction 3 - Integrated Transport for a Connected City - - Integrated Transport for a Connected City - The site is close to bus services providing connections to Central Sydney and other areas in the Sydney metropolitan area. It is also close to the future South East Light Rail Line, expected to be completed in 2019. A new light rail stop will be located about 500 metres to the north of the site. This new light rail line will connect Circular Quay to Randwick and Kingsford.

Relevant Legislation

- 41. Environmental Planning and Assessment Act 1979.
- 42. Environmental Planning and Assessment Regulation 2000.

Critical Dates / Time Frames

- 43. Should Council and the Central Sydney Planning Committee approve the Planning Proposal for exhibition and consultation, the proposal will be sent to the Department of Planning, Industry and Environment in accordance with s3.34 of the Environmental Planning and Assessment Act 1979 seeking a Gateway Determination. The Department will then provide a Gateway Determination to either proceed to consultation, with or without variation, or to resubmit the planning proposal.
- 44. Typical public exhibition timeframes, are 28 days for public authority consultation and public exhibition. The Gateway Determination will specify any conditions for consultation and public exhibition as well as a date by which the Local Environmental Plan amendment should be finalised.
- 45. Following public authority consultation and public exhibition, issues raised in submissions will be reported back to Council and the Central Sydney Planning Committee.

46. In October 2012, the then Minister for Planning and Infrastructure delegated his plan-making functions to councils to improve the local plan-making process. In December 2012, Council resolved to accept the delegation.
47. Council needs to receive an authorisation on a case-by-case basis to exercise the delegation. The authorisation is given through the Gateway process and means a faster plan-making process. This report recommends that the Central Sydney Planning Committee note that Council seeks authority to exercise this delegation.

Public Consultation

48. The public exhibition process and requirements will be informed by the Gateway Determination. It is proposed to publicly exhibit the Planning Proposal and draft DCP amendment concurrently for a period of 28 days with notification on the City of Sydney website, in newspapers that circulate widely in the area and in writing to the landowners, relevant community groups and stakeholders in the vicinity of the site.
49. Exhibition documents will be available for viewing on the City of Sydney website and the One Stop Shop at Town Hall House.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

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