Attachment E

Resolutions of Council and Central Sydney Planning Committee

Resolution of Council

17 May 2021

Item 9.2

Public Exhibition - Planning Proposal - Oxford Street Creative Precinct - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

(A) Council approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;

(B) Council approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect the Planning Proposal – Oxford Street Creative and Cultural Precinct;

(D) Council approve the draft Development Control Plan – Oxford Street Creative and Cultural Precinct, shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal subject to the following amendments (additons shown in ***bold italics***, deletions shown in ~~strikethrough~~:

(i) insert after 5.X.2 the following text:

5.X.3 Built form and high quality design on Taylor Square and other public spaces on Oxford Street

Taylor Square is an important public place, and is historically, visually and physically connected to the Darlinghurst Courthouse and former Darlinghurst Police Station across Oxford Street to the north. It is a complex public space extending from the courthouse buildings across Oxford Street, edged by heritage buildings on Flinders, Campbell, Bourke and Oxford Streets, and the Rainbow Crossing. The angle at which Oxford Street bisects the grid creates a number of triangular or irregular shaped sites and public spaces at Oxford Square, Whitlam Square, Three Saints Square and Taylor Square. New buildings and additions to heritage buildings in these spaces must provide strong visual and physical edges to the public space through high-quality architecture and construction. Their architectural expression must complement the historical context and allow opportunities for contemporary design. Buildings must strongly define and enhance the quality of the space and provide opportunities for ground level activation.

Objectives

(a) Establish an appropriate scale, massing and modulation for new development facing onto the public spaces listed at (i) – (iv) below, which frame, respect and respond to the place, architectural character, rhythm and grain of the existing fabric of the high street.

(i) Taylor Square

(ii) Oxford Square

(iii) Whitlam Square

(iv) Three Saints Square – corner of Oxford Street, Barcom Street and Victoria Street.

(b) Achieve a street wall height that reinforces the scale and framing of the public spaces listed in (a) and protect the view corridor along Oxford Street towards Hyde Park and the city skyline.

Provisions

(1) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing Taylor Square and street intersections and define corner sites through appropriate massing and façade design.

(2) Despite any other provision of the DCP, a reduced upper level setback, which may result in a nil upper level setback on heritage listed and contributory buildings facing Taylor Square, Oxford Square, Whitlam Square, and Three Saints Square may be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:

(a) ***the relationship between the architectural language of the existing building and the addition, which is to enhance and emphasise the qualities of both the existing and new parts of the building; and***

(b) ***the design and construction quality of the facades, including exposed side walls and expression of the roof.***

(ii) amend including any consequential renumbering, subsection 5.X.4.3 Building alignment, setbacks and street frontage heights, to read as follows:

(1) Street frontage heights are not to exceed the maximum height on the Street Frontage Height maps. Above the street all, additional storeys ***on heritage listed and contributory buildings*** *are to be set back a minimum of 3 metres (Figure 5). Note that the maximum number of storeys shown on Map XX: Height in storeys includes attics and mazzanines.*

(2) A greater minimum setback than that detailed in 5.X.4.3(1) may be required if identified as part of a Conservation Management Plan or Statement of Heritage Principles.

(3) A reduced setback, ***which may include a nil setback on heritage listed and contributory buildings facing the squares referred to in 5.X.3, noted in Objectives (a)*** *may only be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:*

(a) *The relationship between the architectural language of the existing building and the addition, which is to be complementary and enhance and emphasise the qualities of both the existing and new parts of the building; and*

(b) *The design and construction quality of the facades, including exposed side walls and expression of the roof;* ~~*and*~~

~~(c) *the sustainability of the development.*~~

(E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – Oxford Street Creative and Cultural Precinct and draft Development Control Plan – Oxford Street Creative and Cultural Precinct, to correct any drafting errors or to ensure consistency with any Gateway Determination; and

(F) the Chief Executive Officer be requested to:

(i) prepare further options for increased scale of buildings for sites south of Oxford Street along Flinders Street and facing Taylor Square within the study boundary to:

(a) integrate any forthcoming urban ideas from the Sustainable Sydney 2050 project; and

(b) consider issues raised by Councillors and speakers about the design of the built form and its relationship to public space at the Transport, Heritage and Planning Committee on 10 May 2021;

(ii) seek public feedback on those options alongside the public exhibition of the Oxford Street cultural and creative precinct planning proposal and draft DCP; and

(iii) report the options and feedback to Council and the Central Sydney Planning Committee with any recommended amendments to the proposed planning controls.

Carried unanimously.

X026153

Resolution of Central Sydney Planning Committee

13 May 2021

Item 4

Public Exhibition - Planning Proposal - Oxford Street Creative Precinct - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

Moved by the Chair (the Lord Mayor), seconded by Councillor Thalis -

It is resolved that:

(A) the Central Sydney Planning Committee approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;

(B) the Central Sydney Planning Committee approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) the Central Sydney Planning Committee seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect the Planning Proposal – Oxford Street Creative and Cultural Precinct;

(D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 10 May 2021 that Council approve the draft Development Control Plan – Oxford Street Creative and Cultural Precinct, shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~***:***

(i) ***Insert after section 5.X.2 the following text:***

5.X.3 Built form and high-quality design on Taylor Square and other public spaces on Oxford Street

Taylor Square is an important public place, and is historically, visually and physically connected to the Darlinghurst Courthouse and former Darlinghurst Police station across Oxford street to the north. It is a complex public space extending from the courthouse buildings across Oxford Street, edged by heritage buildings on Flinders, Campbell, Bourke and Oxford Streets and the Rainbow Crossing. The angle at which Oxford Street bisects the grid creates a number of triangular or irregular shaped sites and public spaces at Oxford Square, Whitlam Square, Three Saints Square and Taylor Square. New buildings and additions to heritage buildings in these spaces must provide strong visual and physical edges to the public space through high-quality architecture and construction. Their architectural expression must complement the historical context and allow opportunities for contemporary design. Buildings must strongly define and enhance the quality of the space and provide opportunities for ground level activation.

Objectives

(a) Establish an appropriate scale, massing and modulation for new development facing onto the public spaces listed at (i)-(iv) below, which frame, respect and respond to the place, architectural character, rhythm and grain of the existing built fabric of the high street.

- ***(i) Taylor Square***
- ***(ii) Oxford Square***
- ***(iii) Whitlam Square***
- ***(iv) Three Saints Square – corner of Oxford Street, Barcom Street and Victoria Street.***

(b) Achieve a street wall height that reinforces the scale and framing of the public spaces listed in (a) and protect the view corridor along Oxford Street towards Hyde Park and the City skyline.

Provisions

(1) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing Taylor Square and street intersections and define corner sites through appropriate massing and façade design.

(2) Despite any other provision of the DCP, a reduced upper level setback, which may result in a nil upper level setback on heritage listed and contributory buildings facing Taylor Square, Oxford Square, Whitlam Square, and Three Saints Square may be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:

- ***(a) the relationship between the architectural language of the existing building and the addition, which is to enhance and emphasise the qualities of both the existing and new parts of the building; and***

(b) the design and construction quality of the facades, including exposed side walls and expression of the roof.

(ii) Amend (as per the ***bold italics***) including any consequential renumbering, subsection 5.X.4.3 Building alignment, setbacks and street frontage heights, to read as follows:

(1) Street frontage heights are not to exceed the maximum height on the Street Frontage Height maps. Above the street wall, additional stories ***on heritage listed and contributory buildings*** *are to be set back a minimum of 3 metres (Figure 5). Note that the maximum number of storeys shown on Map XX: Height in storeys includes attics and mezzanines.*

(2) A greater minimum setback than that detailed in 5.X.4.3(1) may be required if identified as part of a Conservation Management Plan or Statement of Heritage Principles.

(3) A reduced setback, ***which may include a nil setback on heritage listed and contributory buildings facing the squares referred to in 5.X.3, noted in Objectives (a)*** *may only be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:*

(a) *the relationship between the architectural language of the existing building and the addition, which is to be complementary and enhance and emphasize the qualities of both the existing and new parts of the building;*

(b) *the design and construction quality of the façades, including exposed side walls and expression of the roof.;* ~~*and*~~

(c) ~~*the sustainability of the development*~~*.*

(E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – Oxford Street Creative and Cultural Precinct and draft Development Control Plan – Oxford Street Creative and Cultural Precinct, to correct any drafting errors or to ensure consistency with any Gateway Determination; and

(F) the Chief Executive Officer be requested to:

(i) prepare further options for increased scale of buildings for sites south of Oxford Street along Flinders street and facing Taylor Square within the study boundary to:

(a) integrate any forthcoming urban ideas from the Sustainable Sydney 2050 project; and

(b) consider issues raised by Councillors and speakers about the design of the built form and its relationship to public space at the Transport, Heritage and Planning Committee on 10 May 2021;

(ii) seek public feedback on those options alongside the public exhibition of the Oxford Street cultural and creative precinct planning proposal and draft DCP; and

(iii) report the options and feedback to Council and the Central Sydney Planning Committee with any recommended amendments to the proposed planning controls.

Carried unanimously.

X026153