

Item 3.

Public Exhibition – Planning Proposal and Draft Development Control Plan – Darlinghurst Road, Potts Point

File No: X018038

Summary

Located within the internationally renowned precinct of Kings Cross, Darlinghurst Road has a long and rich history, and a unique cultural identity and character. The area has previously been recognised as a popular late night trading precinct, attracting people from across Sydney, and internationally. Darlinghurst Road serves both the local community and attracts visitors with a variety of retail and commercial businesses, bars, restaurants, health services, community facilities and tourist and visitor accommodation. The area has good access to public transport and is within a kilometre of Central Sydney.

Darlinghurst Road is continuing to evolve and change. Recent licensing law changes and market factors are affecting the types of businesses and activities in the area. The area is experiencing increased interest in development, particularly for new residential development, due to the change in businesses, improving amenity, access to public transport and proximity to the city centre.

Through consultation the local community has told the City that Darlinghurst Road is highly valued for its unique diversity of buildings and places, heritage and eccentric spirit and that this treasured character should be protected. The community wants to see Darlinghurst Road continue to be an iconic retail and commercial 'main street' providing a balance and diversity of activities and experiences. The community has a desire to protect the collection of heritage buildings and see new development of a human scale, variety of styles, unique and highly detailed.

Revised planning controls are needed to help manage change so that new development respects and builds on Darlinghurst Road's iconic, edgy and historic character and provides diverse activities and services for the community and visitors.

This report seeks Council approval to publicly exhibit planning controls that protect the unique character, heritage and main street function of Darlinghurst Road, Potts Point and provide good design outcomes for new development. The proposed controls protect non-residential uses, enable appropriate residential development and ensure the conservation of the distinct heritage character of Darlinghurst Road.

The proposed controls have been informed by an urban design study, a heritage study and community consultation. This work was carried out in response to the development application for 18-32A Darlinghurst Road, which included the well-known sites The Bourbon and Beefsteak Bar and The Empire (formerly known as the Les Girls nightclub). The application generated significant concern over its scale, design and potential impacts and was withdrawn following feedback from the City's planning staff. The work has been led by the City's strategic planning staff and guided by the City's Design Advisory Panel sub-committee.

The Planning Proposal at Attachment A proposes to heritage list three sites including Kingsley Hall at 1A Elizabeth Bay Road, the facade of The Bourbon at 22-28 Darlinghurst Road, and The Empire at 32-32A Darlinghurst Road (for its social and historical significance).

The amendments to the Development Control Plan (DCP) at Attachment B set principles for the area and guide good design, heritage and land use outcomes. They include an updated locality statement, a detailed building envelope for the site of the development application at 18-32A Darlinghurst Road plus detailed provisions for uses, street wall heights, setbacks, street activation, materials and architectural articulation. The Kings Cross locality statement has been updated to reinforce the vibrant, iconic, diverse and community-minded character of Darlinghurst Road that is valued by locals and visitors alike.

It is recommended Council approve the planning proposal for submission to the relevant planning authority with a request for a Gateway Determination and public exhibition, and approve the Draft DCP for public exhibition.

Recommendation

It is resolved that:

- (A) Council approve Planning Proposal: Darlinghurst Road, Potts Point, shown at Attachment A to the subject report, for submission to the relevant local plan-making authority with a request for Gateway Determination;
- (B) Council approve Planning Proposal: Darlinghurst Road, Potts Point for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council approve the Draft Sydney Development Control Plan 2012: Darlinghurst Road, Potts Point, shown at Attachment B to the subject report, for public authority consultation and public exhibition together with Planning Proposal: Darlinghurst Road, Potts Point;
- (D) Council seek authority from the relevant local plan making authority, to exercise the delegation of the relevant local plan making authority of all their functions under Section 3.31 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan as amended by Planning Proposal: Darlinghurst Road, Potts Point; and
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: Darlinghurst Road, Potts Point and Draft Sydney Development Control Plan 2012: Darlinghurst Road, Potts Point following receipt of the Gateway Determination.

Attachments

- Attachment A.** Planning Proposal – Proposed Heritage Items, Potts Point
- Attachment B.** Draft Development Control Plan - Darlinghurst Road, Potts Point
- Attachment C.** Darlinghurst Road - Urban Design Study - Studio Zanardo
- Attachment D.** Heritage Assessment
- Attachment E.** Community Consultation Reports
- Attachment F.** Design Advisory Panel Sub-Committee Advice Sheet

Background

1. This report seeks Council approval to publicly exhibit planning controls that protect the unique character, heritage and main street function of Darlinghurst Road, Potts Point and provide good design outcomes for new development. The proposed planning controls include a planning proposal to heritage list three items and a site specific development control plan (DCP) that will guide the built form, land use, heritage conservation, amenity, street activation and architectural articulation of new development.
2. Darlinghurst Road is continuing to evolve and change. Recognised as a centre of Sydney's nightlife, recent licensing law changes and market factors are affecting the types of businesses and activities in the area. The area is experiencing increased interest in development, particularly for new residential development, due to the change in the dominant business models operating in the area, improving residential amenity, access to public transport and proximity to the city centre. Planning controls are needed to help manage change so that new development protects and builds on Darlinghurst Road's edgy and historic character and provides diverse activities and services for the community.
3. In December 2017, a development application was lodged for the construction of a mixed use building containing 83 residential apartments at 18-32A Darlinghurst Road (D/2017/1705). The community raised very strong concerns about the proposal's scale and impacts on heritage, amenity and the cultural identity of the area. The City's planning staff advised the applicant of considerable local environmental plan (LEP) and DCP non-compliances, and of the proposal's overall inconsistency with the site's character and context. The applicant withdrew the application on the City's recommendation due to these significant issues.
4. On 18 February 2018, Council resolved to commission an urban design study of Darlinghurst Road. The resolution requested the study identify design principles for the site, audit the current planning controls for improvements and consult with the community. Council also requested the City's Design Advisory Panel establish a sub-committee to guide the study's progress.
5. In March 2018, Studio Zanardo was engaged to undertake the study to test the suitability and quantity of residential uses and develop options for an urban design approach for Darlinghurst Road. The urban design study is being carried out in two stages. The first stage for 18-32A Darlinghurst Road has been prioritised in case any new application is submitted for the site. The second stage will finalise specific built form controls for the remainder of Darlinghurst Road and is to be reported to Council at a later time. The Urban Design Study is at Attachment C of this report.
6. A Heritage Assessment has also been carried out by PTW Architects which analyses the pattern of development for 18-32A Darlinghurst Road and makes recommendations regarding its heritage significance, including the listing of potential heritage items. The report is at Attachment D of this report.
7. Community consultation has also been carried out as part of the study into Darlinghurst Road to understand the community's views on current and future built form, character and experience along Darlinghurst Road. This consisted of an online survey and an interactive workshop held on 5 July 2018. The consultation is discussed later in the report and the consultation reports are at Attachment E.

8. The proposed controls have been informed by the Urban Design Study, Heritage Assessment, and community consultation. The Draft site specific DCP at Attachment B contain general controls for Darlinghurst Road and specific built form controls for 18-32A Darlinghurst Road. Urban design work is continuing for the remainder of Darlinghurst Road and a second draft DCP will be reported to Council at a later date with refined built form controls that will encourage good design strategies and outcomes for the remainder of Darlinghurst Road.

Site and context

9. The Draft DCP proposes controls for the Darlinghurst Road precinct between Bayswater Road to the south and Fitzroy Gardens and Macleay Street to the north (the precinct). The first stage of the urban design study and site-specific DCP controls have been prepared for 18-32A Darlinghurst Road. The Darlinghurst Road precinct encompasses 49 properties as outlined in red in Figure 1 with 18-32A Darlinghurst Road indicated in blue.



Figure 1: Darlinghurst Road precinct outlined in red with 18-32A Darlinghurst Road outlined in blue.

10. 18-32A Darlinghurst Road consists of four separate lots, being 18-20 Darlinghurst Road (Lot 2 DP 182505), 22-28 Darlinghurst Road (Lot 1 DP 1097710), 30-30B Darlinghurst Road (Lot 1 DP 214079), and 32-32A Darlinghurst Road (Lot 1 DP 510235).
11. The site is located at the northern end of Darlinghurst Road, between Fitzroy Gardens and Roslyn Street, and is shown outlined in blue in Figures 2 and 3. A photo of the site is at Figure 4. The total area is 2,517sqm, with all four lots being under single ownership. The site's primary frontage is to the west to Darlinghurst Road, with secondary frontages to the south to Roslyn Street and east to Barncleuth Lane. A 10 storey inter war flat building known as Kingsley Hall is at 1A Elizabeth Bay Road and adjoins 18-32A Darlinghurst Road to the north. The El Alamein Memorial Fountain and Fitzroy Gardens are located just north of 18-32A Darlinghurst Road.
12. Kingsley Hall at 1A Elizabeth Bay Road forms part of the subject review and Planning Proposal at Attachment A. The site is discussed in more detail further in this report, under the heading 'Heritage Assessment'.



Figure 2: 18-32A Darlinghurst Road site location



Figure 3: Aerial image of 18-32A Darlinghurst Road



Figure 4: Aerial image of 18-32A Darlinghurst Road, site outlined in red. Image: Nearmap

13. The city block features a variety of important characteristics and urban attributes, including a subdivision pattern dating to the late 1890s, and a varied urban scale, indicative of change in the area. The buildings and uses contained on site include:
 - (a) Lowestoft (18-20 Darlinghurst Road) - originally a 3 storey terrace house which has since been modified and is currently used as a pharmacy at the ground floor, and a medical centre and yoga studio above;
 - (b) The Bourbon (22-28 Darlinghurst Road) - formerly a group of 2 to 3 storey terraces, altered and re-purposed over the twentieth century, and currently used as the Bourbon Beefsteak Bar;
 - (c) The Commodore (30-30B Darlinghurst Road) - a 7 storey Interwar apartment building designed in the mid-1920s, presently occupied by a pharmacy and tobacconist at the ground floor, and serviced apartments on the floors above; and
 - (d) The Empire (32-32A Darlinghurst Road) - a modernist 3 storey curved corner mixed use building dating to 1961, which once housed the Carousel Lounge and the Palladium nightclubs, and is currently known as The Empire Hotel.
14. Darlinghurst Road is a main road, servicing vehicular and pedestrian traffic. The precinct is characterised by mostly small scale, fine grain commercial buildings of around 3 to 4 storeys interspersed with some larger sites and taller buildings. These include The Bourbon, The Empire, Wintergarden, Kings Cross Library and most significantly, the development known as 'Omnia', located at the intersection of Darlinghurst Road, Bayswater Road and Victoria Street. Surrounding development is mixed in scale and form, varying from two storey Victorian terraces to multi-storey residential flat buildings.

Current planning controls

15. The precinct is zoned B2 Local Centre. The objectives of the zone are to provide a range of retail, business, entertainment and community uses, encourage employment opportunities, maximise public transport use and encourage walking and cycling. The objectives also allow for appropriate residential uses to support the vitality of local centres.
16. 18-32A Darlinghurst Road has a maximum floor space ratio (FSR) of 3.5:1. 18-20 Darlinghurst Road has a maximum building height of 30m, which allows up to 10 storeys. 22-28 Darlinghurst Road, 30-30B Darlinghurst Road, and 32-32A Darlinghurst Road, all have a maximum building height of 22m, allowing up to six storeys.
17. Darlinghurst Road is within the Potts Point Elizabeth Bay Heritage Conservation Area which extends from the Garden Island Naval Depot in the north to Kings Cross Road in the South. The western boundary roughly follows Victoria Street, with Ward Avenue forming its eastern boundary. Two heritage items are located within the subject Darlinghurst Road precinct, being the Kings Cross Library at 50-52 Darlinghurst Road, and the building known as 'Minton House' at 72-80 Darlinghurst Road.
18. Under Sydney DCP 2012, the precinct is largely identified as a 'Late Night Management' late night trading area, and requires an 'active street frontage' to Darlinghurst Road, Roslyn Street, Kellett Street, Victoria Street, Springfield Avenue, and Llanckelly Place. About three quarters of buildings within the Darlinghurst Road precinct are identified as contributory buildings in the wider conservation area which should be retained, with only four detracting buildings. Unique signage provisions apply to Darlinghurst Road, as do street frontage height controls for most buildings in the precinct. The street frontage height controls generally reflect existing street wall heights for contributory buildings in the area.
19. Strategic contextThe site is located within the Harbour CBD area identified in the Greater Sydney Commission's Eastern City District Plan with an object to grow a stronger and more competitive Harbour CBD. Darlinghurst and Kings Cross feature vibrant urban heritage and creative and night-time activities which are vital to the visitor economy. The site has access to a range of employment, transport, retail, entertainment, medical, cultural, night time, recreation and other services and amenities. Surrounding land uses comprise a mix of residential, commercial, and retail uses.
20. The District Plan's actions for the Harbour CBD include strengthening the international competitiveness of the Harbour CBD, growing its internationally competitive commercial sector, supporting an innovation economy, providing residential development without compromising commercial development and providing a wide range of cultural, entertainment, arts and leisure activities and a diverse and vibrant night-time economy. The actions also require a review of 'planning controls to facilitate economic activity to deliver on jobs targets'.

Urban Design Study

21. In February 2018, Council commissioned Studio Zanardo to conduct an Urban Design Study in two stages. The first stage required an indicative design strategy for 18-32A Darlinghurst Road to illustrate how good design can achieve better outcomes within the current controls and establish design principles for the site. The second stage relates to the broader Darlinghurst Road area requiring site analysis of the precinct and an audit of the current planning controls.

22. The first stage of the urban design study is at Attachment C. The study includes an urban design analysis of the precinct and its context, an analysis of floor space employment survey (FES) data, photographic street elevations of Darlinghurst Road, the production of site-specific envelopes, an indicative urban design strategy for 18-32A Darlinghurst Road and a review of the existing controls. Key recommendations of the study include a building envelope for 18-32A Darlinghurst Road with a compliant solar access envelope, retention of buildings which have been identified as having heritage significance and setbacks for upper levels. Other recommendations relate to a minimum amount of non-residential floor space, maximum street frontage widths, diversity in tenancy sizes, variety in upper level setbacks, facade design details such as external finishes and materials, and window openings and proportions. The study has informed the key principles and provisions for the site and precinct.

Design Advisory Panel sub-committee

23. At the direction of Council, a Design Advisory Panel sub-committee was formed to provide high-level guidance for the Urban Design Study and the control review process. The DAP sub-committee has been closely involved in the Urban Design Study. Sub-committee members have regularly attended meetings, overseen the direction of the study and provided advice on its analysis and findings. The input of the sub-committee has been considered in the preparation of the planning proposal and draft DCP. The advice provided by the sub-committee is at Attachment F.

Heritage Assessment

24. Council commissioned PTW Architects to carry out a Heritage Assessment of 18-32A Darlinghurst Road. This is in response to the withdrawn 2017 development application which proposed the demolition of the majority of structures on site. The primary purpose of the heritage study is to confirm which properties should be considered for heritage listing.
25. The Heritage Assessment recommends Kingsley Hall at 1A Elizabeth Bay Road, the facade of The Bourbon at 22-24 Darlinghurst Road and The Empire Hotel at 32-32A Darlinghurst Road be listed. Kingsley Hall is an excellent architectural example of an Inter War flat building which retains a high degree of integrity, shown at Figure 5 below. The Bourbon has historic and social significance and its facade has aesthetic significance as an example of a Victoria villa, shown at Figure 6 below. The Empire has been heavily altered and has little significant fabric but is proposed to be listed as it has a high level of historic and social significance for its former use as the venue for Les Girls, as reflected during the community consultation process, and is shown at Figure 7 below.



Figure 5: Kingsley Hall at 1A Elizabeth Bay Road, Potts Point



Figure 6: The facade of The Bourbon at 22-24 Darlinghurst Road, Potts Point



Figure 7: The Empire at 32-32A Darlinghurst Road, Potts Point

26. The Heritage Assessment has also provided advice for new development at The Bourbon, including a stepped 8m setback behind the existing street wall for development above, and recommended street awning treatment for the block. To ensure the controls allow for flexibility whilst still giving the existing an appropriate visual and physical setting, the draft controls recommend a 6m setback that runs parallel to the boundary of the site.

Community consultation

27. Community consultation has been conducted as part of Council's review of the existing planning framework. CRED Consulting, Micromex Research and People, Place and Partnership were commissioned to undertake an online survey and workshop to better understand the community's views about the character, built form and experience of Darlinghurst Road, both now and in the future. The community workshop held on 5 July 2018 was attended by 76 community members and the online survey was completed by 250 people. The consultation reports are at Attachment E.
28. The workshop centred on five activities. The activities asked participants to characterise the area, reflect on recent changes in the precinct, document their experiences along the street, and identify architecture they liked in the context of Darlinghurst Road.
29. The key issues and themes identified in the consultation include:
- (a) Change - the views of the local community towards change are mixed. The area is evolving in ways perceived to be both positive and negative;
 - (b) Local character - the local community values the unique buildings and places, heritage and eccentric spirit of Darlinghurst Road, and believe its diversity should be protected;
 - (c) Darlinghurst Road as a high street - non-residential uses along Darlinghurst Road should not be reduced as these contribute to its vibrancy. The precinct should continue to fulfil its role as a diverse, unique retail and commercial local centre;
 - (d) Vacancy rates and maintenance - there is a strong desire amongst respondents to see the number of vacant tenancies reduce along Darlinghurst Road, and for the general maintenance and care for buildings improve; and
 - (e) Local architecture - there is a desire to protect and celebrate the collection of heritage, Art Deco and Victorian era buildings, as well as those with cultural and historical significance. A variety of architectural styles, scales, and materials are preferred, as are unique and detailed buildings.
30. The online survey also asked specific questions about the social, cultural and historical value or significance of The Bourbon and The Empire Hotel. A large number of responses noted that these sites were important, with particular focus on their iconic nature, historic, architectural and aesthetic significance, contribution to local character and streetscape. 50 per cent of respondents stated the Empire Hotel was significant from a social, cultural or historical perspective with 29 per cent of respondents stating it is significant to the LGBTQI+ community as the former site of Les Girls.

31. The community consultation has provided Council with insight into the values and concerns of the local community and has directly informed the proposed planning controls. Community feedback has led to the revision and reinforcement of principles contained within the Kings Cross locality statement in the DCP, has guided the approach to fine grain, supported heritage conservation and emphasised the need to preserve the commercial land use mix and activity of the street.

Key Implications

Proposed heritage listings in Sydney Local Environmental Plan 2012

32. It is proposed to amend the LEP to heritage list three items, including Kingsley Hall at 1A Elizabeth Bay Road, the facade of The Bourbon at 22-24 Darlinghurst Road, and The Empire at 32-32A Darlinghurst Road. The proposed heritage listings are described in the Planning Proposal at Attachment A.
33. A heritage assessment of the site, included as part of the planning proposal at Attachment A, has identified these items as having local historic and representative significance. The statement of significance for Kingsley Hall at 1A Elizabeth Road states:

Kingsley Hall is a fine example of a purpose built Inter-War Art Deco apartment building designed by the celebrated Sydney architect Emil Sodersteen. Being well sited on the corner of Darlinghurst Road and Barncleuth Square, and now overlooking Fitzroy Gardens, it is an important urban element within Potts Potts. Tightly and efficiently planned, each apartment commands a northerly aspect with views overlooking Potts Point and Sydney Harbour.

34. The statement of significance for The Bourbon at 22-24 Darlinghurst Road reads:

This building is significant as it demonstrates a complex social and associated architectural form and is representative of change in Potts Point, from speculative mansion terrace built by the entrepreneur Bakewell Brothers for wealthy professionals to use as a private hospital, managed by the prominent nurse Susan Bell McGahey, to boarding house, and later a celebrated nightclub.

35. The statement of significance The Empire at 32-32A Darlinghurst Road states:

The former Les Girls Nightclub, located on the upper floor of 32 Darlinghurst Road, was a unique and long standing club/cabaret of international standing. Here the company of talented female impersonators, Les Girls, performed with Carlotta... As an important part of the cosmopolitan life of 'The Cross' during the 1960s and 1970s, Les Girls performed within a low rise mixed used commercial building designed in the modernist style by the celebrated Sydney architect Neville Gruzman.

Proposed controls in Sydney Development Control Plan 2012

36. It is proposed to amend planning controls to ensure development on Darlinghurst Road conserves and respects heritage, provides appropriate land uses that support the zoning objectives, and maintains and contributes to the area's distinct local character. The proposed controls are described in the Draft DCP at Attachment B.

37. To deliver this outcome it is proposed to:
- (a) revise the locality statement for Kings Cross;
 - (b) apply development controls for the whole of the Darlinghurst Road precinct, with specific built form controls for the remaining precinct to be reported to Council at a later date; and
 - (c) apply site-specific built form controls for 18-32A Darlinghurst Road.
38. The built form envelope for 18-32A Darlinghurst Road based on the proposed controls is shown in Figure 8 below. Discussion of key proposed controls is provided below.

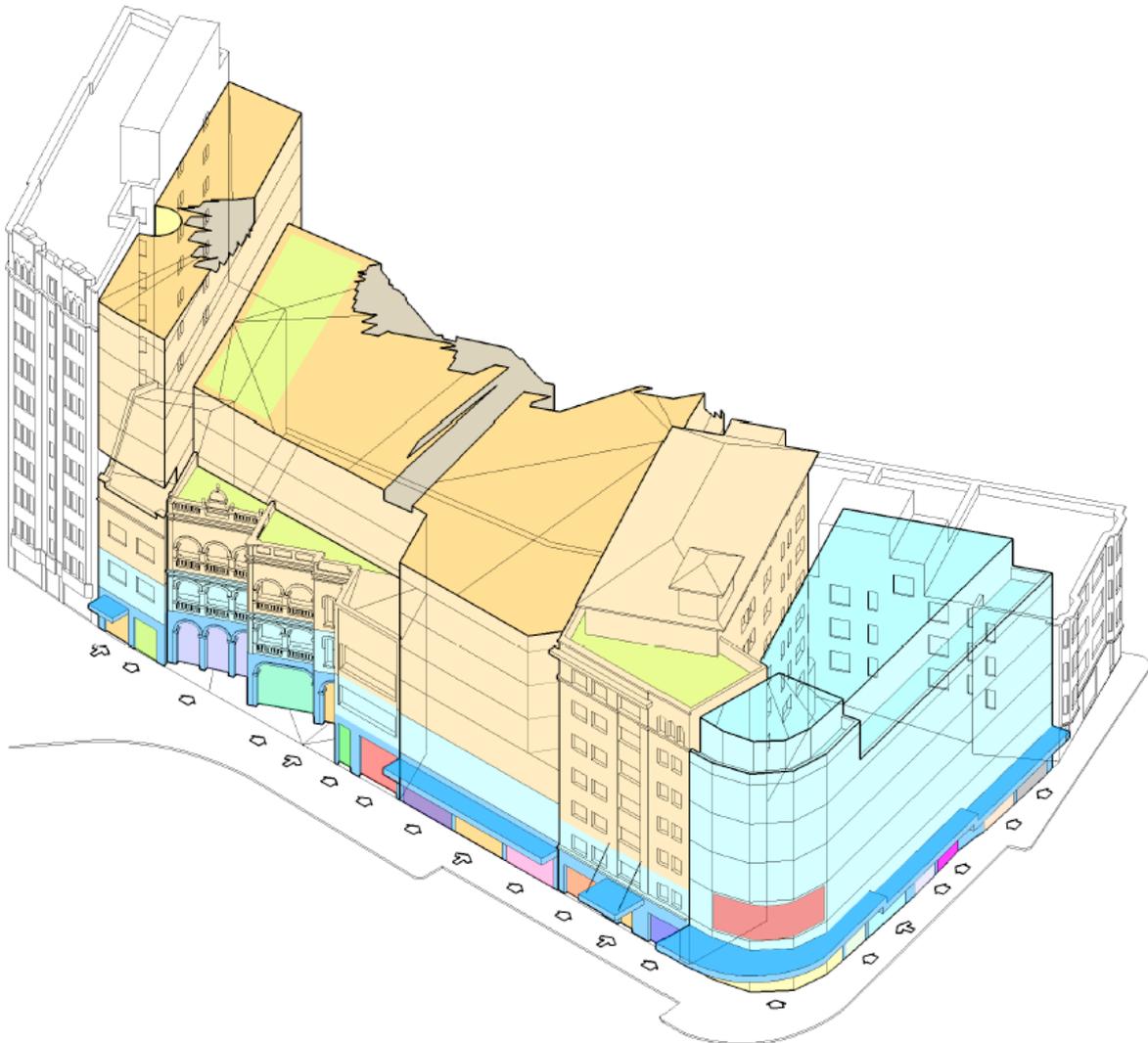


Figure 8: Built form envelope, reference scheme. Blue indicates non-accommodation use only, yellow indicates any use. Image: Studio Zanardo

Locality statement

39. The Locality Statement includes a description of the area's character and principles for new development. Darlington Road is within the Kings Cross locality and the statement and principles have been updated to incorporate the community's views on the existing and future character of Darlington Road. The updates reflect the characteristics of the area valued by the community including the unique buildings and places, heritage and eccentric spirit. The updates also highlight the importance to the community of future development of Darlington Road providing a unique retail and commercial main street, protecting heritage buildings and providing buildings with a human scale and that are unique, interesting and highly detailed.

Land use

40. The proposed DCP provisions in the B2 zone encourage a minimum of 50 per cent of floor space along Darlington Road to be for non-residential use. They also encourage non-residential uses to be located at the ground level and first floor across the precinct. These provisions support the objectives of the local centre zone and ensure commercial land uses are retained to reinforce the unique character of Darlington Road and enhance its role as a thriving and vibrant high street. They reflect the community's aspiration for Darlington Road to fulfil its role as a characterful retail and commercial 'main street' that offers a balance and diversity of experiences such as shops, restaurants, cafes, entertainment, culture, services, businesses and meeting places. The community did not want to see non-residential spaces displaced as they can make the area vibrant and give people reason to visit Darlington Road.

Built form

41. The proposed DCP provisions encourage a minimum setback for development above the street wall of The Bourbon of 6m from existing site boundary. Refer to Figures 9 and 10 below. A vertical addition above the three storey Lowestoft building at 18-20 Darlington Road is allowed. This setback complements the form of Kingsley Hall to the north. These setbacks ensure the buildings are given an appropriate visual and physical setting that retains their significance, and does not detract from the street wall, whilst providing flexibility for future design outcomes.



Figure 9: 6m parallel to boundary setback at The Bourbon (shown in blue). Image: Studio Zanardo

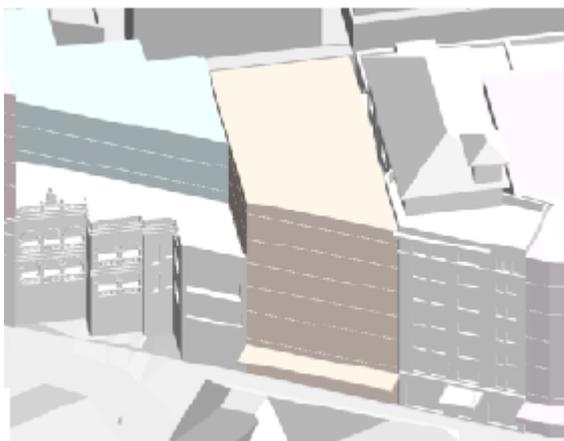


Figure 10: 6m parallel to boundary setback at The Bourbon (shown in blue). Image: Studio Zanardo

42. The proposed provisions encourage development above existing buildings at 18-32A Darlinghurst Road to reflect the existing subdivision pattern. This results in building massing that allows the additions to be read as individual and distinct from both the existing contributory buildings and one another, reflecting the existing urban grain of Darlinghurst Road. The proposed DCP reflects the community's desire for buildings of a human scale with a wide variety of styles, scales and forms.

Heritage

43. The proposed DCP provisions stipulate development must be sympathetic to and contribute to the existing local character of Kings Cross and Darlinghurst Road. This is to ensure new development is compatible with and complementary to existing heritage items and contributory buildings within the area. They also aim to ensure future development preserves and is respectful of the social and historic significance of sites within the precinct and of Darlinghurst Road as a whole. These controls reflect the high value the community placed on the heritage buildings and architectural diversity of Darlinghurst Road.
44. These provisions encourage the form of the Empire Hotel to be interpreted in any new building to recognise the social significance of the place. The building has been heavily altered but has social and historic significance for its former use so may be redeveloped. Any new building is to interpret the curved form of the building, its height and the former Les Girls sign.

Architectural articulation

45. The proposed controls detail specific design requirements for new development on these sites. These relate to the size and proportion of window openings and external finishes and materials, whilst discouraging large street frontages and exposed balconies. They will ensure new development fits into its surrounding context and supports the character of the high street environment. These provisions reflect the community's desire for buildings with visual appeal, uniqueness, diversity, human scale and that are highly detailed.

Urban grain

46. The Draft DCP indicates that development should consist of smaller commercial and retail tenancies at ground floor, with maximum tenancy sizes limited to 300 square metres, and maximum widths of 8m at street level. Similarly, mixed use development is to provide a separate residential entry foyer at the ground floor, and facades should be designed to feature vertical proportions. These controls ensure new development retains the established fine urban grain pattern of Darlinghurst Road and continues to encourage activity on the street with many, different uses and opportunities for smaller businesses. First floor or basement space will be available for larger businesses and non-residential activities such as medical services, local offices and cultural uses. The variety of spaces for non-residential uses contributes to the community's aspiration for a balance and diversity of uses such as shops, restaurants, cafes, entertainment, culture, services, businesses and meeting places.

Design excellence

47. The Draft DCP sets out a design excellence strategy for 18-32A Darlinghurst Road. This will enable a proponent to undertake a design competition consistent with the built form envelope in the DCP and proceed to a detailed development application. Given the heritage and amenity constraints of the site the Draft DCP sets out that any additional floor space awarded through design excellence may only be located in the basement.

Strategic Alignment - Sustainable Sydney 2030 Vision

48. 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. The Draft DCP and planning proposal is aligned with the following strategic directions and objectives:

- (a) Direction 1 - A Globally Competitive and Innovative City - the proposed controls are designed to ensure the city maintains its critical economic role and continues to provide opportunities for business, workers, residents, visitors, and the wider Sydney community.
- (b) Direction 6 - Vibrant Local Communities and Economies - the proposed controls intend to ensure new development on Darlinghurst Road sustains and enhances the local economy, and continues to provide high quality facilities and services for the existing community, future residents, workers, and visitors.
- (c) Direction 7 - A Cultural and Creative City - the proposed controls support the cultural life and diversity of Potts Point through the retention and promotion of uses with social and historic significance as well as allowing for night-time and creative uses.

Social / Cultural / Community

- 49. The Draft DCP responds to issues and concerns identified and raised by the local community. It establishes controls that aim to maintain the commercial character of the precinct, as well as facilitate future commercial uses to continue to service the local community and visitors alike.

Economic

- 50. The continued provision of non-residential uses within the Darlinghurst Road precinct is integral to preserving the diverse, vibrant character and commercial nature of the precinct.

Relevant Legislation

- 51. Environmental Planning and Assessment Act 1979.
- 52. Environmental Planning and Assessment Regulations 2000.

Public Consultation

- 53. If Council and the Central Sydney Planning Committee approve the planning proposal, it will be forwarded to the Greater Sydney Commission with a request for a Gateway Determination to allow public exhibition.
- 54. If the draft planning controls are endorsed, public consultation will take place in accordance with planning legislation. The public exhibition process for the Planning Proposal will be subject to the conditions on the Gateway Determination issued by the Department of Planning and Environment.

55. The City will notify the public of the exhibition of the planning proposal and the draft DCP on the City's website, in newspapers that circulate widely in the area and in writing to the land owners, relevant community groups and stakeholders near the precinct. Exhibition documents will be made available for viewing on the City of Sydney website and at the relevant neighbourhood service centre and one stop shop.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

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