

Attachment B

**Sydney Development Control Plan 2012
187 Thomas Street Haymarket
Amendment**

Sydney Development Control Plan 2012 – 187 Thomas Street, Haymarket



The purpose of this Development Control Plan

The purpose of this Development Control Plan (DCP) is to amend the *Sydney Development Control Plan 2012*, which was adopted by Council on 14 May 2012 and came into effect on 14 December 2012.

The amendment provides objectives and provisions to inform future development on 187 Thomas Street, Haymarket.

This plan is to be read in conjunction with draft Planning Proposal: 187 Thomas Street, Haymarket.

Citation

This amendment may be referred to as *Sydney Development Control Plan 2012 – 187 Thomas Street, Haymarket*.

Land covered by this plan

This land applies to the identified as 187 Thomas Street, Haymarket – which is Lot 100 DP 804958.

Relationship of this plan to Sydney Development Control Plan 2012

This plan amends the Sydney Development Control Plan 2012 in the manner set out in Schedule 1 below.

Schedule 1 – Amendment to Sydney Development Control Plan 2012

Figure 6.1 Specific sites map

Amend Figure 6.1: Specific sites map to include 187 Thomas Street, Haymarket.

Amendment to Section 6.3

Insert a new sub-section at the end of Section 6.3 containing all text and figure as shown below, with existing text shown in *italics* and deleted text shown as ~~striketrough~~.

6.3.# 187 Thomas Street, Haymarket

The following objectives and provisions apply to 187 Thomas Street, Haymarket as shown in 'Figure 6.1 Specific sites map', where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.## of the Sydney LEP 2012 enables development to exceed the height and floor space ratio shown in the building height in metres and floor space ratio maps up to a prescribed amount, providing the subject site is developed for commercial use.

If a development at 187 Thomas Street, Haymarket, seeks to utilise additional height or floor space ratio permitted by clause 6.## of the Sydney LEP 2012, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

- (a) Provide detailed controls to satisfy the provisions of Clause 6.## 187 Thomas Street, Haymarket in Sydney LEP 2012.
- (b) Facilitate the redevelopment of the site to achieve a high quality urban form.
- (c) Ensure that development on the site results in significant public benefits.
- (d) Ensure publicly accessible open space is fronted with active uses and suitable for outdoor dining.
- (e) Enable additional building height where the redevelopment of the site does not include residential or serviced apartment uses.
- (f) Define the maximum envelope that respects the local context and achieves acceptable levels of solar access, acoustic amenity, wind comfort and daylight.
- (g) Deliver additional publicly accessible space adjacent to the future public square to be located on Quay Street.
- (h) Meet high performance benchmarks for ecologically sustainable development.
- (i) Maximise active frontages with retail and business premises uses at ground level and minimising services, vehicle access and lobbies.
- (j) Provide a through-site link to improve pedestrian permeability for the public and support greater activation.
- (k) Incorporate high-quality public art.

Provisions

6.3.X.1 Maximum Envelope

- (1) Building massing, height, footprint and setbacks are to be consistent with 'Figure 6.XX – Indicative envelope massing' and 'Figure 6.XX Elevation of indicative envelope'.
- (2) The maximum building height is to be RL 226.80m to the highest point on the building including any plant and rooftop architectural features.

- (3) Building height of the various components of the building is to be consistent with 'Figure 6.XX Elevation of indicative envelope', specifically:
 - (a) the maximum street wall height facing Thomas, Quay and Valentine Street shall not exceed RL 33.20m;
 - (b) the opening/void tower component of the building is to have a minimum height of RL 54.40m;
 - (c) the commercial tower component of the building is to have a maximum height of RL 175.60m; and
 - (d) the skyrise component of the building is to have a maximum height of RL 226.80m.
- (4) Tower setbacks are to be consistent with 'Figure 6.XX Indicative envelope – setbacks', specifically:
 - (a) a ground floor setback of 4.8m to Quay Street;
 - (b) a podium setback of 14m to the Sutton Forest Meat building;
 - (c) the opening/void tower component of the building (between RL 33.20m and 54.40m) is to be setback 26.5m from the northern boundary (with the exception of support columns);
 - (d) the tower (above RL 33.20) is to include the following setbacks:
 - (i) 8m to Valentine Street;
 - (ii) 10m to Quay Street;
 - (iii) 3m to the northern boundary;
 - (iv) 5m to the eastern boundary (with the exception of the lift core, which has a 1m setback to a height of RL 158.60m); and
 - (e) upper level setback (above RL 155.40m) of 24m from Quay Street.
- (5) The envelope detailed in 'Figure 6.XX – Indicative envelope massing' is the maximum permissible extent of the building form, and the final building design must be appropriately massed wholly within this envelope.
- (6) Tower setbacks are to maintain views from the public domain to Christ Church St Laurence as viewed from the future Quay Street public square and from Thomas Street towards to the future Quay Street public square.

6.3.X.2 Ground floor

- (1) Entry to the basement carpark is to be located at the north of the site from Thomas Street, as shown on 'Figure 6.XX Indicative ground floor layout plan'.
- (2) All street frontages and the through-site link, as shown on 'Figure 6.XX Indicative ground floor layout plan', are to be activated with retail or business premises or both.
- (3) The building shall maximise active frontages by minimising building services, vehicle entries and lobbies.

6.3.X.3 Wind

- (1) A quantitative wind effects report is to be submitted with a detailed development application for the subject site.
- (2) The quantitative wind effects report is to demonstrate that the proposed development will not:
 - (a) cause wind speeds that exceed the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks except where the existing wind speeds exceed the standard; and
 - (b) worsen an existing wind condition that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks by increasing the spatial extent, frequency or speed of the wind.
- (3) The quantitative wind effects report is to further demonstrate the proposed development incorporates measures to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing.

Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standard for Sitting in Parks is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

- (4) The building shall be designed to mitigate wind impacts on Thomas and Valentine Streets, including through the use of active systems, form, materials and where necessary, redistribution of building bulk as shown in 'Figure 6.XX Wind mitigation envelope options'.

6.3.X.4 Haymarket Special Character Area

- (1) The development is to complement the civic character of the Haymarket Special Character Area by way of suitable façade composition, building materials, colours and textures, and by appropriate building articulation.
- (2) The building is to be designed to positively contribute to vistas, preserve key views and enhance the skyline in the locality.

6.3.X.5 Development Adjacent to Heritage Items

- (1) The development is to be designed to respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the former Sutton Forest Meat heritage item at 757-759 George Street.
- (2) The maximum street wall height fronting Valentine Street extending 14m to the west of the boundary with the Sutton Forest Meat building is to be RL 23.20m consistent with the height of the heritage item.
- (3) Consideration is to be given to the impact the development would have on the significance, setting, landmark values and ability to view and appreciate the heritage item from public places.
- (4) The development is to respond to and maintain the significant view corridor towards the Christ Church St Laurence heritage item at 814A George Street through appropriate podium height and setbacks.

6.3.X.6 Public Domain

- (1) A ground floor setback of at least 4.8m to Quay Street is to be included to provide additional publicly accessible open space to be read as an extension of the future public plaza on Quay Street.
- (2) The building is to be planned and designed to accommodate future conversion of adjacent streets into shared or pedestrian zones and associated stormwater works.
- (3) Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.
- (4) High quality public art is to be incorporated into the design of the publicly accessible open space adjacent to the future public plaza on Quay Street.
- (5) A feature tree is to be located in the publicly accessible open space adjacent to the future public plaza on Quay Street.

6.3.X.7 Residential Amenity

- (1) The building is to provide a high level of amenity for occupants of the adjacent residential building by ensuring:
 - (a) good solar access – minimum 2 hours direct sunlight between 9.00am and 3.00pm on 21 June; and
 - (b) a void at the north wing of the building is to be provided between RL 33.20m and RL 54.40m with a minimum setback of 26.5m from the northern boundary.
- (2) The design, construction and ongoing operation of the external terrace through a management plan is to minimise any adverse acoustic impacts to adjacent residents, as follows:
 - (a) the hours of operation are to be restricted to 7.00am to 8.00pm Monday to Friday;
 - (b) no playing of amplified speech or music will be undertaken on the external terrace; and
 - (c) acoustic absorption shall be applied to the underside of the building structure above the external terrace:
 - (i) Absorption will be included to approximately 50% of the soffit above; and
 - (ii) Include a material or construction with a minimum NRC of 0.6.

6.3.X.8 Parking and vehicular access

- (1) Parking on site is to be limited to a total of not more than 79 car parking spaces having regard to the site's high level of accessibility by public transport services and active transport modes.
- (2) Vehicular access to the basement is to be from Thomas Street only, with no access from Quay or Valentine Streets.
- (3) Site loading facilities are to be useable and delivery and servicing needs are not to impact the use of the footpath in any way.

6.3.X.9 Design Excellence Strategy

- (1) An invited architectural design competition is to be undertaken in accordance with clause 6.21 of the Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy.
- (2) The competition is to include:
 - (a) no less than five competitors;
 - (b) the majority to be local or national Australian firms; and
 - (c) include emerging and established architectural forms.
- (3) The jury is to comprise a total of six (6) members. The proponent is to nominate three (3) jurors and the City of Sydney is to nominate three (3) jurors.
- (4) Any additional floor space pursued for a building demonstrating design excellence under clause 6.21(7)(b), is to be accommodated within the building envelope shown within 'Figure 6.XX – Indicative envelope massing'.
- (5) No additional building height under clause 6.21 (7)(a) is to be awarded as a result of the competition.

6.3.X.10 Sustainability

- (1) The building is to be designed to meet 5.5 star NABERS Energy rating for the commercial component and 4.5 star NABERS Energy rating for the hotel component, evidenced by provision of NABERS Energy Commitment Agreement at detailed design stage.
- (2) The building is to be designed to meet a 4 star NABERS Water score for both the commercial and hotel components as evidenced by hydraulic engineers report at detailed design stage.
- (3) The building is to include photovoltaic systems to achieve a minimum of 88kWp.
- (4) The building is to include a rainwater harvesting and storage strategy.

Sydney Development Control Plan 2012 – 187 Thomas Street, Haymarket

Figure 6.XX 187 Thomas Street, Haymarket – Indicative envelope massing

Insert new figure – 187 Thomas Street – Indicative envelope massing

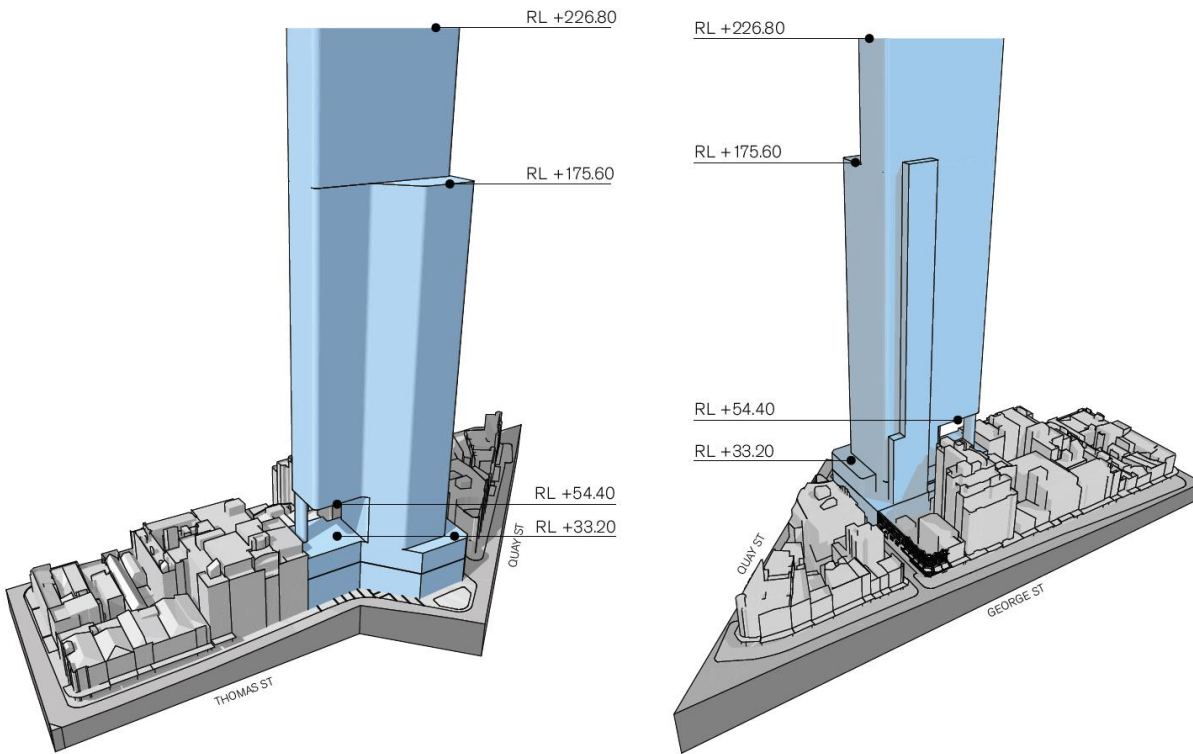


Figure 6.XX 187 Thomas Street, Haymarket – Elevation of indicative envelope

Insert new figure – 187 Thomas Street – Elevations of indicative envelope

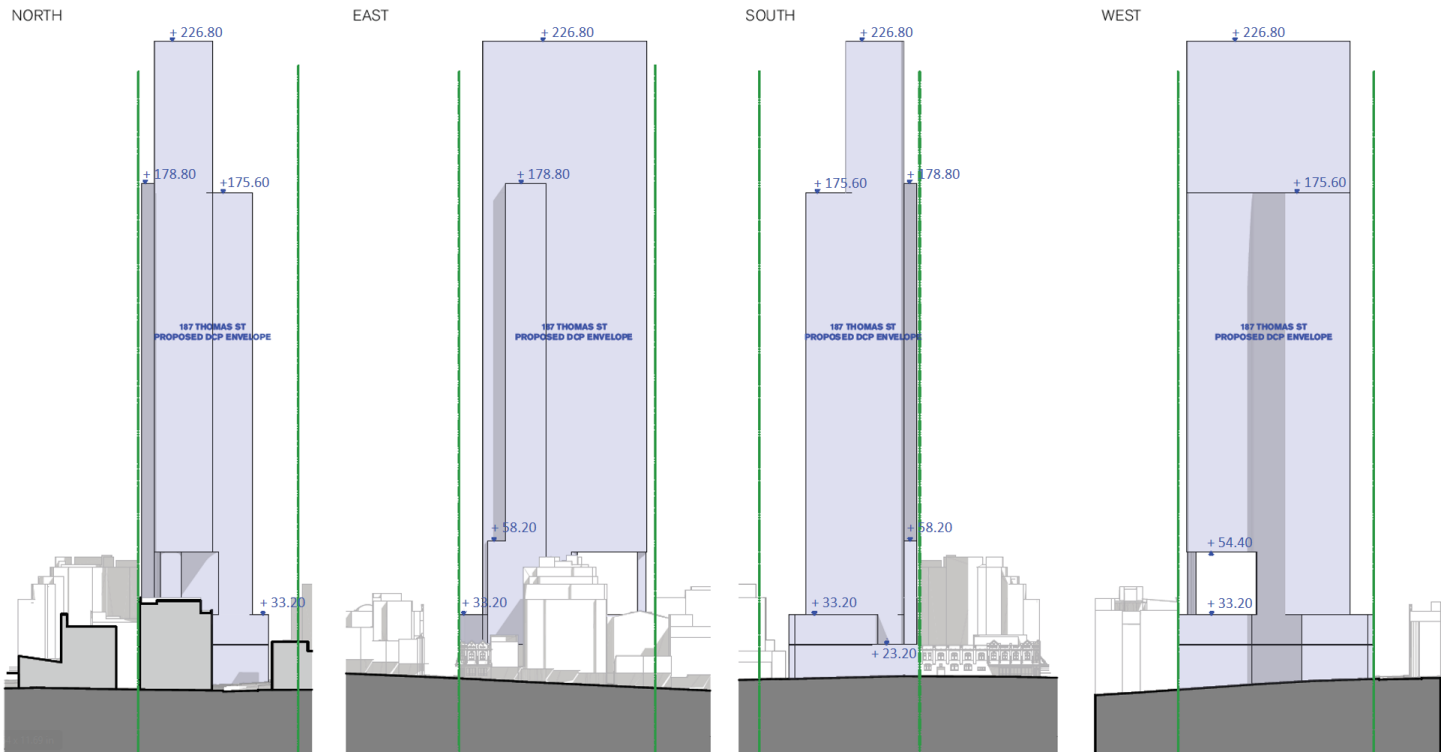


Figure 6.XX 187 Thomas Street, Haymarket – Cross-section of indicative envelope

Insert new figure – 187 Thomas Street – Cross-section of indicative envelope

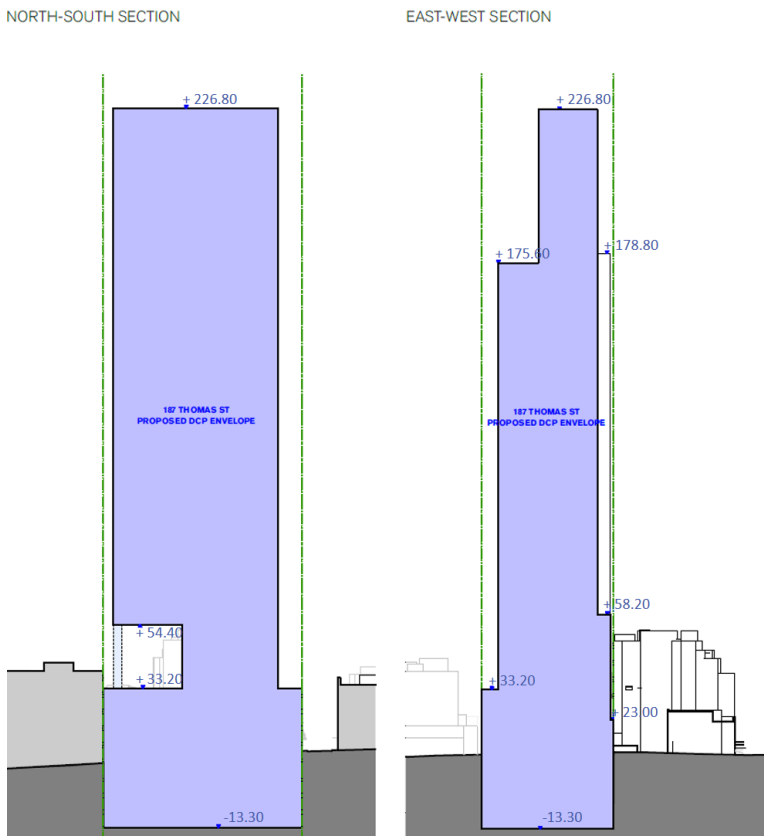


Figure 6.XX 187 Thomas Street, Haymarket – Indicative envelope – setbacks

Insert new figure – 187 Thomas Street – Indicative envelope – setbacks

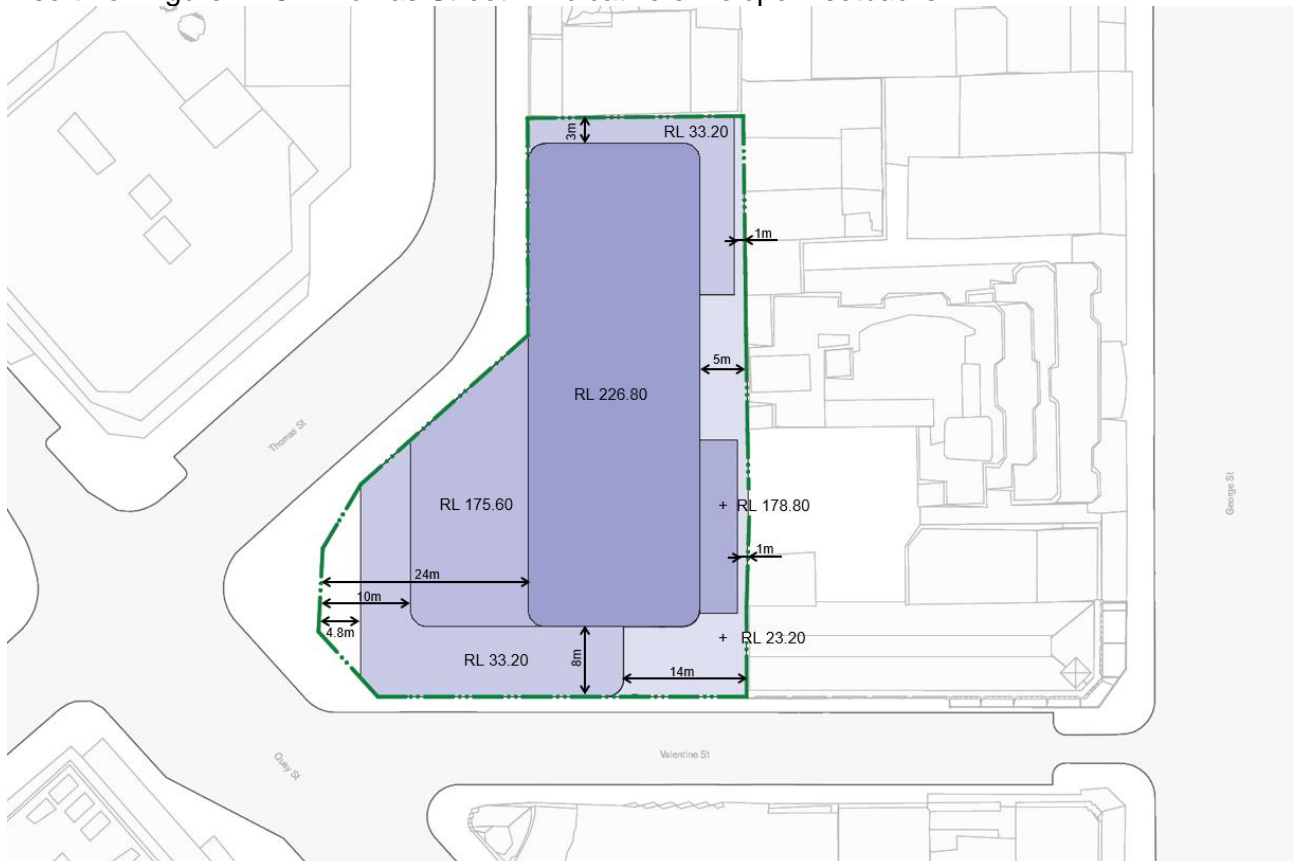


Figure 6.XX 187 Thomas Street, Haymarket – Indicative envelope – void tower floor plan

Insert new figure – 187 Thomas Street – Indicative envelope – void tower floor plan

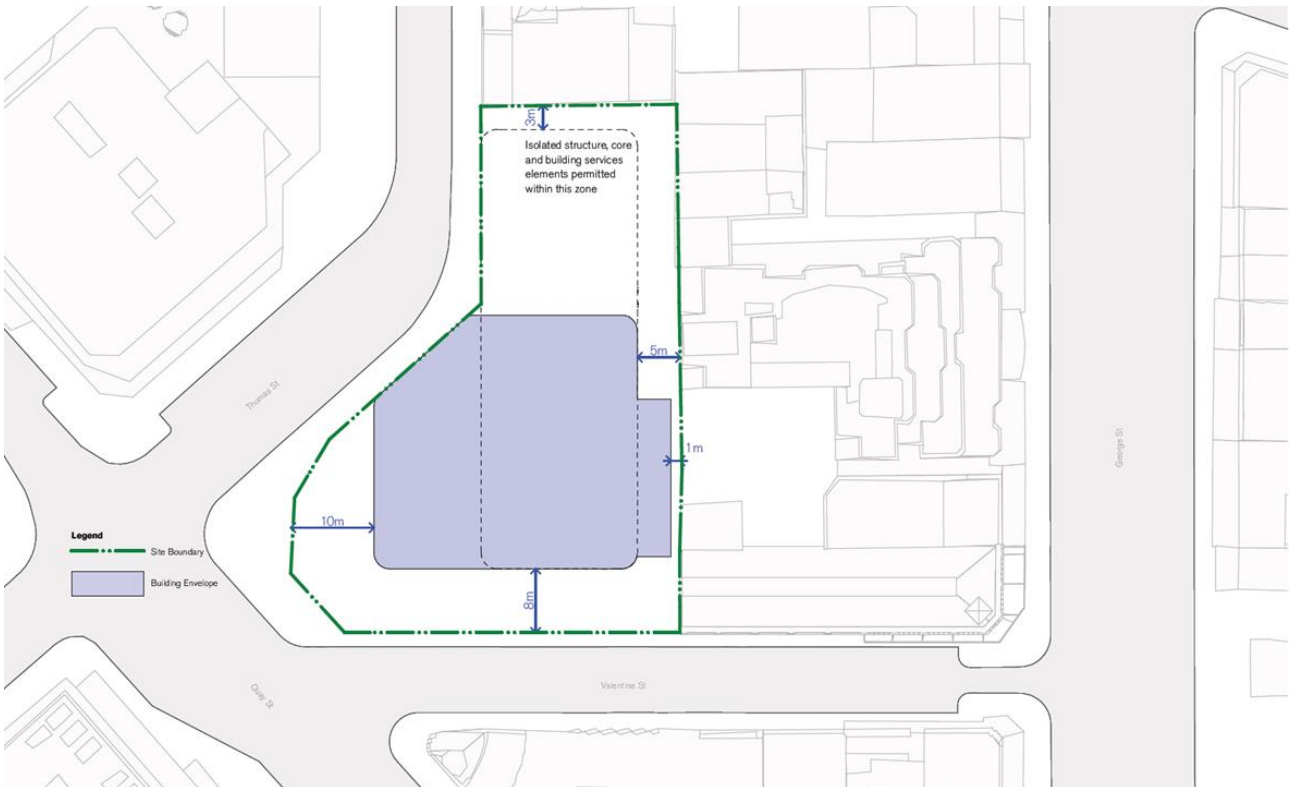


Figure 6.XX 187 Thomas Street, Haymarket – Indicative ground floor layout plan

Insert new figure – 187 Thomas Street – Indicative ground floor layout plan

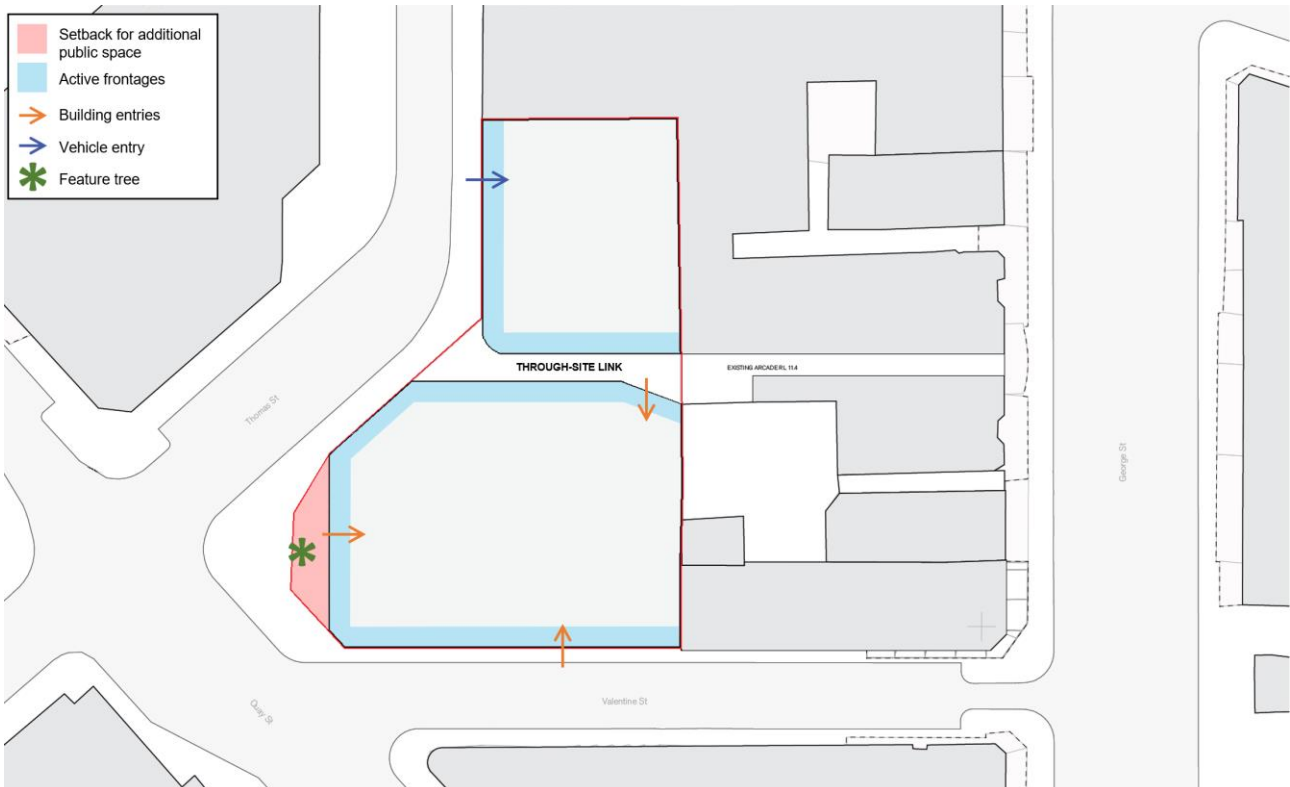


Figure 6.XX 187 Thomas Street, Haymarket – Wind mitigation envelope options

Insert new figure – 187 Thomas Street – Wind mitigation envelope options

