

and 45m are used for commercial premises and/or publicly owned facilities or establishments and the street frontage height is compatible with the context.

**Table 5.2: Minimum Street Setbacks**

Minimum Street Setbacks			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to Public Places with a width greater than 8m wide	<b>8m or 6m where adjoining sites Street Setbacks are less than 6m</b>	<b>8m*</b>	<b>8m*</b>
		Frontage adjacent to Public Places with a width up to 8m wide (eg lanes)	<b>2m</b>	<b>8m*</b>	<b>8m*</b>
	Heritage items outside Special Character Areas		<b>10m to Public Places greater than 8m wide (streets). 2-10m on Public Places up to 8m wide (lanes) determined by heritage values and context.</b>		

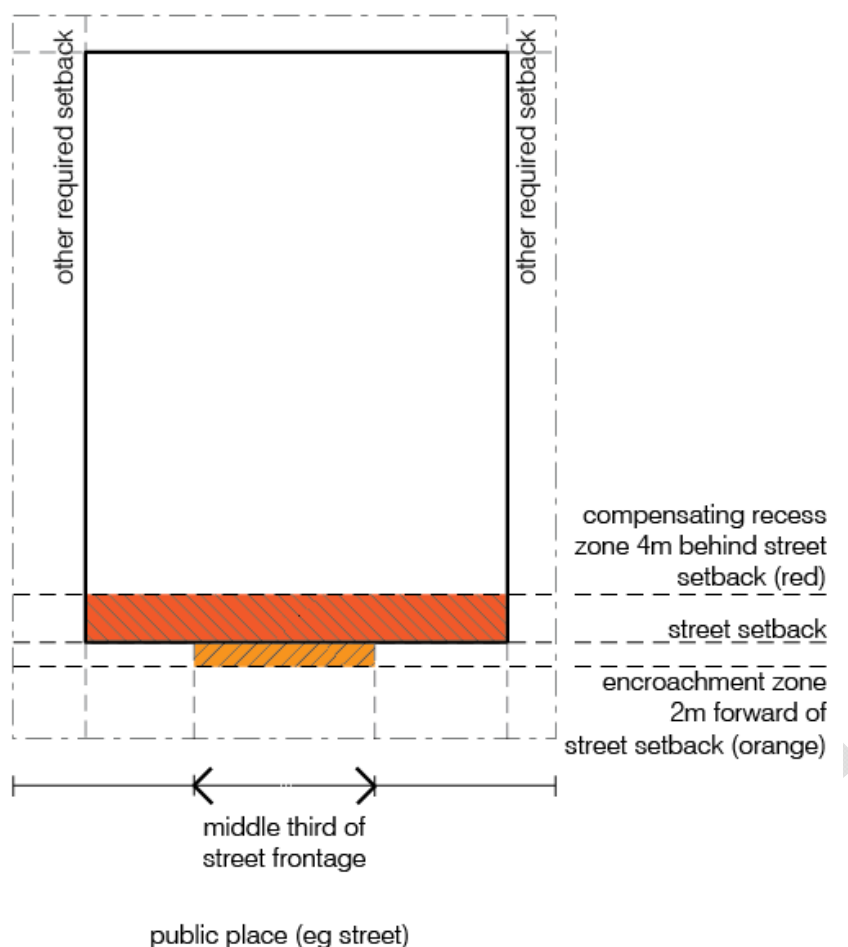
\* may be varied subject to 5.1.1.1(2)

(3) Where noted in Table 5.2 Minimum Street Setbacks and on the Special Character Area maps, variation to Street Setbacks may be permitted to building massing that provides:

- (a) encroachment(s) 2m forward of the minimum Street Setback within the middle third of the frontage to a Public Place and provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback; or
- (b) equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance).

Procedures for demonstrating compliance with 5.1.1.1(3)(a) and (b) are set out in Schedule 11.

(4) Notwithstanding Section 5.1.1, greater Street Setbacks may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.4 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.



**Figure 5.2:** Setbacks provide building design flexibility – Minimum Street Setbacks may be varied in accordance with Section 5.1.1.1(3) and the procedures for demonstrating compliance at Schedule 11.

### 5.1.1.2 Street Frontage Heights and Street Setbacks in Special Character Areas

#### Value Statement

Central Sydney contains a number of areas with special and distinctive character (Special Character Areas) that are important to the identity and character of Central Sydney. The boundaries of Special Character Areas are shown in Figure 2.1.

These areas include a number of distinctive qualities: a character unmatched elsewhere in Central Sydney; a concentration of heritage items and quality streetscapes, and; a focus of public life with high cultural significance. They often include a highly distinctive element in the public domain, are structured around a significant park or other Public Place, and are deliberately planned in such a way so as to enhance public view corridors.

Sydney LEP 2012 identifies a number of Special Character Areas that significantly contribute to the quality of the public domain and the distinctiveness of Central Sydney. Development in Special Character Areas can reinforce and enhance the existing character by responding to Special Character Area Street Frontage Heights and setbacks and the locality statements and principles for each Special Character Area in Section 2.

## Objectives

- (a) To ensure appropriate height transitions between development, heritage items and buildings in Special Character Areas as required by Clause 4.3 of Sydney LEP 2012.
- (b) To enhance the distinctive attributes and qualities of the built form, streetscapes and Public Places of the Special Character Areas.
- (c) To ensure development is compatible with distinctive character and significance of each Special Character Area.
- (d) To enhance the heritage significance of heritage items and their settings.
- (e) To enhance existing public views and public vistas to heritage items and places of historic and aesthetic significance.
- (f) To ensure development has regard to the fabric and qualities of heritage items within Special Character Areas in respect of scale, form, modulation, articulation, proportion, street alignment, materials and finishes
- (g) To enhance the level of sunlight and daylight access to streets, lanes, parks and other public domain spaces.
- (h) To provide clear guidance about permitted heights and setbacks in Special Character Areas by way of detailed Special Character Area Maps.

## Provisions

- (1) The Street Frontage Height and Street Setbacks of development in a Special Character Area must be in accordance with:
    - (a) Street Setbacks as shown in the Special Character Area maps at Figures 5.3 to 5.15;
    - (b) the minimum Street Frontage Height controls provided in Table 5.3; and
    - (c) the maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.3 to 5.15.
- Note:** development adjacent to Heritage Items must also address the requirements of Section 5.1.3.1.
- (2) The minimum Street Frontage Height of development within a Special Character Area, or part thereof, not specified in Table 5.3 must comply with the permissible range of Street Frontage Heights set out in Table 5.1.

**Table 5.3:** Minimum Street Frontage Heights for Special Character Areas

Special Character Area	Map reference	Minimum Street Frontage Height
Bridge Street Macquarie Place Bulletin Place	A	<b>15m</b>
Chifley Square	B	<b>35m</b>
Circular Quay	C	<b>25m</b>
College Street Hyde Park	D	<b>The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, excluding the Great Synagogue at 187A Elizabeth Street which cannot be used as a minimum.</b>
Farrer Place	E	<b>35m</b>
Haymarket Chinatown	F	<b>15m or the street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, whichever is smaller.</b>
Macquarie Street	G	<b>The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street.</b> <b>Note:</b> Refer to the conservation management plan controls for sites on the eastern side of Macquarie Street, Sydney
Martin Place	H	<b>45m</b>
Pitt Street Mall	I	<b>35m for sites north of King Street; and 25m for sites south of King Street</b>
Railway Square / Central Station	J	<b>No minimum</b>
Sydney Square Town Hall and St. Andrews	L	<b>20m</b>
Wynyard Park Lang Park	M	<b>45m</b>
York Street Clarence Street Kent Street	N	<b>20m</b>



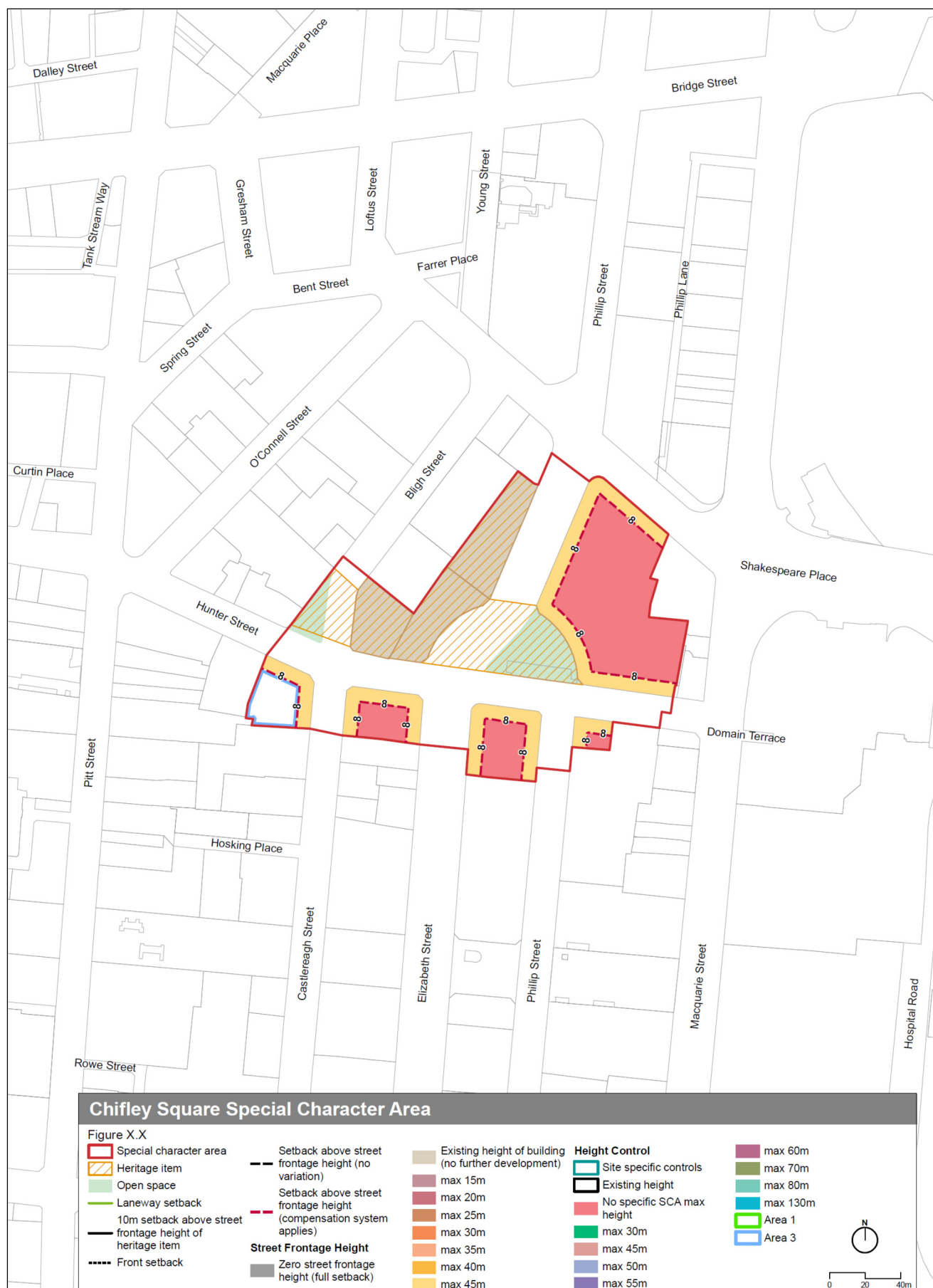


Figure 5.4: Chifley Square Special Character Area





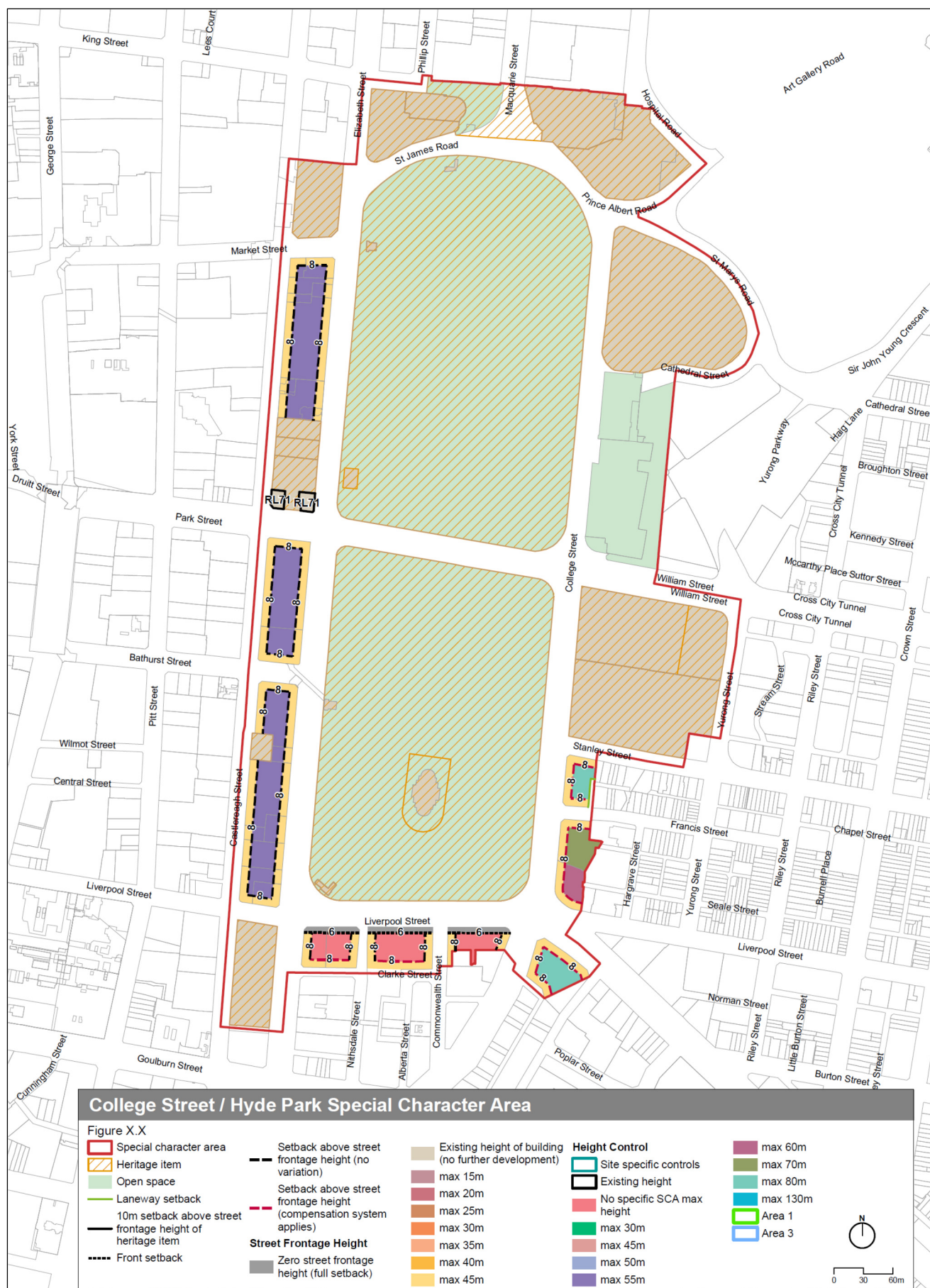


Figure 5.6: College Street/Hyde Park Special Character Area





Figure 5.7: Farrer Place Special Character Area

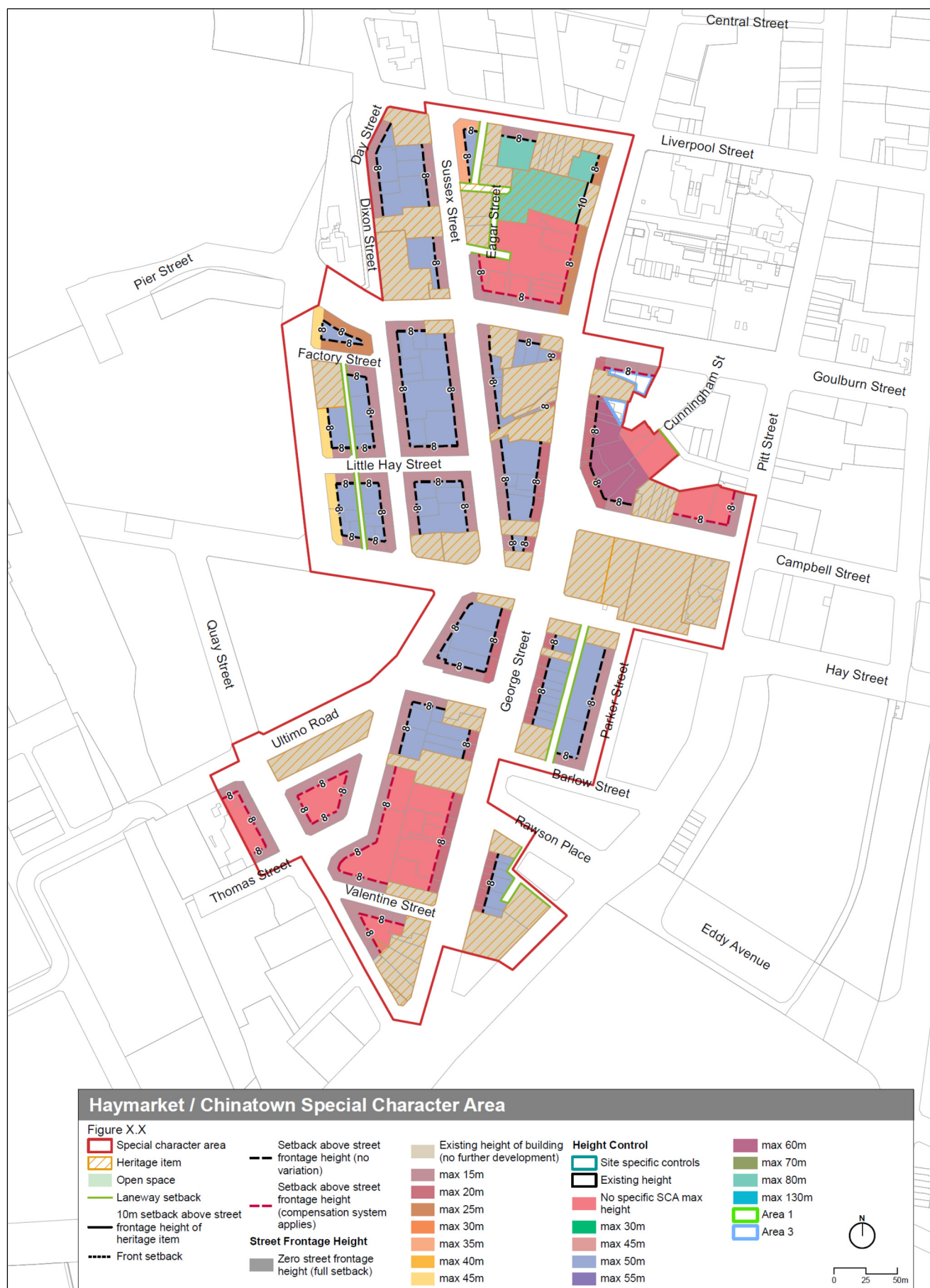


Figure 5.8: Haymarket/Chinatown Special Character Area