

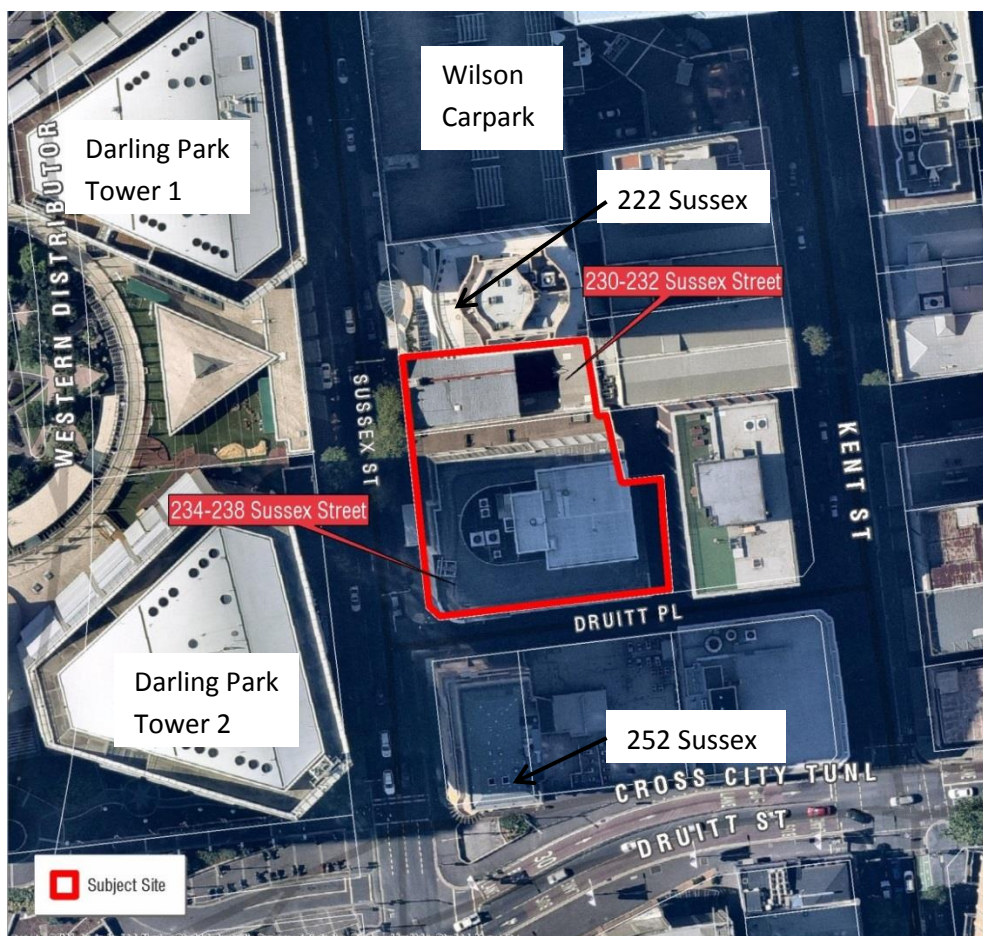
## 230-238 Sussex Street\_ Additional Information

### Setback departure justification

#### 1. Sydney DCP 2012\_ Front setback

Section 5.1.2.1 Front setbacks of the Sydney DCP 2012 stipulates that the front setback of a new building must be set back a minimum weighted average of 8m above the street frontage height. The weighted average of the proposed building's setback is approximately 5.2m, which is over 2.5 times the current existing building's setback distance. Even though the proposed setback is 2.8m short of the 8m requirement, it is significantly greater than the current setback of the existing building and congruent by keeping in character with the existing surrounding built environment, which is predominantly nil front setback to Sussex Street.

- Darling Park Tower 1: Nil metre setback to Sussex Street for all 30 storeys
- Darling Park Tower 2: Nil metre setback to Sussex Street for all 27 storeys
- Wilson Carpark: Nil metre setback to Sussex Street for all 9 storeys
- 222 Sussex Street: Nil metre setback to Sussex Street for ground - 14<sup>th</sup> storey; approx. 4.5 metre setback for storeys 15-32.
- 252 Sussex Street: Nil metre Setback to Sussex Street for ground - 19<sup>th</sup> storey; approx. 1.5 metre setback for storeys 20-22.
- 234-238 Sussex Street Existing Building: 3 Storey podium/street frontage height; Approx. 1.75 metre average weighted setback from 4 - 13<sup>th</sup> storey



## 2. Sydney DCP 2012\_ Side and rear setbacks compliance

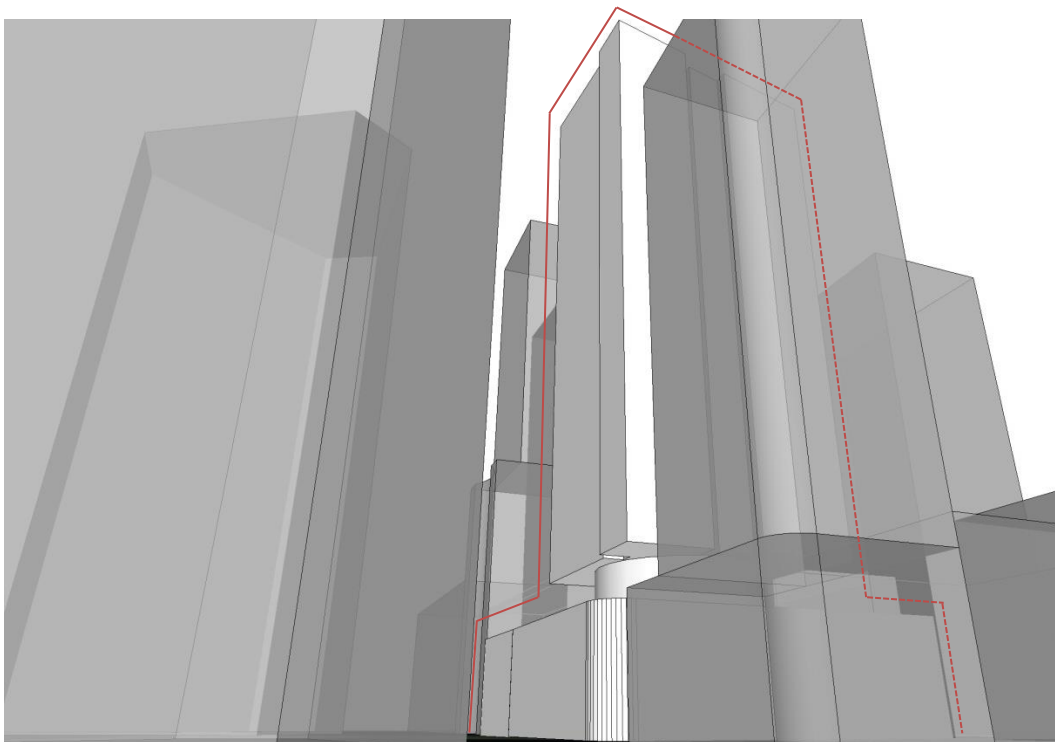
The north side and rear of the proposed development comply with section 5.1.2.2 Side and rear setbacks of the Sydney DCP 2012 requirements.

The south side (to DrUITT Place) of the proposed development complies with the spirit of section 5.1.2.2 Side and rear setbacks. The proposed 3 metre setback in addition to the 7.5 metre laneway reserve of DrUITT Place provides a total of 10.5 metres of building separation which is greater the 6 metre separation as indicated in section 5.1.2.2 (2)(a)

## 3. Proposed development building massing

As indicated in the image below, the proposed development's building massing (outlined in red) is in character with the surrounding built form context.

- The proposed massing is more slender than the current commercial building's mass.
- The proposed massing provides further building separation when compared to the existing.
- The proposed podium/tower configuration in keeping with the character of Sussex Street.



## **Sydney DCP 2012 (excerpt)**

### **5.1.2 Building setbacks**

#### **5.1.2.1 Front setbacks**

- (1) Buildings must be set back a minimum weighted average of 8m above the required street frontage height. This setback may be reduced in part by up to 2m provided that the weighted average setback from the street frontage alignment is 8m as shown in Figures 5.4 to 5.6. No part of the building is to be setback less than 6m.
- (2) The weighted average setback may be reduced on secondary or minor pedestrian streets, provided that an average weighted setback of at least 8m is maintained on north-south streets and major pedestrian streets.
- (3) New buildings or additions above a heritage item must have a setback of at least 10m from the street frontage as shown in Figure 5.7 Minimum setback above a heritage item. However, a conservation management plan required as part of the development application may require a greater setback.

#### **5.1.2.2 Side and rear setbacks**

- (1) Above a height of 45m, windows or balconies of commercial buildings are to be set back at least 3m from side and rear property boundary.
- (2) Separate principal windows and balconies of residential buildings and serviced apartments from windows or balconies of commercial buildings by at least 9m. This separation is to be achieved by a setback from the side property boundary of at least:
  - (a) 6m for residential buildings, serviced apartments or hotels; and
  - (b) 3m for a commercial building.
- (3) In new commercial buildings, windows at the same level as the principal living room windows or balconies of adjacent residential buildings, or above a height of 45m are to be set back from side and rear boundaries by at least 3m. Walls without windows do not need to be set back.