

Attachment B

**Draft Development Control Plan –
Darlinghurst Road, Potts Point**

Draft Development Control Plan

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Darlinghurst Road, Potts Point



The purpose of this Development Control Plan

The purpose of this plan is to amend Sydney Development Control Plan 2012 to insert site specific provisions to guide future development along Darlinghurst Road, Potts Point.

Citation

This plan may be referred to as the *Darlinghurst Road, Potts Point Amendment*.

Land covered by this plan

This plan applies to the land marked in red on Figure 1.



Figure 1: Precinct boundary of Darlinghurst Road high street shown as red dotted line, boundary of site specific controls to 18-32A Darlinghurst Road shown blue dotted line

Relationship of this plan to Sydney Development Control Plan 2012

This plan amends Sydney Development Control Plan 2012 in the manner set out below.

Amendments to Sydney Development Control Plan 2012

This plan amends the *Sydney Development Control Plan 2012* by:

- Inserting a new section 6.2.12 *Darlinghurst Road, Potts Point*, at the end of section 6.2 – ‘Sites identified through urban design studies’, as shown at Appendix A.
- Include site specific controls for sites at 18-32A Darlinghurst Road, Potts Point as part of the new section 6.2.12
- Amending section 2.4.7 – ‘Kings Cross’ locality statement to reflect desired outcomes, as shown at Appendix B.
- Amending ‘Specific Sites Map’ of Sydney DCP 2012 to include the Darlinghurst Road precinct, and amend DCP map books in accordance with the below.
- Updating figure numbers under Section 6 of the Sydney Development Control Plan 2012 as required.

APPENDIX A

6.2.12 Development controls: Darlinghurst Road, Potts Point

The following objectives and provisions apply to the extent of Darlinghurst Road, Potts Point, as shown in Figure 6.1.

All other relevant provisions in this DCP apply, except where they are inconsistent with these provisions. The provisions of this section prevail in the event of any inconsistency.

Objectives

- (a) Ensure development achieves the objectives of the B2 Local Centre zone and contributes to the role of Darlinghurst Road and environs as a local centre by:
 - (i) providing a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area; and
 - (ii) including appropriate residential uses so as to support the economic and business vitality of the high street and local centre.
- (b) Ensure that new development maintains the diverse and active street frontages that contribute to the vibrancy, diversity and function of the high street and local centre.
- (c) Ensure that new development fits in with the existing fine-grain pattern of Darlinghurst Road, surrounding streets and laneways and reflects the historical subdivision pattern.
- (d) Ensure new development responds to and contributes to heritage and contributory items and conserves their significance and the significance of the conservation area.
- (e) Ensure new development reinforces the architectural character of and is compatible with the existing built form of Darlinghurst Road, and respects heritage items and contributory buildings at 18-32A Darlinghurst Road and in the immediate context of the site through:
 - (i) Appropriate scale, massing, and modulation that respects the existing built fabric of the high street;
 - (ii) Defining maximum building envelopes for future development at 18-32A Darlinghurst Road to deliver a high quality built form that ensures an appropriate level of amenity within the site and to surrounding properties;
 - (iii) Facade articulation, materials, and architectural detailing that contribute and respond to the highest quality heritage and contributory buildings in the surrounding context.
- (f) Provide publicly accessible open space to complement the public domain and enhance amenity.
- (g) Ensure the architectural character of development at 18-32A Darlinghurst Road is compatible with original fabric retained on the site and responds to the existing development at Kingsley Hall at 1A Elizabeth Bay Road, the Lowestoft at 18-20 Darlinghurst Road, the facade of The Bourbon at 22-24 Darlinghurst Road, and the Commodore at 30-30B Darlinghurst Road.

- (h) Establish a design excellence strategy for a competitive design process in accordance with Sydney LEP 2012 and the City of Sydney Competitive Design Policy.

Provisions – Darlinghurst Road

The following provisions apply to the land identified in red in Figure 1 above.

6.2.12.1 Land use

The area surrounding Kings Cross has a very high residential amenity and density. The local centre at Darlinghurst Road and its retail, commercial and business uses play an important role in supporting the existing significant population, including regional visitors. New development must provide floor space appropriate for business and services that support this population.

- (1) In the B2 zone, a minimum of 50% of the total gross floor area for each development must be for uses other than residential accommodation or tourist and visitor accommodation.
- (2) Residential accommodation and tourist and visitor accommodation is not to be located at ground and first floor levels, except for entrances, lobbies and back-of-house and service facilities.

6.2.12.2 Urban grain and active street frontages

- (1) New development including the building frontage above the street wall is to reflect the existing pattern of building arrangement and subdivision of Darlinghurst Road.
- (2) An entry to upper levels and vertical circulation core is to be provided for each existing building regardless of any amalgamation of lots.
- (3) Each building on Darlinghurst Road is to have an individually distinctive architectural language, expression of floor levels and fine grain tenancies.
- (4) The maximum average width of street level tenancies is to be 5m. The maximum width of any one tenancy at the street frontage is 8m. Longer tenancy widths at the street frontage may be considered where they reflect existing tenancies in heritage items and contributory buildings.
- (5) All tenancies at street level are to have a maximum floor area of 300sqm.
- (6) Each ground floor tenancy is to have its own entry from Darlinghurst Road or side street.
- (7) Self-contained lower ground or basement tenancies are to have direct street access.
- (8) Ground level tenancies and foyers are to support an active street edge with a maximum of 25% solid wall to the facade area and 75% glazing or opening with visibility into the spaces within.
- (9) Ground level tenancies are to have at least 35% of their area at the level of the footpath.

6.2.12.3 Architectural character, articulation and materials

- (1) Building facades should be characterised by vertical proportions over the full height of the building.
- (2) Facade elements and window openings above ground floor level are to be vertically proportioned.

- (3) Window openings above any existing or required awning are to be limited to between 20 and 40% of the facade wall area.
- (4) Materials and architectural detail is to be at least equal in quality to the highest quality found in neighbouring contributory buildings and should include materials and design detailing used in surrounding buildings, such as face brickwork, decorative stringer lines, bonds, rendered/painted banding and other compatible masonry work. This is to be demonstrated through a comparative analysis of an existing building elevation and the proposed development, documented with 1:50 elevations and 1:10 details.
- (5) Parapets are to be articulated.
- (6) All plant and other mechanical equipment is to be fully architecturally integrated in the building roof form.

6.2.12.4 Awnings

- (1) All residential entry foyers may have an awning.
- (2) Contributory buildings must maintain or reinstate contributory awnings.
- (3) Where an awning is not compatible with the heritage significance of a contributory building, the existing awning should be removed, and new awnings should not be constructed, with the exception of (1) above.
- (4) Generally, footpath awnings are to be provided for new development on Darlinghurst Road.

6.2.12.5 Public domain

- (1) Sites adjoining public spaces such as Fitzroy Gardens, Llanckelly Place, Springfield Avenue, Roslyn Street and the corner of Bayswater Road and Darlinghurst Road should provide active land uses at ground floor (such as food and drink premises) that contribute to the activity of the public domain.

6.2.12.6 Amenity of residential development

- (1) Where the construction of balconies is limited by heritage and adaptive reuse constraints or significant noise impacts, juliet balconies or bay windows may be appropriate, subject to the provision of other amenity benefits.
- (2) Balconies should not project from the facade. Balconies or loggias must be recessed and have solid balustrades of the same materiality as the facade construction.

6.2.12.7 Access

- (1) Vehicular access, building services and the like are to be consolidated to minimise impact on public places.
- (2) Vehicular access is not permitted in any location subject to an active frontage control as shown on the Active Frontages Map.

Note: *Section 3.2.3 Active Frontages* applies to development on Darlinghurst Road.

Provisions – 18-32A Darlinghurst Road

The following provisions apply to the land identified in blue in Figure 1 above and detailed in Figure 2 below.



Figure 2: Site plan showing street addresses and building names of the component lots

6.2.12.8 Heritage conservation

- (1) New development is to respect the Inter War art deco character of Kingsley Hall at 1A Elizabeth Bay Road through height, scale, materials and detail.
- (2) The facade of 18-20 Darlinghurst Road (The Lowestoft) is to be conserved. The level immediately above the existing parapet is to be setback by 3m. The remaining new development may be built to street alignment, as shown in Figure 3.

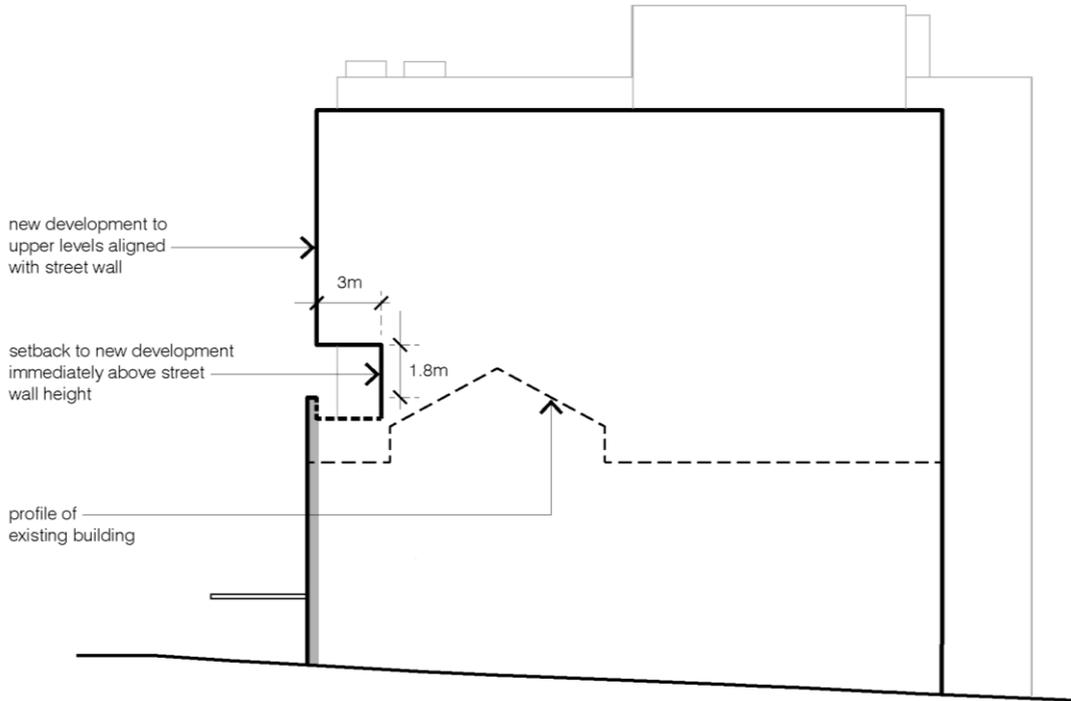


Figure 3: First level setback requirement for 18-20 Darlinghurst Road



Figure 4a: Ground level plan of the Bourbon showing the extent of existing facade and internal fabric to floors and walls to be retained in dotted black outline, shaded in red

- (3) New development at 22-28 Darlinghurst Road (The Bourbon) is to conserve the existing facade to the depth shown in Figure 4a. The ground floor additions at Darlinghurst Road are to be removed. The space is to be designed as an extension of the footpath.
- (4) The form, external fabric and floor levels of 30-30B Darlinghurst Road (The Commodore) are to be conserved.
- (5) The Empire Hotel at 32-32A Darlinghurst Road may be demolished and the site redeveloped. Any new building is to interpret the social and historical significance of the site as the original Les Girls venue through an architectural interpretation of the building between 1962-1980s, including the curved corner form, floor and parapet levels, ground level awning, the first and second floor balconies and the corner sign reading “Les Girls”.
- (6) To reflect the historical and social significance of The Empire Hotel at 32-32A Darlinghurst Road the ground level and first floor should have commercial food and drink or entertainment uses.

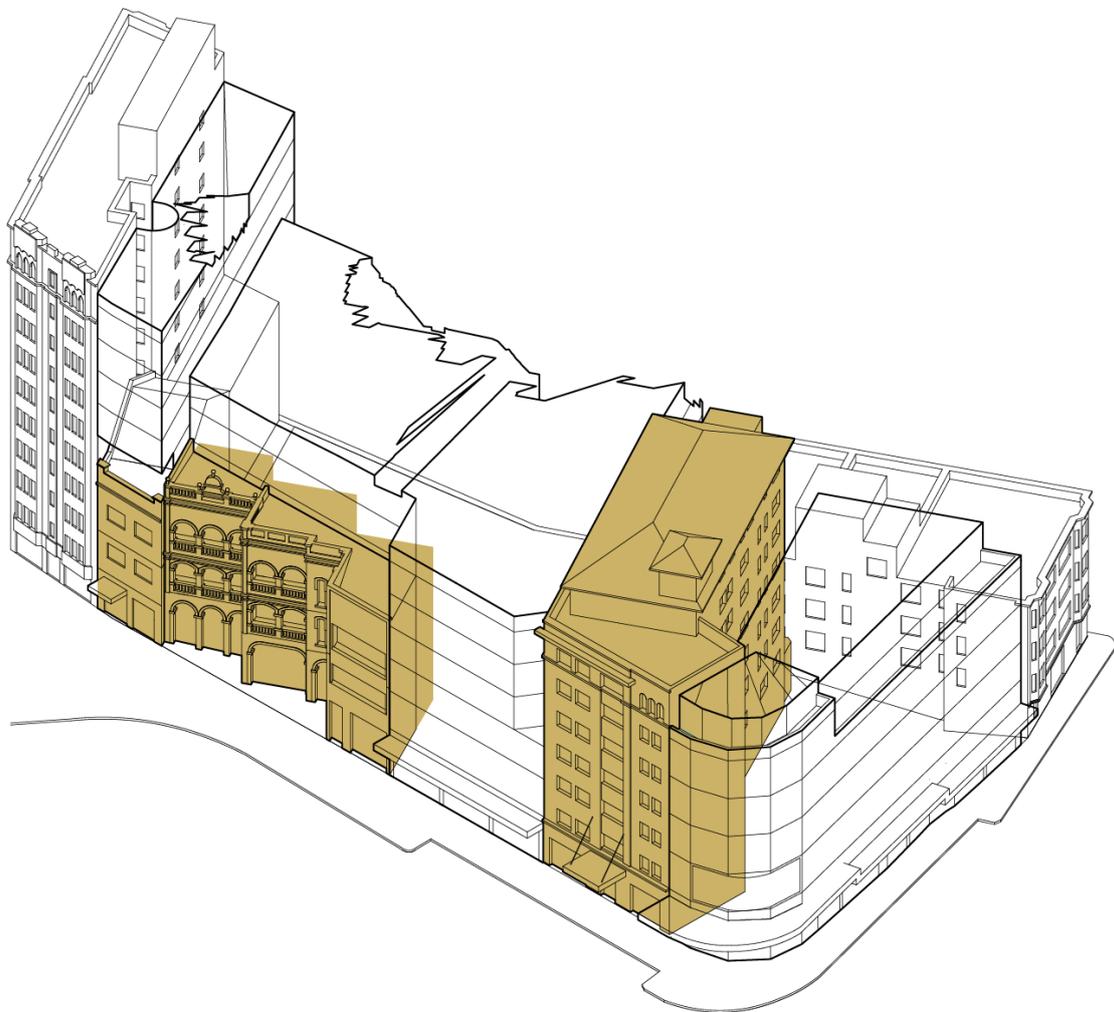


Figure 4b: Axonometric illustration of heritage and contributory fabric to be retained

6.2.12.9 Built form and setbacks

- (1) Development must not exceed the maximum building envelopes described by 'Figure 6a: Building heights and setbacks plan'.
- (2) The envelopes described by Figure 6a is the maximum permissible extent of the built form and the final building designs must be appropriately massed within the envelope.

Note: The maximum number of storeys noted in Figure 6a includes all mezzanine and attic levels.

- (3) Setbacks above the street wall height should be provided in accordance with 'Figure 6a: Building heights and setbacks plan.'

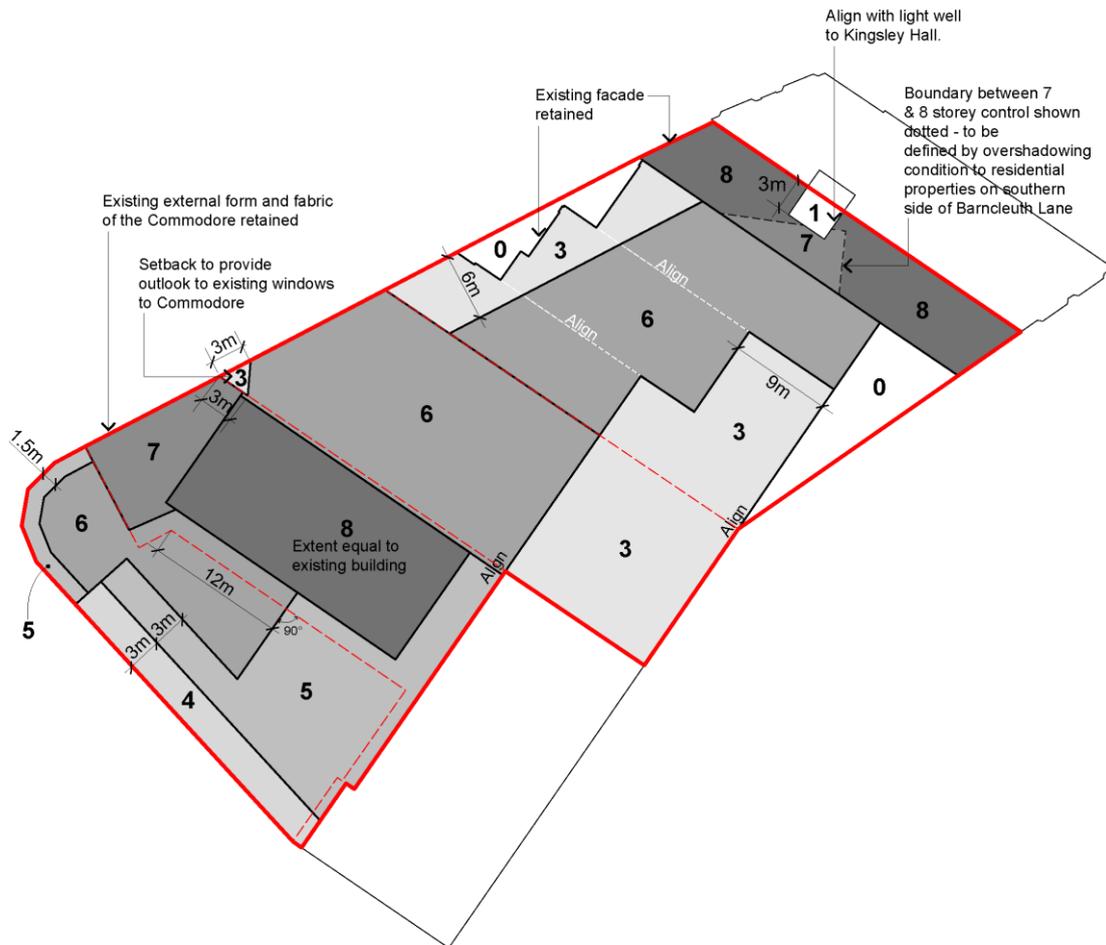


Figure 6a: Building heights and setbacks plan (maximum heights noted in storeys)

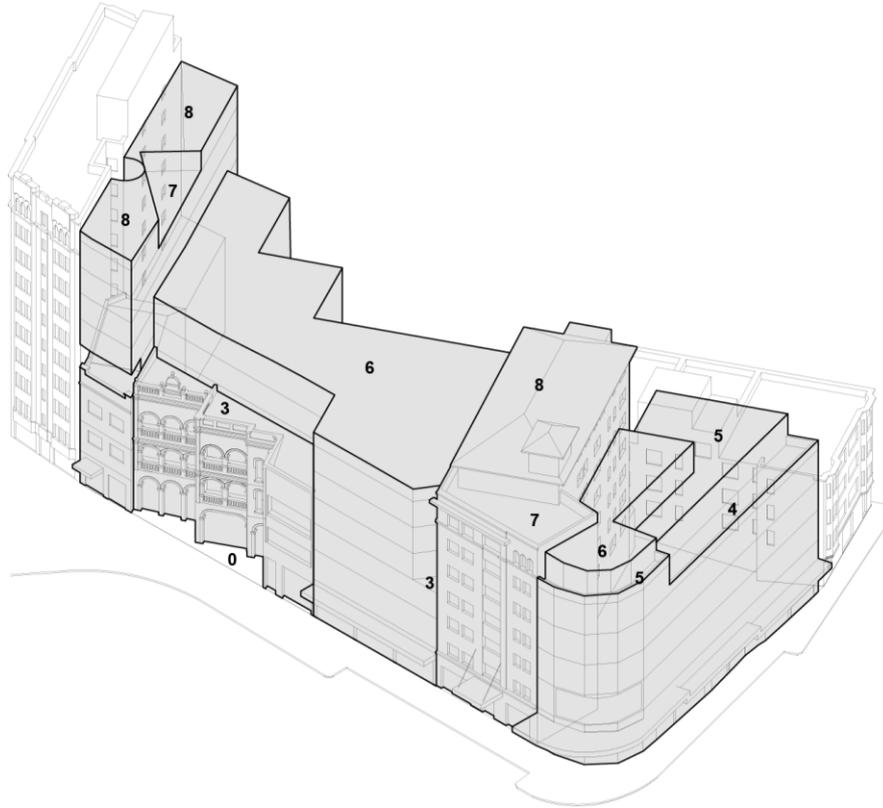


Figure 6b: Indicative axonometric of the building heights and setbacks plan (viewed from the west)

6.2.12.10 Urban grain

- (1) Development at 18-32A Darlinghurst Road is to be designed as five distinct buildings as shown in Figures 7a & 7b, each of which must be able to be distinguished by its distinct architectural language, expression of floor levels and fine grain tenancies. Figure 7b shows an alternative arrangement for architectural expression that alludes to the historical development patterns of nos. 18 and 20 Darlinghurst Road.
- (2) Each of the five buildings is to have multiple ground level tenancies and an entry foyer for upper level tenancies as shown in Figure 8 below. There must be at least 9 ground level tenancy entries and 4 entry foyers to upper levels fronting onto Darlinghurst Road. Street activation along Roslyn Street and Barncleuth Lane is to be consistent with that shown in Figure 8.



Figure 7a: Streetscape massing showing scheme for distinct articulation to building facades. Note: with regard to architectural expression, this scheme shows new development above existing street wall responds to existing fabric immediately below

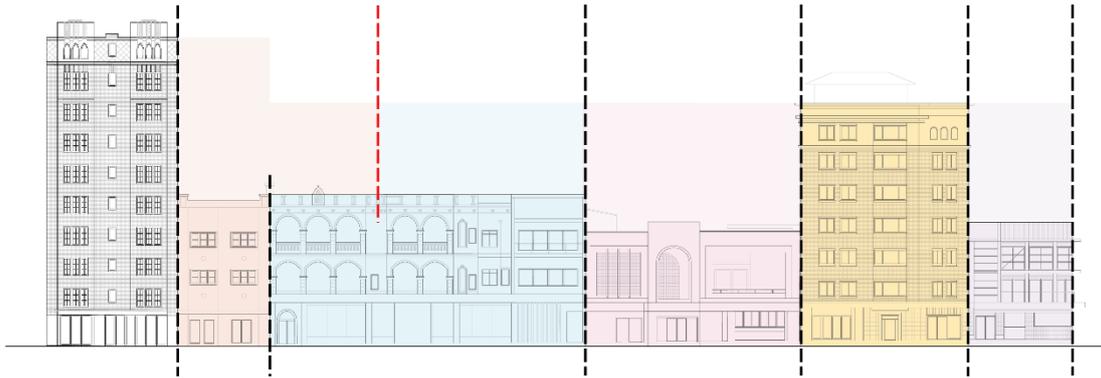


Figure 7b: Streetscape massing showing alternative scheme for articulation to building facades. Note: with regard to architectural expression and core arrangement, this scheme shows new development above existing fabric to 20 Darlinghurst Road may relate to 18 Darlinghurst Road

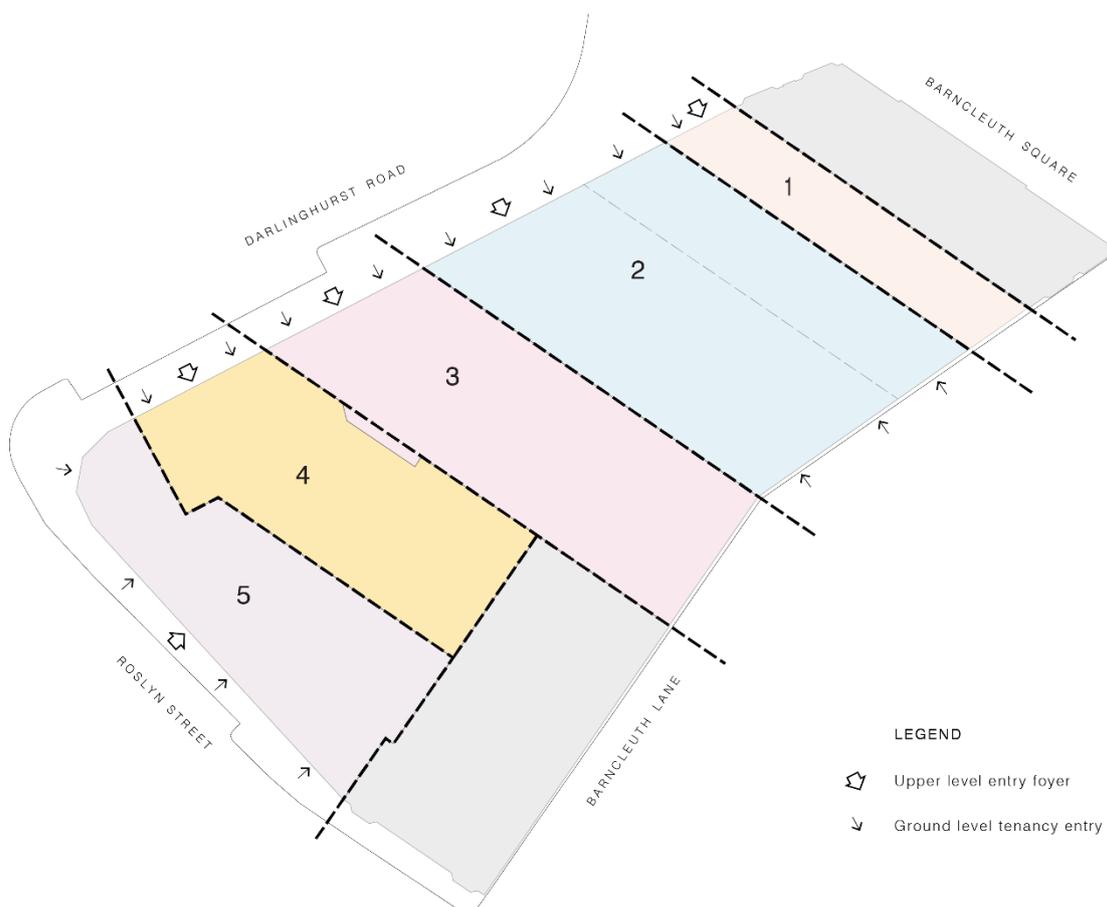


Figure 8: The block is to be composed of 5 distinct buildings, each with their own street-level entry, core, architectural language and expression

6.2.12.11 Architectural character and articulation

- (1) The width of the structural bays for new upper level development at the Lowestoft at 18-20 Darlinghurst Road and the Bourbon at 22-24 Darlinghurst Road are to follow the width of the structural bays of the original facade fabric on lower levels.
- (2) New development at the Radnor (shown as 3 in Figure 8) at 26-28 Darlinghurst Road is to respond to the vertical proportions, floor levels, and architectural elements of the facade of the Commodore.

6.2.12.12 Public domain

- (1) The design and use of ground floor tenancies at 22-24 Darlinghurst Road are to contribute to the public domain directly in front of those tenancies. The publicly accessible open space at Darlinghurst Road should be used for outdoor dining or trading as shown in Figure 9 below. Materials, finishes and levels must be consistent with the adjacent footpath.
- (2) Development at 18-32A Darlinghurst Road is to provide publicly accessible open space and deliver improvements to the public domain along Barncleuth Lane (where applicable), including landscaping, public artwork, and the widening and pedestrianisation of the lane as shown in Figure 9.



Figure 9: Plan of the development block showing areas within the site to be redesigned as extensions and enhancements to the adjacent public domain (shaded in red/black dotted line)

6.2.12.13 Access

- (1) Building services and vehicular access are to be consolidated, are not to be located on Darlinghurst Road and Roslyn Street and are to be designed to support the provisions for public domain in the above clauses. Refer to Figure 9 for preferred options for consolidated access location.

6.2.12.14 Awnings

- (1) Awnings are to be consistent with Figure 10 below.
- (2) A continuous footpath awning is to be provided to Roslyn Street.

- (3) Lightweight and retractable awnings for food and drink premises at The Bourbon may be considered.



Figure 10: Elevation of the development block showing sections of street façade where entry awnings or interpretations thereof are appropriate (red dotted line)

6.2.12.15 Design excellence strategy

- (1) A competitive design process is to be undertaken in accordance with Clause 6.21 of Sydney LEP 2012 for 18-20 Darlinghurst Road and may at the proponent's discretion cover the whole site (22-32A Darlinghurst Road).

Note: It is desirable that a competitive process is undertaken at the whole site of 18-32A Darlinghurst Road in order to reduce the risk that the design excellence requirements of Sydney LEP 2012 clause 6.21 are not met.

- (2) The competitive design process is to comprise an invited competitive design alternatives process involving no less than four architectural firms ranging from emerging, emerged and established architectural firms, with demonstrated experience designing high quality fine grain mixed use infill buildings in conservation areas.
- (3) Any additional floor space that may be awarded in relation to any competitive process(es) as per clause 6.21(7) of Sydney LEP 2012 is to be located at lower ground level (basement). No additional building height is to be awarded under Clause 6.21(7).
- (4) The setbacks from Darlinghurst Road and Roslyn Street detailed in section 6.2.12.9 may be varied provided a competitive design process has been carried out and the consent authority is satisfied that improved heritage and amenity outcomes are achieved, and the development is consistent with the objectives of this section of the DCP.

Note: Setbacks to Barncleuth Lane are determined by overshadowing requirements and may not be able to be varied.

6.2.12.16 Satisfaction of Clause 7.20(4) under Sydney LEP 2012

- (5) This section of the DCP and the following sections of Sydney DCP 2012 address the requirements of SLEP 2012 Clause 7.20(4) for 18-32A Darlinghurst Road:
- (i) 3.2 Defining the Public Domain
 - (ii) 3.6 Ecologically Sustainable Development
 - (iii) 4.2 Residential Flat, Commercial and Mixed Use Developments.



Figure 11: Concept ground level plan showing how variety of fine grain ground level retail tenancies, separate entry foyers and compact vehicular access can be achieved. [figure 11 for information only – to be removed post-exhibition]



Figure 12: Concept typical upper level plan (of a predominantly residential level) showing how fine urban grain, retention of heritage fabric and variety of architectural characters can be achieved [figure 12 for information only – to be removed post-exhibition]

APPENDIX B

Appendix B contains the amended locality statement for Kings Cross at section 2.4.7 of the DCP:

2.4.7 Kings Cross

This locality is bounded by the Victoria Street/Brougham Street cliff edge to the west; Darlinghurst Road / Victoria Street intersection to the south-west; Craigend Street exit from New South Head Road to the south; Hughes Street and the rear of lots along Greenknowe to the north; and Roslyn Street, Roslyn Lane and lots along Elizabeth Bay Road to the east.

The well recognised Kings Cross skyline which includes the iconic Coca-Cola sign are significant features of William Street. Heritage items such as the Kings Cross Hotel have a landmark presence to the street. Any significant redevelopment is to enhance the existing pedestrian network to improve pedestrian amenity.

Kings Cross has long been recognised as an international and regional destination for tourism and entertainment, with international, regional, and local roles to play. Darlinghurst Road forms the area's lively, bohemian main street. The unique character of Darlinghurst Road is typified by its rich history and heritage, eclectic mix of buildings from different periods, architectural character and diversity, an inclusive community and a wide variety of businesses. With a mixture of shops, bars, restaurants, accommodation, and services for local needs, Darlinghurst Road is vital to the local community, as well as serving visitors from Sydney and further afield.

Development along Darlinghurst Road will contribute to and enhance the area's fun, vibrant and eccentric identity by appropriately responding to its existing 'human scale', including the fine grain and established built form patterns of the street. Development should also achieve a balance and diversity of activities and experiences to support the liveliness and vitality of Darlinghurst Road, which is to continue to fulfil its key economic, social, and cultural role within the locality.

The area's role as a centre is to be strengthened by capitalising on its proximity to public transport, and by providing commercial and retail services for existing and future residents and visitors alike. The centre is to be consolidated with Orwell Street promoting active retail and commercial uses to improve the link between Darlinghurst Road, Macleay Street, Lankelly Place and Victoria Street.

Principles

- (a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.
- (b) Development is to respond to and complement subdivision, heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.
- (c) Maintain the built form structure of the neighbourhood with taller buildings located predominantly along the ridge line and at the crossing of Victoria Street and Darlinghurst Road.
- (d) Maintain the unique skyline of buildings located along the western side of Springfield Avenue.
- (e) Maintain view corridors along Orwell Street and over terraces along Victoria Street towards the city skyline.

- (f) Design development on the eastern corner of Darlinghurst Road and Bayswater Road to respond to its highly visible corner location.
- (g) Introduce upper level setbacks for new developments to respect the existing streetwall heights to Darlinghurst Road, where appropriate.
- (h) Retain the unique skyline elements of existing buildings that exceed the height context however these buildings do not set the precedent for future building heights.
- (i) Maintain the small lot subdivision and predominant terrace building type along Victoria Street.
- (j) Preserve the Kings Cross Hotel building as an important building for Kings Cross.
- (k) Retain Darlinghurst Road and Bayswater Road as a precinct which supports a mix of daytime and night time commercial and retail uses.
- (l) Encourage active retail and commercial uses on Orwell Street to improve the link between activities along Darlinghurst Road, Macleay Street, Llinkelly Place and Victoria Street and the activity and surveillance of the pocket park on Orwell Street.
- (m) Encourage development with active edges and outdoor eating along Springfield Avenue and Springfield Plaza.
- (n) Encourage outdoor eating in Llinkelly Places to expand the existing laneway character.
- (o) Encourage employment opportunities and provide a range of non-residential uses on Darlinghurst Road that support the existing high population density of Kings Cross and serve its international, regional, and local function including retail, business, entertainment, food and drink, cultural, and community uses.
- (p) Reinforce the urban form of Darlinghurst Road including its fine grain, varied, high quality architectural character, and avoid building design that reduces diversity and grain.
- (q) Increase uses that provide all day activity, particularly those that serve the broader community's social, cultural, and entertainment needs.
- (r) Encourage interesting development that references the socio-historic significance of Darlinghurst Road and supports community diversity and harmony.

APPENDIX C

Amend the following DCP maps relating to the block bounded by Darlinghurst Road, Barncleuth Square, Barncleuth Lane, and Roslyn Street as follows:

- Building contributions map – Sheet 022
 - 22-28 Darlinghurst Road, Potts Point becomes contributory
- Building height in storeys map – Sheet 022
 - Remove all controls from 18-32A Darlinghurst Road, Potts Point
- Building setback and alignment map – Sheet 022
 - Remove all controls from 18-32A Darlinghurst Road, Potts Point
- Building street frontage height in storeys map – Sheet 022
 - Remove all controls from 18-32A Darlinghurst Road, Potts Point
- Footpath, awnings and colonnades map – Sheet 022
 - Remove control to 18-32A Darlinghurst Road, Potts Point, along the Darlinghurst Road frontage only.