

Attachment G

**Draft Guideline for Site Specific Planning
Proposals in Central Sydney**

Guideline for Site Specific Planning Proposals in Central Sydney

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Introduction

This Guideline details the planning pathway to access additional height and density through site specific planning proposals in Central Sydney.

It outlines the steps for the preparation and consideration of site specific planning proposal requests (Requests).

Consistent with the Central Sydney Planning Strategy (the Strategy), the Guideline limits these growth opportunities to employment floor space and promotes the efficient use of land. It provides for the delivery of cultural, social and essential infrastructure and improved public spaces that support growth.

The introduction of Tower Cluster Areas in the 2020 proposal has embedded growth in the LEP, however there is still a need to clarify the requirements for planning proposals for Central Sydney.

The Guideline outlines the methodology for determining a possible maximum building envelope as well as the minimum submission requirements for a Request including requirements for:

- understanding the unique opportunities of the proposition
- using land efficiently
- the walking space guide
- site testing (including wind and daylight)

The Guideline outlines matters for consideration in determining if a Request has strategic merit. These matters also inform the City's consideration of State Significant projects.

By outlining the minimum requirements for preparing and considering a Request, and extending these considerations to State Significant projects, the Guideline:

- provides a streamlined pathway
- promotes the planning and land use principles of the NSW Government's Greater Sydney Region Plan and Eastern City District Plan; and the City's Local Strategic Planning Framework and Sustainable Sydney 2030 program, and
- increases public confidence in local planning decisions, by providing transparency, consistency and certainty as to process and outcomes.

Ultimately, whether a Request is supported or not, or what form a Request is supported in, is subject to a strategic merit assessment and the determination of Council and the Central Sydney Planning Committee.

A **site specific planning proposal** contains a justification for and the intended effect of a change to planning controls in a local environmental plan (LEP). Changing planning controls is a statutory process set out in the *Environmental Planning and Assessment Act 1979*.

In the City of Sydney, changes will require amendment to Sydney LEP and will generally be accompanied by an associated amendment to Sydney DCP.

The process for making a Request is outlined on page 5. Requests are considered made when all documentation prepared in accordance with the Guideline is lodged with Council and the appropriate fee is paid.

Terms used in this Guideline

Sydney LEP	Sydney Local Environmental Plan 2012 (the Guideline assumes Planning Proposal: Central Sydney is made)
Sydney DCP	Sydney Development Control Plan 2012
FSR	floor space ratio as defined by Sydney LEP a measure of density

This Guideline applies throughout Central Sydney and complements Sydney LEP 2012 by acknowledging and providing for an additional pathway for increased height and density as outlined in legislation.

Development contributions, as set out in the draft Central Sydney Development Contributions Plan 2020, will apply when the contributions plan comes into effect.

Stage 1 – Undertake pre-planning

Before preparing a Request proponents are to seek pre-Request advice from the City. The following minimum information should be prepared for discussion:

- an assessment against the Guideline's minimum site tests (see section 8)
- concept level urban design analysis and built form drawings, including indicative site layout, building envelopes, proposed heights and floor space ratio (including a schedule of the areas within the development)
- wind, daylight/sky view factor testing
- indicative public benefit offer, and
- indicative amalgamation or easement details.

Before providing pre-Request advice, the City may seek comment from the Central Sydney Planning Committee (CSPC), Design Advisory Panel (DAP) and relevant City staff on the merits of the potential Request and public benefit offer.

The pre-planning stage is critical as it sets the key parameters for future planning. Demonstrating best endeavours in achieving amalgamations or easements for light and air may take more than 12 months to investigate and document.

Stage 2 - Prepare a Request

The Proponent makes a Request in the form of a justification report. This must be prepared in accordance with the Act, the *Standard Instrument – Principal Local Environmental Plan* (Standard Instrument) and guidelines published by the Department of Planning and Environment, including *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

To lodge a Request the Proponent requires a Request to Prepare a Planning Proposal form, Request Checklist and confirmation of fee. The form, checklist and details of fees are available on the City's website.

The Proponent is to provide any technical studies required to support the Request including those outlined in the Request Checklist.

Stage 3 - Lodge a Request

Requests must be lodged in accordance with the Request to Prepare a Planning Proposal form and Request Checklist then uploaded through the Department of Planning, Industry and Environment's e-Planning Portal.

Stage 4 – Consideration by the City

A Request for additional height and/or density is more likely to be supported where planning merit is appropriately demonstrated. The Request must be consistent with state and local planning strategies and plans, demonstrate the use and built form is appropriate, show that it is of net public benefit and it materially contributes to the aims, objectives and actions of the Central Sydney Planning Strategy.

Stage 5 – Draft Planning Agreement

Public benefits are typically secured in a Planning Agreement between the Council and the Proponent. The process for the preparation of a Planning Agreement is outlined in the City's Planning Agreement Guidelines.

Stage 6 – Reporting and public exhibition

If the Request is supported, including an appropriate public benefit offer, the City will prepare a report, planning proposal and DCP for the consideration of Council and the CSPC. Council will also consider the appropriateness of the public benefit offer.

If Council and the CSPC endorse the public exhibition of the planning proposal and public benefit offer, the planning proposal is referred to the Department of Planning, Industry and Environment for Gateway Determination. If a Gateway is issued, the planning proposal, DCP and planning agreement will be placed on public exhibition.

Stage 7 – Making a Local Environmental Plan

After the exhibition period the City will consider all submissions and the outcomes of the exhibition will be reported to Council and the CSPC. If approved, the draft Planning Proposal will either be referred to the Minister for Planning to 'make' the LEP or, if that has been delegated by the Minister, Council will resolve to 'make' the LEP.

The LEP will not be made until the planning agreement has been executed and registered on the title of the land. Once made, the LEP comes into effect once it is published on the NSW Legislation website.

Central Sydney Planning Strategy

In February 2020, Council and the Central Sydney Planning Committee endorsed the draft Central Sydney Planning Strategy (the Strategy) for public exhibition along with the Central Sydney: Planning Proposal, amendments to the Development Control Plan, amendments to the Competitive Design Policy and a new Central Sydney Contributions Plan.

The Strategy supported changes to planning controls that embeds opportunity for additional height and density through Tower Cluster Areas. However, it is important to acknowledge a pathway for Requests to increase height and density controls remains under the legislation.

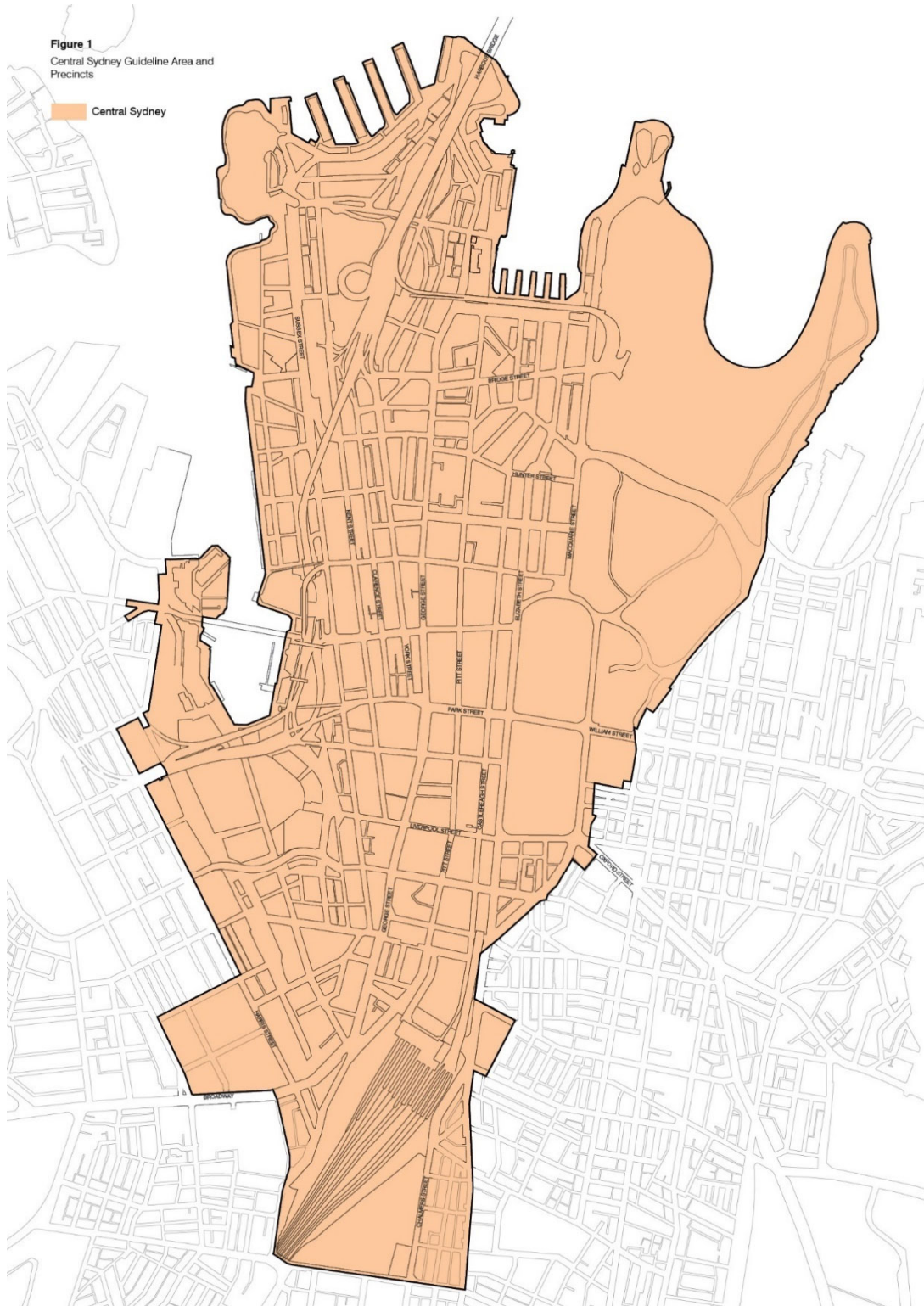
The Strategy, and the City's Local Strategic Planning Statement, provides the strategic basis for this Guideline.

This Guideline provides a framework for the preparation and consideration of Requests. Its purpose is to:

- provide opportunities for additional floor space on appropriate sites that serve the workforce, visitors and wider community;
- provide opportunities on Strategic Opportunity Sites for additional height where significant public benefit can be demonstrated;
- ensure planning proposals align with the aims, objectives and actions of the Central Sydney Planning Strategy and have planning and architectural merit;
- ensure that planning proposals commit to achieving sustainable development above minimum requirements;
- provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure, particularly public transport, open space and pedestrian infrastructure;
- describe the City's priorities for infrastructure;
- provide a transparent and consistent approach to the evaluation of planning proposals; and
- describe the process for preparing site-specific planning proposals, including required supporting documentation, and the decision making process.

Where this plan applies

This Guideline applies to all land in Central Sydney as shown in Figure 1.



Minimum site tests – snapshot

This snapshot provides a succinct reference to some of the minimum requirements for Requests lodged under this Guideline. The minimum requirements are expanded upon in section 8.

Requests are to meet the following minimum requirements*:

- new buildings cannot contain residential or serviced apartment floor space
- a minimum Site Area of 1,000 square metres
- commit to participating in a full architectural design competition
- deliver capability for net-zero emissions, zero waste and water efficient outcomes
- demonstrate best endeavours to use land efficiently accommodating appropriate tower setbacks and outlook, and
- be accompanied by a cumulative assessment of footpath pedestrian capacity (see section 7)

*unless otherwise stated by the Guideline.

The Central Sydney Contributions Plan 2020 was approved by Council and CSPC on XXXXX. The Contributions Plan will apply to development generated under this Guideline.

Applicable development, site testing and pre-planning

Not all sites are suitable for an uplift in height and/or density. This may be due to a number of reasons - failing minimum site size requirements, an inability to accommodate compliant tower setbacks and outlook or many other considerations as outlined in Sydney LEP and Sydney DCP.

State Significant Development

When commenting on State Significant Development and State Significant Infrastructure projects under *State Environmental Planning Policy (State and Regional Development) 2011* the City will review any proposal against the Guideline and the Strategy.

This approach will provide a consistent, certain and transparent measure for the community. It will also assist in ensuring these projects are consistent with the aims of the Strategy and the NSW Government's Region and District Plan, avoiding the pitfalls of ad-hoc planning decisions in the absence of up-to-date, well considered and publicly consulted planning strategy.

Height

The Central Sydney Planning Strategy’s approach to height is based on the key principle of a liveable city. Central Sydney’s parks, streets and precincts together play a key role in making Sydney a highly liveable city, so protecting their sunlight access, setting and character is a priority.

The Strategy provides opportunities for tall buildings to be built to greater height on appropriate sites where they will ensure no additional overshadowing of identified public spaces during protected times and the safe and efficient operation of Sydney Airport (see Figure 4).

Some areas within Central Sydney are unsuitable for tall buildings such as those with narrow street blocks, those with inappropriate site dimensions, close to significant public places or due to heritage considerations (see Figure 7). As such, addressing the minimum site tests at pre-planning stage is essential.

Environmental Height Terrain

Figure 6 is a topographic overlay of the maximum heights available in Central Sydney before a built structure will penetrate a sunlight protected space, a protected public view and the Tower Tide Line as per the Strategy, and Sydney Airport Prescribed Airspace.

It is a theoretical barrier over Central Sydney that defines a taller city skyline, but at the same time maintains sunlight to and the setting of its most important places and spaces, as well as the safe and efficient operation of Sydney Airport.

The Environmental Height Terrain is provided as a rigorously analysed and tested guide as to the maximum building heights that may be acceptable across Central Sydney. As accurate as it is, it is a guide only with the onus on the Proponent to confirm these levels via electronic modelling.

Resources and pre-planning consultation with the City

Site testing will require preliminary envelope analysis to address overshadowing, public view impact, Sydney Airport Prescribed Airspace, wind and daylight impact. The testing onus is on the Proponent in relation to justifying their proposed envelope in line with the matters for consideration of the Guideline. A detailed review of the site testing will be undertaken by the City only after a Request has been received. The level of testing conducted at pre-planning stage is up to the Proponent, but with more detailed testing (e.g. full analysis as opposed to desktop studies) comes greater certainty for both the Proponent and the City.

The following forms part of the minimum submission requirements for Requests in relation to site testing:

Analysis	Minimum submission requirements
Overshadowing of protected public spaces	A detailed site survey and demonstrated compliance via an overshadowing envelope analysis of sun protection controls including Sun Access Planes and No Additional Overshadowing as detailed in tables 4_19 and 4_20 of the Strategy.

Analysis	Minimum submission requirements
	<p>To demonstrate compliance with No Additional Overshadowing controls buildings and land between the subject site and the protected space will require detailed surveys.</p> <p>An indicative model of the sun protection controls can be provided by the City.</p>
<p>Public view protection planes</p>	<p>A detailed site survey and demonstrated compliance via a view analysis of public view controls detailed in the Central Sydney Planning Proposal (December 2020) or LEP once made.</p> <p>To demonstrate compliance with public view controls buildings and land between the subject site and the protected space will require detailed surveys.</p> <p>An indicative model of the public view protection controls can be provided by the City.</p>
<p>Sydney Airport Prescribed Airspace</p>	<p>A detailed site survey and demonstrated compliance via an envelope analysis of airspace protection charts detailed at http://www.sydneyairport.com.au/corporate/community-environment-and-planning/planning/airspace-protection.aspx</p> <p>Prescribed Airspace includes Procedures for Air Navigation services – Aircraft Operations Surfaces, Navigation Aids Protected Surfaces, High Intensity Light Protected Surfaces, Radar Terrain Clearance Chart Surfaces and Precision Approach Path Indicator system protection surfaces.</p> <p>For envelopes within 30 metres of an airspace protection surface detailed construction methodology must be provided demonstrating no temporary penetrations of surfaces are required for cranes and other construction equipment (see Figure 5).</p>
<p>Wind tunnel testing</p>	<p>A quantitative wind effects report prepared by a suitably qualified wind specialist. The report is to detail findings of wind tunnel testing conducted in accordance with Schedule 11 of Sydney DCP. The report is to identify all locations and elements requiring wind management.</p> <p>Note: Wind tunnel testing is a mandatory requirement for all Requests. This wind tunnel testing may also apply where setback and separation variations to Sydney DCP are proposed.</p>
<p>Wind and daylight equivalence test</p>	<p>Where variations to Minimum Street Setbacks, Minimum Side and Rear Setbacks, Street Wall Heights, Building Form Separations and Tapering controls under Sydney DCP are proposed a Procedure B: Wind and Daylight Equivalence report is to be prepared in accordance with Schedule 11 of Sydney DCP.</p>

Figure 3
Maintaining solar access and aircraft safety

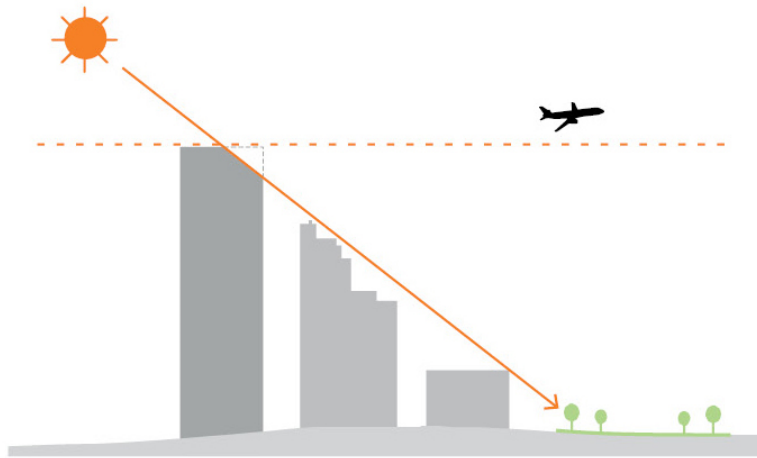


Figure 4
Cranes and their use within height constraints

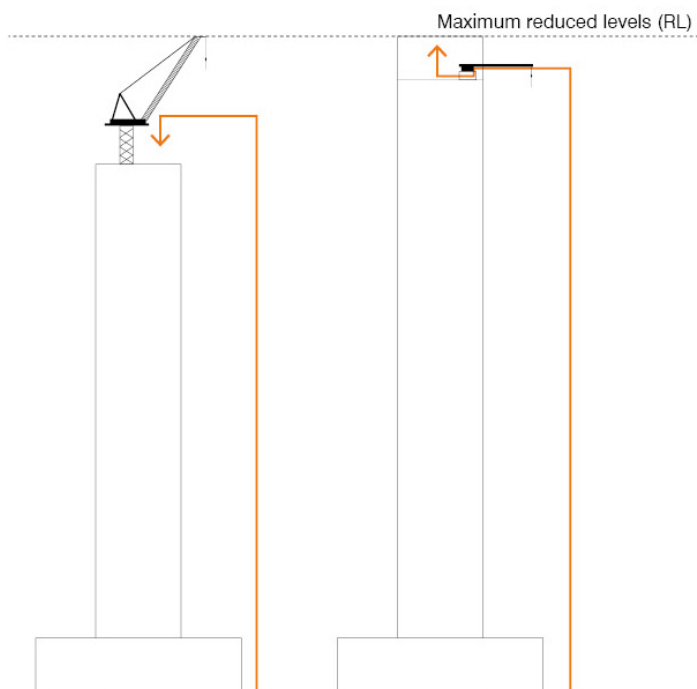
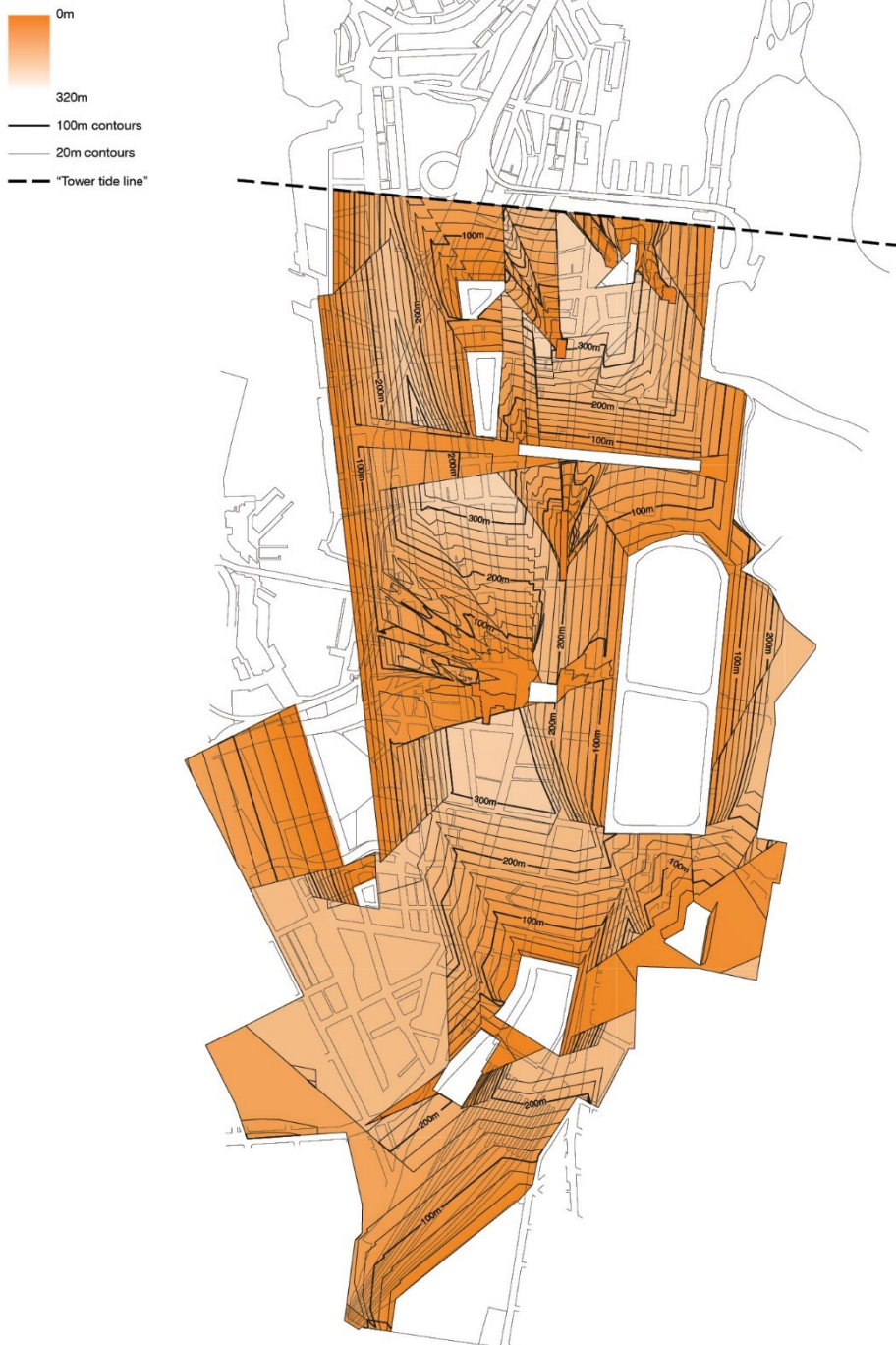
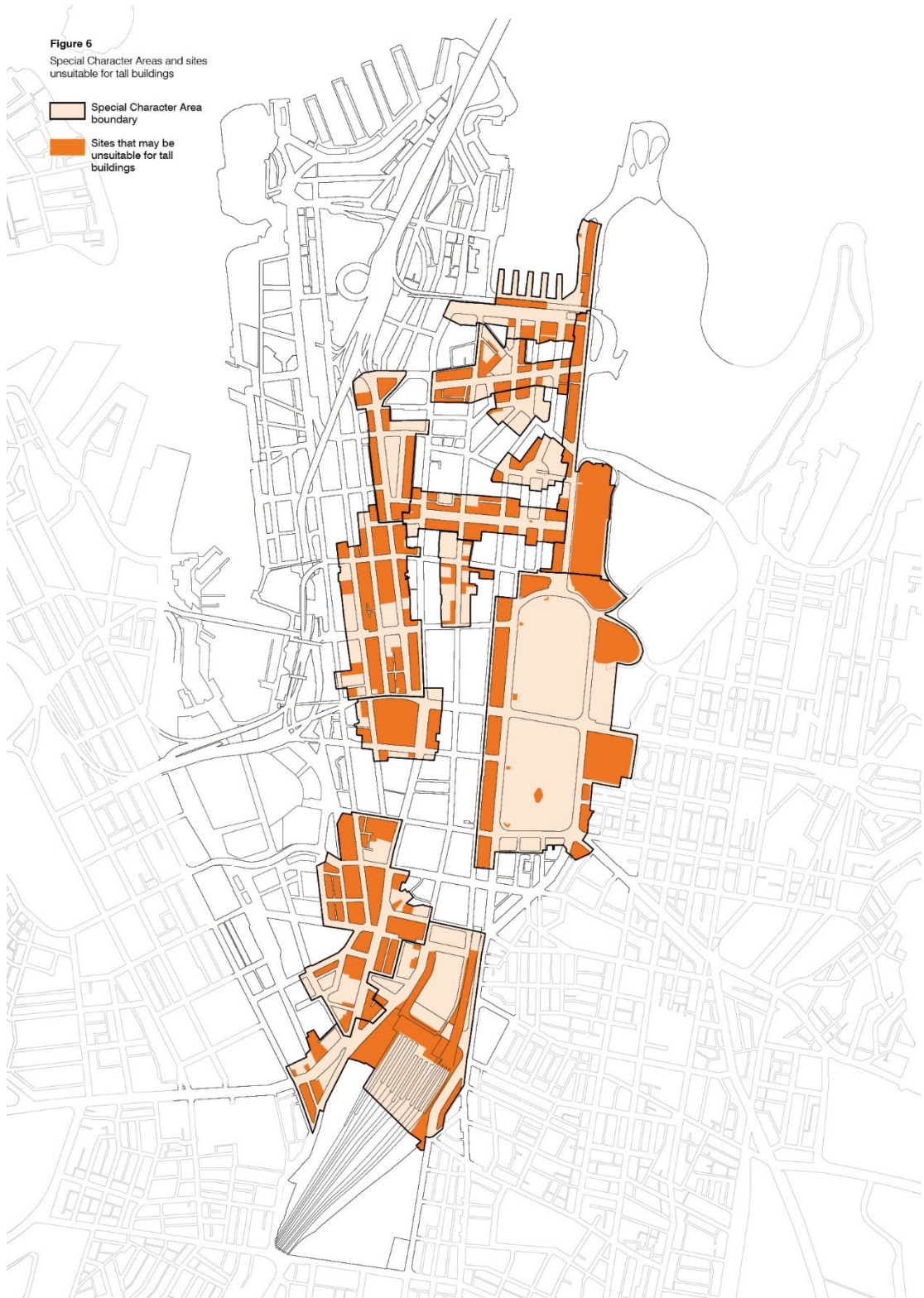


Figure 5

Potential maximum heights available subject to Sun Access Planes, No Additional Overshadowing controls, Sydney Airports prescribed airspace, protected public views and the Tower Tide Line (indicative only)





Floor space ratio (FSR)

The Guideline enables sites to increase their maximum FSR comparable to their building envelope as determined in compliance with the below considerations, as well as building efficiencies and required podium - tower forms:

- maintaining sun light access to parks and places
- maintaining and enhancing important public views
- ensuring the efficient and effective operation of Sydney Airport
- respecting the existing predominantly low scale setting of Sydney Harbour, its built icons and surrounding heritage and special character areas
- maintaining appropriate daylight access to public places, and
- managing wind impacts in public places.

Compliance with the above is demonstrated via compliance with the relevant controls in Sydney LEP, Sydney DCP and the Strategy.

Only after considering the above and setting a maximum envelope would a maximum floor space ratio be set. Any floor space achieved above the maximum floor space ratio shown for the land on the Floor Space Ratio Map and Accommodation floor space as defined in Sydney LEP, is Site Specific Floor Space. Where 10% of the total permitted floor space is subject to demonstrating design excellence, which is at the discretion of the consent authority.

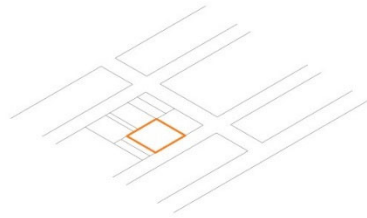
Attachment 1 provides a formula that calculates, as a guide, the maximum FSR a site may achieve under the Guideline.

In determining a final maximum FSR the following are matters for consideration. For all floor space efficiencies Requests must be supported by reference examples showing typical floor space efficiencies for similar scaled buildings, especially where floor space efficiency assumptions depart from the below.

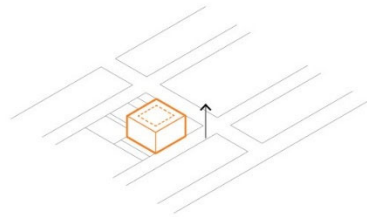
Matters for consideration	
Podium and tower forms	Towers are to have podium form with a Street Frontage Height in accordance with the Sydney DCP unless otherwise justified by an equivalency variation test.
Roof/construction zones	<p>Where the maximum height of the building is determined by a sun or view control – a 15 metre roof/construction zone should be provided below the control height.</p> <p>Where the maximum height of the building is determined by Sydney Airports Prescribed Airspace - at least 30 metres roof/construction zone should be provided below the control height with construction methodology provided for constructing the upper floors without cranes penetrating Sydney Airports Prescribed Airspace.</p> <p>Or an amount as demonstrated by best practice and a reference design.</p>

Matters for consideration	
Floor to floor heights	<p>5 metres clear floor to floor for ground and first floors, and allowances for new pedestrian links and public domain improvements supported by urban design analysis.</p> <p>3.8 metres floor to floor for typical commercial floors and structural transfer zones at steps in the building massing.</p> <p>3.3 metres floor to floor for typical hotel floors and structural transfer zones at steps in the building massing.</p>
Vehicle access, servicing and services at ground level	Floor space configuration and calculations are to be precedent based on reference examples.
Plant	A full floor plant level for every 20 occupied levels at minimum 6 metres high floor to floor should be provided for.
Architectural articulation	<p>A minimum proportion of the entire design envelope for architectural articulation and external façade depth and external sun shading (not occupied by floor space) of 8.0% plus 0.5% for each 10metres in height above 120m up to a maximum value to 16% articulation.</p> <p>Note: the proportion (percentage) is established according to the maximum building height, this proportion is then applied to the whole envelope.</p> <p>120 metres – 8%</p> <p>160 metres – 10%</p> <p>200 metres – 12%</p> <p>240 metres – 14%</p> <p>280 metres – 16%</p>
Core	Minimum 16% floor space exclusions associated with the core.
Balconies	Balconies, voids or other areas not counted as floor space (including voids for vertical villages) should be determined from a reference design.

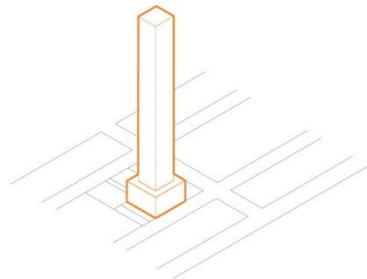
Figure 7
Steps in determining an envelope and then a density



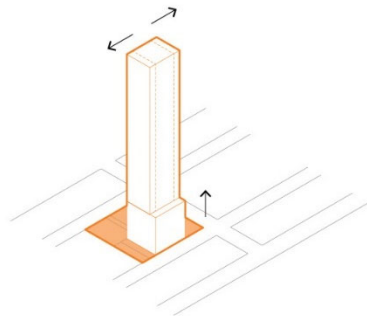
Step 1
identify a site(s) complying with the Guidelines minimum Site Area



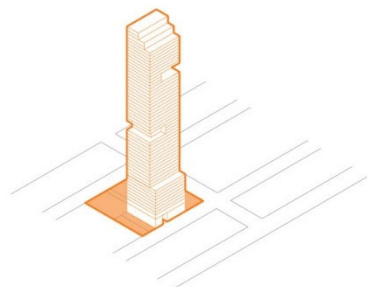
Step 2
define a podium form in compliance with Sydney DCP



Step 3
define a tower form in compliance with the Guideline in relation to maximum height and Sydney DCP in relation to Built Form Controls



Step 4
test and define a non-compliant podium and tower form in line with Schedule 11 of Sydney DCP and a negotiated Block Agreement with neighbouring sites



Step 5
determine a density based on the envelope achieved using floor space efficiencies consistent with the Guideline

Strategic Opportunity Sites

A Strategic Opportunity Site is different to other sites because it is capable of delivering, or facilitating the delivery of, significant public benefits that otherwise would not have been delivered.

There are two types of Strategic Opportunity Sites:

1. **Public Open Space Opportunity Sites** - where a Request delivers or facilitates the delivery of a contiguous piece of public open space larger than 2,000 square metres, or
2. **Solar Access Opportunity Sites** - where a Request facilitates a significant reduction in existing overshadowing to a protected space to comply with the sun access provisions of Sydney LEP.

This Guideline applies to Strategic Opportunity Sites in full except for the restriction on use.

For Public Open Space Opportunity Sites proposed new buildings (or altered buildings) that rely on increased maximum heights and/or FSR controls may be any use permitted by Sydney LEP including *residential accommodation* and *serviced apartments*.

For Solar Access Opportunity Sites proposed new buildings (or altered buildings) that rely on increased maximum heights and/or FSR controls may be any use permitted by Sydney LEP including *residential accommodation* and *serviced apartments*.

Public Open Space Opportunity Sites

To qualify as a Public Open Space Opportunity Site the Request must demonstrate how a contiguous piece of public open space larger than 2,000 square metres will be delivered, where the public open space:

- is meaningful and usable in size and dimension
- is to be dedicated to the City as public land, and
- is developed to a standard to the satisfaction of the City.

Solar Access Opportunity Sites

To qualify as a Solar Access Opportunity Site the Request must demonstrate how, and by how much existing overshadowing is being reduced to a protected space under Sydney LEP. The reduction in overshadowing is to ensure:

- compliance with Sydney LEPs Sun Access Protection controls, and
- remove an existing significant breach of more than 15 metres in height.

Solar Access Opportunity Sites may constitute two or more sites that are not in the same block. Existing floor space or permitted floor space under Sydney LEP may be transferred from an existing non-compliant Sun Access Protection control site, to recipient site, subject to an arrangement. The recipient site benefits by receiving floor space unrestricted in use under the Guideline.

Figure 8
Sites containing existing structures breaking
Sun Access Protection Controls



Community Infrastructure

The *Central Sydney Infrastructure Plan* (Attachment 2) details infrastructure requirements. Some of this infrastructure will be delivered as development occurs and will be funded by either Section 61 contributions, the Central Sydney Contributions Plan or other City of Sydney funding sources.

Other infrastructure needs are restricted in delivery due to:

- statutory limitations, not all infrastructure can be funded by Section 61 levies
- the scarcity of available land/sites
- existing land values, and
- caps on contribution rates.

Development as a result of a Request, with increased height and/or FSR, experiences a substantial increase demand for community infrastructure. This Guideline provides a framework for any opportunities that may arise through a Request to provide community infrastructure which aligns with the proposed development. The Plan at Attachment 2 along with the infrastructure needs of the area are to be considered.

The City's draft Contributions Plan will apply to development once it comes into effect.

Public Benefit Offer

Community Infrastructure provided as part of a public benefit would be formalised by way a planning agreement as per Council's planning agreements policy.

Any Public Benefit Offer (the Offer) should reflect the infrastructure sought under the Infrastructure Plan and be made with the Request.

Planning Agreements are legal agreements between a planning authority and a landowner/developer. They are a common tool used to secure a public benefit that may be offered by a landowner/developer as part of a request to change planning controls.

Community Infrastructure Contributions

A Community Infrastructure Contribution is an in-kind contribution – to build and dedicate free of charge Community Infrastructure or a Precinct Response to Essential Required Infrastructure, or as deemed appropriate by the City.

Community Infrastructure and a Precinct Response to Essential Required Infrastructure is defined by *Central Sydney Infrastructure Plan 2018* at Attachment 2.

Where a Request includes a public benefit offer. The public benefit offer is to be:

- towards the delivery of Community Infrastructure or a Precinct Response to Essential Required Infrastructure as outlined in *Central Sydney Infrastructure Plan* (in-kind) and
- valued by an appropriately qualified Quantity Surveyor (in-kind),

Alternative models of infrastructure provision delivering Community Infrastructure may be considered where they can be appropriately valued to the satisfaction of Council.

There may be circumstances under which other Community Infrastructure may be required in the Central Sydney, including land or floor space dedicated for public open space or public road.

Efficient use of land

Maximising the efficiency of floor space within the height available in Central Sydney is one of the Strategy's key moves for the efficient and productive use of land. Land is Central Sydney's most important asset. Sydney must make the most of it. We must ensure it is developed in a way that contributes to a productive city, a city that best utilises our space and land and is smart about the way we grow and encourage land use.

The requirement for demonstrating best endeavours promotes amalgamation, the achievement of appropriate tower setbacks and outlook and the efficient use of land. By encouraging sites to amalgamate, Central Sydney is looking to maximise the land it does have to achieve a greater supply of productive floor space. At the same time it allows sites to consolidate and activate inefficient uses of land (building services, car parking and loading), and, sites to develop precinct reduction solutions to greenhouse gas emissions, energy, water and waste consumption.

Best endeavours must be demonstrated by a Proponent in a Request that they offered and attempted to enter into an agreement with adjoining sites within the street block to which their site is located.

Proponents must regularly liaise with the City throughout the pre-application stage to update them on amalgamation or easement negotiations.

Best endeavours

Where an amalgamated or easement solution cannot be reached, best endeavours must be demonstrated by a Proponent in a Request that they offered and attempted to enter into an agreement with adjoining sites within the street block to which their site is located.

Evidence of best endeavours must include correspondence to adjoining sites as to the offers made and adjoining site responses.

Where the consent authority deems best endeavours have not been made a Request may not be supported.



The Walking Space Guide What is the assessment for?

A Request must be supported by a pedestrian level of comfort assessment. The primary objective of the assessment is to assist the City and the NSW Government create excellent pedestrian environments through a clear, consistent process during the planning and implementation of individual development sites and transport improvement projects.

For Request sites, undertaking a comfort assessment will identify priorities for action or attention, the cause of these issues, and help to identify mitigation measures to make the site more comfortable. For example, a comfort assessment might show that pedestrian traffic congestion at the entrance of the building can be mitigated by the provision of pedestrian circulation space within the site either via a street setback or larger lobby or connection into or extension of an existing underground pedestrian tunnel. For the City and NSW Government comfort assessments will identify any potential cumulative pedestrian congestion problems at an early stage. Mitigation measures, such as the relocation of street furniture or footpath widening, can then be decided upon if required.

The Walking Space Guide and further information can be found here:

<https://www.rms.nsw.gov.au/business-industry/partners-suppliers/document-types/guides-manuals/walking-space-guide.html>

Why is this assessment important?

City of Sydney aims to avoid a loss of quality of the pedestrian environment in Central Sydney as its daily population grows and more people require footpath space. City of Sydney wants to keep the streets pleasant and functional places for everyone.

Footway provision is an essential factor in encouraging or hindering walking. Providing appropriate footways is important as:

- they encourage walking. The research underpinning this guidance has found that lack of comfort on footways discourages the use of an area by pedestrians.
- encouraging people to walk short trips will relieve pressure on public transport and promote more sustainable, environmentally friendly travel, with added health benefits. Moreover, regularly making trips on foot benefits the health of individuals as well as bringing wider economic and community benefits.
- journeys conducted entirely on foot make up 92% of all trips in Central Sydney. Therefore creating well designed pedestrian environments benefits everyone.

Recognising this, the City of Sydney in partnership with NSW Government's Transport NSW has developed guidance to improve the planning and design of the pedestrian environment and encourage walking. This guidance is tailored to the needs of Central Sydney:

- taking into account different user behaviour within a variety of area types, from main streets to transport interchanges.
- including the real impact of street furniture and static pedestrians
- going further than existing measures which simply assess crowding. This guidance is based on comfort and takes into account user perceptions as well as observed behaviours.
- providing a standard approach for the assessment and review of comfort on footways and crossings.

Providing a template for recording data and generating results. The Pedestrian Comfort Level should be considered when assessing both footways and formal pedestrian crossings. The provision of comfortable crossing facilities supports road crossing in a planned manner and may reduce the number of informal crossings that occur.

How to undertake an assessment

Information can be found on the following link:

<https://www.rms.nsw.gov.au/business-industry/partners-suppliers/document-types/guides-manuals/walking-space-guide.html>

The City can be contacted with any queries.

Minimum site tests

Requests that seek to increase maximum height and/or density controls for a site or block must demonstrate an ability to comply with Sydney LEP and Sydney DCP, except as amended by the following:

Control	Test
<p>Land use</p> <p><i>Proposed new buildings cannot contain residential or serviced apartment floor space</i></p>	<p>Proposed new buildings (or altered buildings) that rely on increased maximum heights and/or FSR controls may be any use permitted by Sydney 2012 except for <i>residential accommodation</i> and <i>serviced apartments</i>.</p> <p>This restriction does not apply to any existing floor space already used as residential accommodation and/or serviced apartments in an existing building under a Request.</p> <p>This restriction must be formalised through the plan making process. As a result, no new building (or significantly altered building) that is delivered on a site affected by a Request can contain any residential accommodation or serviced apartment floor space, except for that amount of residential accommodation or serviced apartments floor space that already exists on site.</p> <p>The only exception to this restriction are Strategic Opportunity Sites.</p>
<p>Erection of a tall building</p> <p><i>have a minimum Site Area of 1,000 square metres</i></p>	<p>Sites subject to the Guideline must have a minimum Site Area of 1,000 square metres.</p> <p>‘Site Area’ is as defined and calculated as per Sydney LEP, with all sites within the Site Area to be subject to a Block Agreement.</p> <p>Requests must demonstrate an ability to comply with Sydney LEP in full with reference to Sydney DCP’s Built Form Controls, including, where applicable, compensation and equivalency variation tests (see page 17).</p> <p>Note: where variations to Sydney DCP setback controls are required for Request feasibility, the onus is on the Proponent to demonstrate at an early stage that variations comply with equivalency variation tests in relation to wind impacts and daylight/sky view factor.</p>
<p>Height of buildings</p>	<p>For Request sites, the objective for setting maximum building heights is to ensure no additional overshadowing of protected spaces during the protected times, as identified in the Strategy.</p> <p>Proposed new buildings (or altered buildings) that rely on increased maximum heights may exceed the maximum height shown for the land on the Height of Buildings Map but may not exceed any of Sun Access Planes, No Additional Overshadowing controls (Overshadowing of certain public places), Sydney Airports Prescribed Airspace and the Tower Tide Line as identified in Sydney LEP and the Strategy.</p> <p>In determining envelope forms and massing, Requests must also address Sydney LEP and Sydney DCP Heritage Item and Special</p>

Control	Test
	<p>Character Area controls and principles. Figure 7 provides an indication as to which sites are unsuitable for tall buildings under the Guideline due to heritage and Special Character Area protections.</p>
<p>Protection of public views</p>	<p>Proposed new buildings (or altered buildings) that rely on increased maximum heights may exceed the maximum height shown for the land on the Height of Buildings Map but may not exceed Public view protection planes, identified in Sydney LEP and the Strategy.</p> <p>In determining envelope forms and massing, Requests must address Sydney DCP Views from Public Places controls.</p>
<p>Floor space ratio</p>	<p>Maximum FSRs will be set to match permitted envelopes.</p> <p>Permitted envelopes are determined first by the maximum permitted height under the Guideline and then shaped by Sydney LEP and Sydney DCP Built Form, Special Character Area and Heritage controls.</p> <p>Once a permitted envelope is determined the maximum FSR is set by considering floor space efficiencies, a requirement for architectural expression and the requirement for 10% of the total floor space to be conditional on demonstrating design excellence.</p>
<p>Ecologically sustainable development (ESD)</p> <p><i>must drive net-zero emissions, zero waste and water efficient outcomes</i></p>	<p>Development resulting from a Request must exceed Sydney LEP's minimum ESD controls.</p> <p>Proposed new buildings (or altered buildings) that rely on increased FSR and/or height must achieve an Office and Environment and Heritage (OEH) National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of at least 5.5 stars for office and 4.5 star for hotel.</p> <p>Sites subject to a Request must be capable of achieving net-zero emissions and water efficient outcomes across the site. These sites must also strive to target zero waste outcomes.</p> <p>Net-zero emissions involves maximising inherent efficiency through design, materials and equipment selection with onsite renewable energy generation to the fullest extent possible.</p> <p>Net-zero emissions, zero waste and water efficient outcomes may be delivered by way of a block agreement where proposed new buildings (or altered buildings) facilitate the upgrade and/or off-set of greenhouse gas emissions, water consumption and operational waste production of other developments within the site.</p>
<p>Heritage floor space</p>	<p>Proposed new buildings (or altered buildings) that rely on increased floor space ratios and/or height must be allocated an amount of heritage floor space as required by Sydney LEP as if the Request was not made.</p> <p>Site Specific Floor Space permitted by the Request is not subject to allocation of heritage floor space.</p>

Control	Test
<p>Heritage conservation</p>	<p>Development as a result of a Request is subject to Sydney LEP’s heritage controls.</p> <p>Vertical additions to Heritage Items and/or cantilevered new buildings (or altered buildings) over Heritage Items are only appropriate in accordance with Sydney DCP, where protecting the setting and significance of the Heritage Item are given paramount consideration.</p>
<p>Design excellence</p> <p><i>must commit to participating in a full design competition</i></p>	<p>Development as a result of a Request is subject to Sydney LEP’s design excellence controls.</p> <p>Proposed new buildings (or altered buildings) that rely on increased floor space ratios and/or height must commit to a competitive design process where 10% of the total permitted floor space is subject to demonstrating design excellence, which is at the discretion of the consent authority.</p> <p>For clarity, proposed new buildings (or altered buildings) that rely on increased floor space ratios and/or height must participate in an architectural design competition as opposed to a competitive design alternative process.</p> <p>For Request sites the architectural design competition jury is to comprise 6 members each sourced from the City’s panel of prequalified jurors. One member of the jury must be a demonstrable expert in the field of ESD.</p>
<p>Car parking</p>	<p>For development as a result of a Request, car parking spaces (including existing car parking spaces) are limited to the total number of existing car parking spaces within existing developments on site, or the maximum permitted under Sydney LEP for the site, whichever is less.</p> <p>Sites subject to a Block Agreement may trade car parking spaces between sites subject to the same Block Agreement, with no net increase in existing car parking spaces across the site as a result.</p>
<p>Affordable housing</p>	<p>Development as a result of a Request is subject to the imminent Sydney LEP’s affordable housing controls.</p>
<p>Section 61 contributions or Central Sydney Contributions Plan 2020</p>	<p>Development contributions authorised by Section 61 of the City of Sydney Act 1988, or under 7.12 of the Environmental Planning and Assessment Act 1979 apply in full to all sites subject to a Request.</p>

Attachment 1 – Determining an indicative density

Determining indicative density

Density is expressed as floor space in square metres. The indicative density formula calculates the indicative floor space accommodated in a generic envelope. The generic envelope is set based on compliance with Sydney DCP Built Form Controls and a Street Frontage Height of 25 metres. The formula uses the height, horizontal and volumetric efficiencies listed under the Guideline's floor space ratio matters for consideration.

The main inputs in the formula are:

- **Site Area** - as defined by Sydney LEP, expressed in square metres
- **Site Perimeter** - the total sum of a sites boundaries, expressed in metres
- **Average Maximum Potential Height** – the average maximum height across a site determined by Sun Access Planes, No Additional Overshadowing controls, Public View Protection Planes and/or Prescribed Airspace, expressed as an RL (see Figure 6)
- **Site Ground Level** – the highest point of a sites existing ground level, expressed as an RL
- **40 or 55 metres** – where the Average Maximum Potential Height is set by sun or view control(s) use 40 metres, where it is set by Prescribed Airspace use 55 metres.

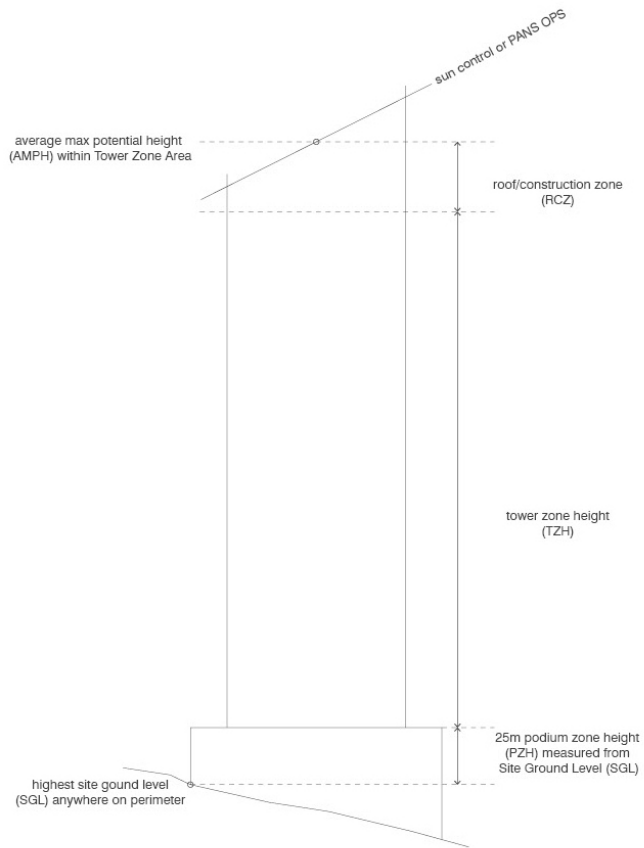
The indicative density formula is expressed as follows:

Indicative density = $[(\text{Site Area} \times 25 \text{ metres}) \times 15\%] + \{[\text{Site Area} - (\text{Site Perimeter} \times 8) + 256] \times [\text{Average Maximum Potential Height} - \text{Site Ground Level} - (40 \text{ metres or } 55)] \times 15\%\}$

A_01

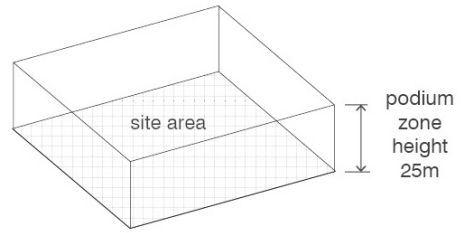
Indicative density formula

Main Inputs



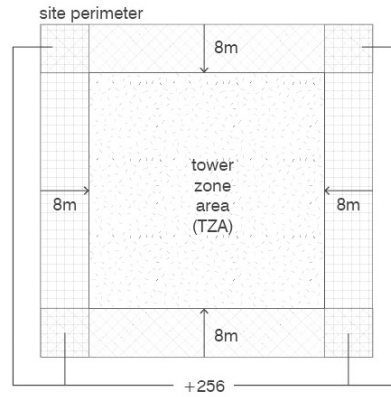
A_02

Indicative podium density
(Site Area x 25 metres) x 15%



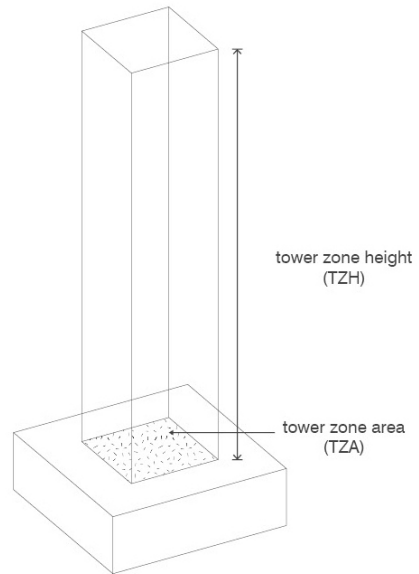
A_03

Indicative tower density 1
[Site Area - (Site Perimeter x 8) + 256]
(Note: maximum tower zone of 4,000 square metres)



A_04

Indicative tower density 2
x [Average Maximum Potential Height - Site Ground Level - (40 metres or 55)] x 15%



Attachment 2 - The Central Sydney Infrastructure Plan