

10 April 2015

General Manager
City of Sydney
PO Box 1591
Sydney NSW 2001

Dear Madam

**RE: 230-238 Sussex Street, Sydney
Planning Proposal – Maximum Height of Buildings – Heritage Impact**

We are instructed by Meriton to assess and report on the potential heritage impacts of a planning proposal to amend the *Sydney Local Environmental Plan 2012* (the LEP). The planning proposal seeks to increase the maximum allowable height from 80m (designated AB1) to a sloping plane between RL 117.1 at the eastern boundary to RL 100.09 at the western boundary, by way of a site specific clause contained within Part 6 Division 5 of *Sydney LEP 2012*, applicable to land at 230-232 and 234-238 Sussex Street. The maximum height would be equivalent to 111.35m along the site's Sussex Street frontage. The objective of the proposed height standard is to protect solar access to the future Town Hall Square at the south eastern corner of George and Park Streets, Sydney.

This is not an assessment of the heritage impacts of a development but on the amendment to the height control in-principle only.

Part of the site comprises a nineteenth century former warehouse. That warehouse on Lot 1 of DP71092 at 230 - 232 Sussex Street is land identified as a heritage item on Schedule 5 of the *Sydney Local Environmental Plan 2012*. Other nearby heritage items include 'former Central Agency warehouse' at 48-58 Druiitt Street and former 'Edward Dunlop & Co warehouse' at 435A–441 Kent Street. The location of these heritage items is shown at Attachment One.

Clause 4.3 of the *Sydney Local Environmental Plan 2012* sets out the maximum height of buildings provisions over this site. Among that clause's objectives is 'to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas'. The existing controls allow a maximum height of 80 metres or about 25 storeys.

234-238 Sussex Street lies within the 'York St/Clarence St/Kent St Special Character Area' while the heritage item at 230-232 Sussex Street lies outside that area. The 'principles' of

development of this Special Character Area are set out in the *Sydney Development Control Plan 2012*'s section 2.1 as follows:

- (a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.
- (b) Maintain and enhance the historic fine grain subdivision pattern, and prominent, significant corner buildings.
- (c) Conserve and enhance existing significant views between the area and Darling Harbour, higher level views north to the Harbour Bridge and the significant vistas terminated by the QVB and the Sydney Town Hall, such as those along Mullins Street and York Street.
- (d) Conserve the existing cartways, laneways and courtyards and their heritage significance.
- (e) Respond to the historic warehouse and historic commercial typology in the design of buildings.
- (f) Conserve historic buildings and reinforce and enhance the setting of the historic buildings in the design of new buildings.

The existing office tower at 234-238 has a three storey 'podium' expressed to mediate the scale shift between the heritage item and the ten storeys above the podium. The façade on Sussex Street is also articulated into vertical bays to reinforce the finer grain of the heritage warehouse. On the western side of Sussex Street, the Darling Park development has a similar three storey high base with three towers rising above. As there is a solid streetwall along Sussex Street and due to the relative narrowness of the street itself, the height of towers above the fifth or sixth storey is only marginally perceived in the visual cone of the casual observer. It is at the interface with the three storey heritage item at street and lower levels where adverse heritage impacts are most likely. Increases of height to the tower would have only a marginal impact beyond that of the current condition. The design of the lower levels of a tower would also need to respond to the rear of the former Central Agency Warehouse. The Dunlop warehouse, though sharing a boundary with the site, is visually removed from the key views to the site on Sussex Street and Druitt Place.

Overshadowing

The existing heritage item at 230-232 is already overshadowed by a residential tower on its northern boundary and from the west by the Darling Park development. The office tower at 234-238 is located to the south of the heritage item.

Likelihood of and Opportunities for Redevelopment

As the existing office tower at 234-238 Sussex Street is an underdevelopment of the site even under the existing controls, the likelihood of the whole site being redeveloped is high and is in fact the stated intention of the proponent. Complete redevelopment of the site at 234-238

Sussex Street would allow certain objectives of clause 4.3 and the Special Character Area principles to be better realised. Those include: enhancing the historic fine grain subdivision pattern, and prominent, significant corner buildings; responding to the historic warehouse and historic commercial typology in the design of buildings; and reinforcing and enhancing the setting of the historic buildings in the design of new buildings.

Summary

In terms of the heritage impacts arising from height alone, the proposed increase in height of any development at 234-238 Sussex Street to its maximum would not have a significantly greater adverse visual heritage impact on the heritage item immediately adjacent the site and those heritage items nearby than either the existing condition or the current height control of 80 metres. Potential heritage impacts - both during and after construction - should be assessed when a development is proposed and would be capable of mitigation.

The complete redevelopment of 234-238 Sussex Street has potential to better reinforce and enhance the setting of the heritage warehouse at 230-232 Sussex Street than the existing condition. The existing and proposed height controls in themselves are incentives that increase the likelihood of redevelopment.

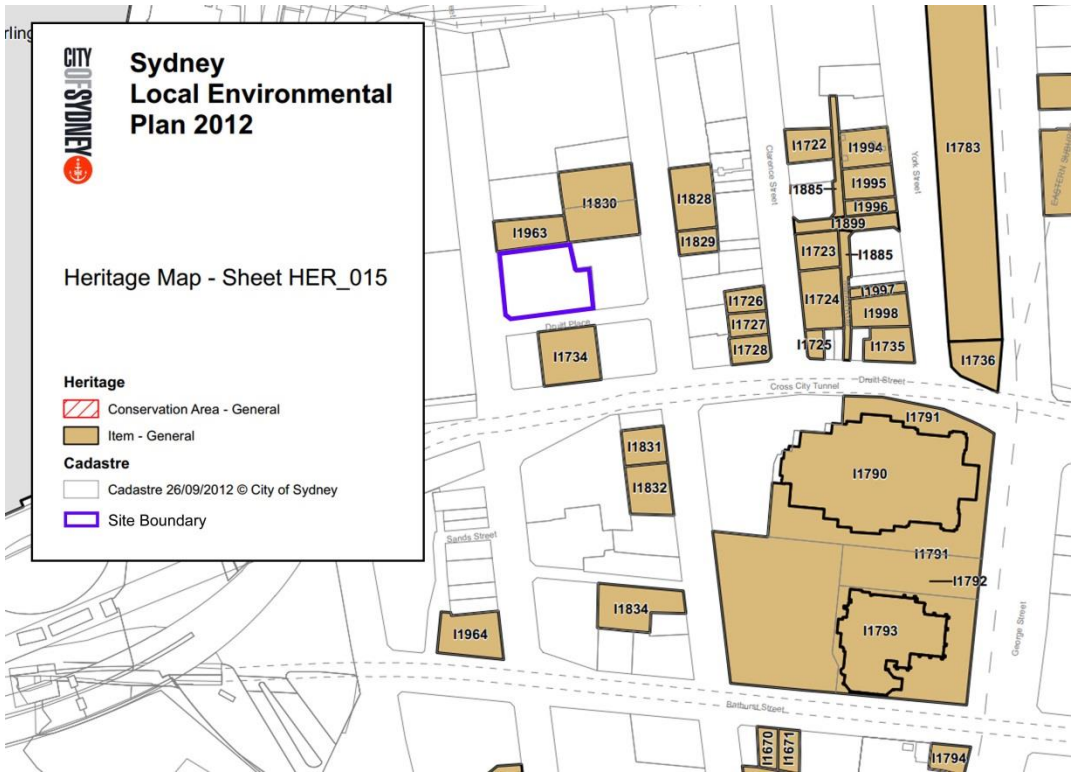
We trust this heritage review assists in the assessment of the planning proposal. Please contact the undersigned should you desire any clarification.

Yours faithfully,
NBRS+PARTNERS



Don Wallace
Senior Heritage Consultant

ATTACHMENT ONE
Extract of Sydney LEP 2012 Heritage Map – Site Bound in Purple



Extract of Sydney LEP 2012 Special Character Areas Map – Site Bound in Red

