

# **Attachment G**

**Summary of and Responses to Matters  
Raised in Submissions**

# Oxford Street Cultural and Creative Precinct Planning Proposal and Draft DCP: Summary of and Responses to Submissions

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## 1. General Issues

	Issue	Description	Response
1	Support for revitalisation	<p>Submitters support the revitalisation of the corridor, including</p> <ul style="list-style-type: none"> <li>• more art, culture and creative activity</li> <li>• encouraging businesses and cultural organisations</li> <li>• more retail, outdoor dining and open spaces</li> <li>• increased nightlife, more nightclubs and basement live entertainment</li> <li>• improved street environment and public domain</li> </ul>	Support noted
2	Redevelopment of Council-owned properties	<p>Submitters express concerns about the progression of a DA for Council-owned properties which exceeds the existing height controls alongside the planning proposal.</p> <p>A submitter states that three blocks included in the DA, are exceptions to the general built fabric of the precinct, and that they should not be used as an example of what can or should be done precinct-wide because in they are large united buildings, rather than small, individual terraces/shopfronts.</p> <p>Submitters call for development on former Council-owned sites to cease immediately pending finalisation of the new DCP.</p>	The development application for Council-owned properties at 56-76, 82-106 and 110-122 Oxford Street has not been determined and is a separate process to the planning proposals. It is beyond the scope of the planning proposal and draft DCP to comment on a specific DA.
3	Exhibition period not sufficient	<p>Concerns that the time for submissions was not sufficient, given the pandemic and impact of lockdown. The submitter claims that the proposals include a lot of information and as a result community meetings and information sessions are required. Concerns that this process favours developers.</p>	<p>The public exhibition of the Oxford Street cultural and creative precinct proposals was extended to two months from the minimum 28 days to ensure that the community had sufficient time to comment.</p> <p>Three online briefings and information sessions were advertised on the webpage and held. The first was for cultural and creative operators, the second for residents and the third for businesses and landowners. They were well attended with about 25-30 people attending each session.</p>

	Issue	Description	Response
			<p>City staff undertook separate consultation meetings with Woollahra Council, Sydney Mardi Gras, National Trust, Paddington Society and Sturt Street residents.</p> <p>Consultation events for the Oxford Street early consultation were well attended due to the accessibility of online events and the opportunity to provide input. This consultation received the Stakeholder Engagement Award at the Planning Institute of Australia NSW Awards for Planning Excellence 2021.</p>
4	Insufficient consultation with impact residents	Residents of Sturt Street are concerned that until a meeting with Sturt Street residents in September 2021 no consultation took place with residents of Sturt St regarding the development options in the planning proposal. They believe that a lack of attention to planning considerations and detail has revealed a lack of understanding of adverse impacts, and indifference towards the living conditions of local residents. The submitters state that other than noting a concern for laneways such as Sturt Street, the detailed written submission and issues raised by residents to the commissioned Survey preceding the planning proposal have been ignored.	<p>A comprehensive early consultation was undertaken from October to December 2020. Sturt Street residents were notified by letter, email and a decal placed on the access Road between Sturt and Oxford Street advertising the consultation. City staff contacted a Sturt Street representative directly when no response was received to this early consultation. Submissions to early consultation were taken into consideration.</p> <p>Council placed the proposals on exhibition so that it could receive community comments on the proposals. Prior to and during the exhibition of the planning proposal, comprehensive consultation was undertaken with Sturt Street residents including meetings on 18 August 2021 and 21 September 2021. A post-exhibition change excludes buildings immediately north of Sturt Street residences from 217-264 Oxford Street from the planning proposal in response to submissions.</p>
5	Documentation unclear and not fit for purpose.	Concerns that the draft DCP requires revision to ensure it is fit for purpose, reflects the principles outlined above and facilitates a feedback process which is fully informed. The submitter states that full documentation, clear maps and diagrams are required that show precisely what is proposed and what increased building heights and changes of scale represent. The	The likely built form outcomes are shown in the urban design study which was exhibited with the planning proposal and draft DCP. The submitter references only the DCP and not the Planning Proposal where LEP height controls are contained. The draft DCP addresses detailed matters relating to built form, heritage and cultural and

	Issue	Description	Response
		submitter states that DCP should be re-drafted, clear images provided, electronic links included and the consultation process repeated.	creative spaces. Only height in storeys and street frontage heights are shown in the DCP.  The DCP maps have also been exhibited correctly. All of the maps are in draft as they are not yet approved by Council. All of the material on consultation has been made available in electronic form on the city's website.
6	Reuse of vacant space in the precinct	Submitters question why vacant space in the precinct cannot be used and why the planning proposal encourages redevelopment and additions to heritage buildings	Vacant space can be used currently but is not being occupied. The City's research and the SGS study found vacancies have been driven by lock-out laws and their knock-on impacts on retail and other businesses, a general decline in 'bricks and mortar' retail, heritage and building controls which restrict tenant options for the use of space, an insufficient local catchment to underpin businesses on the strip, and high rents, particularly for creative businesses which do not receive subsidies. The intent of the planning proposal is to encourage investment into the precinct through additions to building which would then increase demand and encourage the upgraded buildings to be occupied. The planning proposal also secures cultural and creative space. Investment, higher occupancy and creating a cultural precinct are intended to work together to bring people and activity to Oxford Street.  The existing vacant space on Oxford Street is in private ownership and the City cannot require it to be occupied or used in any way. However, where development is proposed and incentives provided, through these proposed controls, the City is able to secure cultural and creative floor space.
7	Concerns about how increased height can revitalise precinct.	Submitters question how increased height can revitalise the precinct.  They suggest that low rise areas such as the Rocks, Stanley Street, Chinatown, Crown Street and Newtown are clearly activated, while	Oxford Street is a commercial corridor. A high level of vacancy exists on Oxford Street as a result of economic conditions, NSW lock-out laws, the pandemic and a noisy street environment. The City is proposing planning controls which

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		<p>high rise areas like the CBD and the Hyde Park end of Oxford Street are not.</p> <p>Submitters are concerned that increasing height limits is more likely to turn Oxford Street into a commercial throughfare, rather than an activated precinct.</p> <p>Submitters state that the proposed height limits are incompatible with surrounding developments. Height limits are being increased from 15 to 25 metres in some cases in close proximity to two storey terraces or low rise blocks of units, in a manner completely out of character with the heritage form of the area.</p>	<p>permit additional height and floor space to encourage private sector investment and a range of uses which will attract Oxford Street to address these issues. The planning proposal and draft DCP is one component of this renewal. Other components include the cycleway and a LGBTIQ+ Social and Cultural Place Strategy.</p> <p>The existing LEP planning controls do not encourage the activity and investment needed to revitalise the precinct. Many sites have floor space that cannot be unlocked due to the existing height controls. There also are sites in the precinct that are not heritage listed and offer the potential for redevelopment, which under the existing planning controls cannot be realised. The planning proposals allow redevelopment only if the significance and character of heritage items and contributory buildings is protected.</p> <p>The proposals will encourage uses that support the local centre, those that activate the day and the night economy this will stimulate employment and pedestrian activity, increase investment and contribute to the overall revitalisation of the area. Without a change to the planning controls this investment cannot be made.</p> <p>The two storey uplift is in proportion to the width and scale of Oxford Street in the City LGA and is low rise development. Most buildings along the Oxford Street corridor are currently two to three storeys in height. An additional storey may result in a 5 storey building, which is not a tall building in a City Fringe location. Comparisons to other low-rise areas is not relevant given the difference in street scale.</p>
8	Supporting documentation does not justify the	Submitters state that the planning proposal seems to ignore the conclusions of its supporting studies, including the limited development capacity or opportunities within	A range of supporting studies and advice, including from the City's Design Advisory Panel were used to inform the proposed controls.

	Issue	Description	Response
	<p>approaches of the planning proposal</p>	<p>heritage buildings, the feasibility or desirability of creating new floor space on small sites, and the limited the opportunities for development on single large sites.</p> <p>Submitters have cited the SGS Floor space Supply and Demand Study states that, ‘<i>This suggests that <b>there is not likely to be a significant need for additional floor space in the precinct to meet projected total demand</b>, but a small amount of additional office and creative floor space capacity over this period is likely to be needed.</i>’</p>	<p>The reference to the need for floor space to meet demand needs to be read in context including subsequent paragraphs which state:</p> <p><i>Given the relatively low level of demand expected, large scale changes to planning controls to facilitate new development are not required. Instead, consideration could be given to how to best utilise existing floor space within the precinct to cater to different types of demand, and <b>to target redevelopments to deliver new capacity while respecting the precinct’s heritage and character.</b></i></p> <p>Further the SGS Floor space Study states: <i>As is explored further in the accompanying Cultural Activity Study for the precinct, <b>planning for the precinct needs to look beyond simple floor space volume questions. The character of demand is an important consideration, including whether the existing floor space in the precinct is fit for purpose (or able to be made so) for particular uses – this is especially so for the creative sector which spans a variety of uses which have different and specific floor space needs.</b></i></p> <p>By allowing some additional floor space that respects the character of the area, the proposed planning controls encourage the delivery of the type of floor space that will support the creative activity and investment.</p>
9	<p>Outcomes of early consultation does not support the planning proposal</p>	<p>A submitter claims that early consultation did not specifically support increased height development on Oxford Street, or the transformation of the National Art School (NAS) into an entertainment hub hosting large crowds.</p>	<p>The early consultation responses to the online survey reflected strong support for Oxford Street as a cultural and creative precinct:</p> <ul style="list-style-type: none"> <li>• 93% supported making Oxford Street a creative and cultural precinct.</li> <li>• 80% said Oxford Street held social and cultural importance to them.</li> </ul>

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			<ul style="list-style-type: none"> <li>• 83% identified the importance of the LGBTIQ identity of Oxford Street.</li> <li>• 88% supported reviews of planning approaches, including additions to heritage buildings, floor space and height.</li> </ul> <p>The early consultation report found: <i>Participants noted retaining heritage is important for the character of Oxford Street. Throughout consultation, self-guided walking tour participants (80%), survey respondents (≥88%) and workshop participants indicated they support additions on heritage buildings to provide more floor space to support a cultural and creative precinct. Survey respondents that regularly walk through Oxford Street or live, work or visit the shops and services are more supportive of reviews into building heights.</i></p> <p><i>While workshop participants generally supported additions on heritage buildings and increasing building heights, many participants also told us they do not want any new development to be excessively out of character and look and feel 'like Bondi or the CBD'. They particularly pointed to those locations being 'corporatised' with high density and large buildings and overshadowing of the street. Some workshop participants spoke about the existing 'grain' of Oxford Street being an important part of its character.</i></p>
10	Impact of pandemic on office, retail and e-commerce	<p>Submitters question the objectives of the proposals given the CBD has been significantly impacted by the pandemic and has high office and retail vacancy rates. A submitter notes that people are choosing to work from home, creating an upturn in e-commerce. They are concerned that businesses on Oxford Street will therefore have to compete with e-commerce and could remain vacant.</p> <p>Another submitter states that the City should pay more attention to the</p>	<p>The pandemic has renewed economic activity in local areas and high streets, such as Oxford Street, as traditional CBD workers worked from home. The pandemic has also had a significant impact on the cultural sector. The proposal will build on the renewed interest in local business centres and support the revitalisation of the cultural sector by encouraging investment and dedicated creative space.</p>

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		impacts of the pandemic and the transformations happening around them, rather than focus exclusively on the economy and redevelopment.	
11	General approach to redevelopment	A submitter states that any relaxation of the planning controls should be approached with caution and assessed for their impact on Oxford Street’s heritage and character, and the extent to which they will support the prioritisation of creative activity. They do not support any relaxation of regulatory frameworks if they impact on the human scale of Oxford Street, or clutter and reduces the spaciousness of the streets or limits pedestrian activity.	The human scale of Oxford Street will be retained. The two-storey uplift in this part of Oxford Street, with required setbacks, is proportionate to the scale and the width of the street. The proposed controls will not limit pedestrian activity as development will be within property boundaries. The incentivised uses are intended to encourage more activity and pedestrians.
12	The precinct should be predominantly residential	Submitters consider that residential development should be significantly increased along the Oxford Street corridor. This is because there is significant demand for residential properties within this area and this demand will create the need for a wide variety of business to serve the increase in local residents.	<p>The Oxford Street precinct is zoned B2 Local Centre and intended to provide local businesses and services for the surrounding residential community. Oxford Street is a historical commercial and entertainment corridor.</p> <p>The City aims to incentivise the day and night-time economy and create employment and pedestrian activity. Increasing residential development in the precinct would create land use conflicts with night-time economy uses.</p> <p>It would replace active frontages on the street with lobbies and entrances, reduce the frequency of footfall and activity and undermine the revitalisation of the precinct.</p> <p>Residential development can occur in the precinct under the existing planning controls but is not incentivised, or the subject of this proposal.</p>
13	Prioritising retail in the precinct	Submitters encourage retail as a priority for redevelopment. Some submitters want to see more arcades, street stores and food shops.	The planning proposal incentivises retail and provides opportunity for through site links.
14	Health impact on residential	Submitters express concern that the planning proposal will impact the health of residents, through a reduction in sunlight and daylight, with	The draft DCP includes solar access provisions that will protect the amenity of residents. Some sites east of Taylor Square have been

	Issue	Description	Response
		<p>prevailing breezes blocked from a canyon-style development.</p> <p>Some residents believe that the proposals will have measurable effects in air quality and exacerbate mould in the heritage fabric of residential terraces.</p> <p>Submitters state concerns that restaurant charcoal grills cause air pollution which contain toxic smoke in residences in Sturt Street.</p>	<p>excluded from the proposal to ensure development does not have unacceptable overshadowing impact.</p> <p>Canyon-style development will not result in a precinct where development is 4 to 5 storeys.</p> <p>A proposal for a five-storey podium at 1-19 Oxford Street, Surry Hills may assist in minimising wind effects at the entrance of the precinct.</p>
15	Need for a precinct digital strategy	A submitter states that the precinct strategy should be underpinned by a specific digital strategy requiring that Oxford Street create a futuristic networked connectivity and inter-connectivity infrastructure to meet the demands of global approach to creative and cultural activity that is technology oriented and cutting edge.	A digital strategy is beyond the scope of the planning controls.

## 2. Public Domain

	Issue	Description	Response
16	<p>Placemaking for Oxford Street</p> <p>Proposals should be accompanied by public domain to incentivise development.</p>	<p>Woollahra Council states that a key issue with Oxford Street is the dual role it serves, as a high-volume transit corridor and a series of place and activity destinations. Woollahra Council's Oxford Street and Paddington Place plan 2020-2023, states a vision is for Oxford Street to be <i>'Calm and accessible to all, best enjoyed on foot, where locals and visitors can enjoy the sights and participate in the experiences offered'</i>.</p> <p>Woollahra Council encourages the City in its progression of initiatives to support Oxford Street being prioritised for its 'place' role. It states that it should involve giving more space and creating a safer public domain for pedestrian use, calming of traffic, provision of cycling infrastructure and advocacy for removal of clearways and enhanced public transport to support mode shift from private cars.</p> <p>Woollahra Council states that the</p>	<p>Support of Woollahra Council is noted. The City also prevented RMS imposing a barrier along Oxford Street in the City of Sydney LGA.</p> <p>The planning proposal incentivises investment in buildings along Oxford Street,.</p> <p>In time and with the support of the NSW Government, road space in Oxford and Flinders streets could be reclaimed for trees, people and businesses. Traffic on Oxford and Flinders streets could be reduced to single traffic lanes in each direction with adjacent kerbside lanes used for timed parking, loading, bus stops and turning. A two-way bike lane will connect the city centre and Hyde Park to Centennial Park and the eastern suburbs. Footpaths could be widened by up to 6m in some places, creating more space for trees, outdoor dining, entertainment, people and public life. In the shorter</p>

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		<p>proposals should involve beautification of the public domain and provision of public art, including drawing on its importance as the cultural heart of the LBGTQIA+ community.</p> <p>Woollahra Council states that Paddington is a Victorian era, human-scale built environment which is pedestrian friendly.</p> <p>The Council prevented RMS putting a barrier in the middle of Oxford St, which demonstrates Council's commitment to the pedestrianisation of Oxford Street.</p> <p>Submitters note that the first strategic move on Oxford Street should not be the planning proposal but one which addresses the public domain of Oxford Street.</p> <p>The planning proposal for Oxford Street must involve works to upgrade the actual street and improve conditions for people who use it. The cooperation of the State Government which controls Oxford Street is paramount and must be sought.</p> <p>Other submitters state that the draft Oxford Street DCP should be reviewed to ensure that it consistently meets the priority of a more human and nurturing scale including connectivity and circulation in public spaces and streets.</p> <p>Some submitters believe that street level businesses are not viable because of the general poor street environment. The licensed premises with street frontage require gentrification and improvement to attract local patrons.</p> <p>Submitters seek public spaces which have more greening, and request beautification of the street rather than taller modern buildings which they consider will overshadow the street level spaces.</p>	<p>term, the new Oxford Street cycleway will provide streetscape and footpath amenity improvements for safety, connectivity and comfort for people walking, sitting at cafés and restaurants, and visiting local business with a more liveable and green street environment.</p> <p>Precinct revitalisation at East Sydney could relocate the law courts away from Taylor Square and open the historic Darlinghurst Courthouse complex for public and cultural use. It could create a new public space at the forecourt of the Darlinghurst Courthouse fronting onto an expanded Taylor Square, and open the National Art School to Oxford Street, the public and communities.</p> <p>The City will continue to work with NSW Transport to develop more efficient transport and reduced traffic speeds on Oxford Street to free up space for people, improve amenity and conditions for walking, increase safety, decrease noise, and make Oxford Street a more inviting and comfortable place. This has included developing cycleways and providing more pedestrian priority crossing.</p> <p>The City also advocates for the consolidation of the buses, electrification of the bus fleet and re-rerouting of traffic to purpose built arterial roads.</p> <p>The planning proposal addresses the changes to the planning controls which address land use and development. The draft DCP encourages the fine grain activation of the public domain through use, size and design of street level tenancies, activates important spaces and corner sites with food and drink premises with associated outdoor dining, activates laneways and increases public access with through site links. The planning proposal will deliver healthy, safe and inclusive places by providing</p>

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			walkable places at a human scale with active street life.
17	City consult with Woollahra Council	Submitters request that the City work with the State Government and Woollahra Council on improvements to the public domain and the revitalisation of Oxford Street improvements to the traffic and transport arrangements and improvements to the public domain There is proper and meaningful co-operation with Woollahra Municipal Council on any planning proposal that affects Paddington as a whole.	The City is a joint partner with Woollahra in the management of Oxford Street. The City has consulted with Woollahra Council on these proposals both prior to and during public exhibition. These has included meetings to present the proposals on 6 October 2021 and to discuss amended proposals on 16 March 2022.
18	Focus should be on cleaning up and improving Oxford Street	Submitters believe that Council should focus attention on repairing, cleaning and elevating the street level appeal of Oxford Street, rather than redevelopment which could remove heritage features. They express concern that DAs for existing shops do not require upkeep of buildings. They state that a strategy is required to improve the streetscape and the appearance of buildings, so that the heritage of the block between Flinders Street and South Dowling Street is not compromised.	Council cannot require works to buildings through a development application unless those works are included in an application. Council can only condition the works proposed to be undertaken in a certain way. The City's approach is to encourage improvements to buildings with modest additions and controls to guide good design and heritage outcomes rather than spend limited ratepayer money on poorly kept privately owned buildings. The City focuses its investment on public space and transport initiatives such as the cycleway.  A post exhibition change removes the alternative planning provisions from part of the Flinders to South Dowling Street block at 217-263 Oxford Street.
19	Significant improvements to Oxford Street could be achieved whilst simply retaining existing planning controls and making changes to public domain, such as street widening and outdoor dining	Submitters consider that new controls are not needed, and that within the current planning framework that public domain changes can be made which will reactivate the precinct. They suggest on the Flinders to South Dowling Street that outdoor dining could be provided and that until these public domain issues are resolved, no amount of additional floor space will achieve the revitalisation of Oxford Street  Submitters raise the need for more outdoor spaces to sit and dine in as being pivotal to the revitalisation of the Taylor Square end of the Oxford Street	Future public domain improvements alongside the new cycleway will also improve access and space for people on the street.  However, it is the City's experience that public domain improvements alone will not revitalise Oxford Street and new investment and activity is needed in the privately owned buildings of Oxford Street. The proposal controls are needed to encouraged investment and activity as the current controls do not.  The draft DCP encourages the fine grain activation of the public domain through use, size and design of

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		<p>precinct post-pandemic. They also raise the desire for Oxford Street to be a pedestrian-friendly and green boulevard</p> <p>Outdoor dining at 191 Oxford Street - Cafe Freda's provides a good precedent for the precinct. Street parking could be reclaimed along Oxford street to facilitate this in other tenancies along the street.</p> <p>Other submitters state that the use of footpaths in Oxford Street needs to be very carefully assessed because footpaths are not particularly wide. They state that any outdoor tables and chairs permitted to complement cafes, restaurants or other hospitality venues should respect the predominant function of providing a pedestrian thoroughfare.</p>	<p>street level tenancies, activates important spaces and corner sites with food and drink premises with associated outdoor dining, activates laneways and increases public access with through site links.</p> <p>Non food and drink businesses however require other incentives. Redevelopment which meets heritage requirements will improve the appearance of buildings, remove vacant space and create more useable and activated employment floor space in the precinct.</p> <p>Any outdoor dining that occurs as a result of these proposals and the City's long term 2030-2050 proposals will be required to be consistent with the City's Outdoor Dining policy and guidelines which promote safe and equitable access and supports local businesses by creating places and streets that are amenable and attractive to all visitors.</p>
20	Concerns about commercialising laneways	<p>Submitters are concerned that the proposal to commercialise Little Oxford, Ryder and Denham Streets as well as Taggerts Lane is too vague. Without any incentive offered to property owners and landlords within this precinct to commercialise, this precinct will remain predominately residential and suffer from a lack of investment.</p> <p>Another submitter states that loading, fire egress, waste management requirements take up a significant area. They believe that if the intention is to 'upgrade' the laneways then all of the aspects need to be understood on a block by block basis.</p>	<p>Denham Street and Taggerts Lane are not included in the precinct, so the planning proposal does not apply. The proposal does apply to Little Oxford Street.</p> <p>The planning proposal incentivises property owners to redevelop their properties and activate laneways with increased height and floor space provisions.</p> <p>The draft DCP requires sites with a greater than 6m frontage to activate laneways with small scale retail or community facilities, landscaping, art and improved amenity. These proposals will be proposed in DAs and assessed on a case by case and block basis with regard to the specific circumstances of each block.</p>
21	High rise buildings may alienate pedestrians	<p>Submitters consider that high rise buildings on William Street have done nothing to improve the situation and</p>	<p>The planning proposal provides an incentive for building owners to invest in their properties and bring cultural and creative activity and</p>

	Issue	Description	Response
		have created even greater street level alienation for pedestrians and locals.	other uses that support Oxford Street as a cultural centre and local high street. The height increase of up to two storeys is compatible with the pedestrian amenity of the precinct.
22	Extend the boundaries of the precinct to include Paddington Town Hall	Cobbstar Studios is a creative business located in the Paddington Town Hall which wishes to be included in the cultural and creative precinct.	The Paddington Town Hall is beyond the scope of the commercial corridor of the precinct where it is appropriate to apply the incentive provisions. Paddington Town Hall is physically separated from the precinct by the Victoria Barracks.
23	Traffic should bypass Oxford Street so it can be pedestrianised	A submitter proposes an underpass across Oxford Street for traffic so that Oxford Street to open up the opportunity for it to be pedestrianised like Las Ramblas in Barcelona.	In time and with the support of the NSW Government space in Oxford and Flinders streets could be reclaimed for trees, people and businesses. Footpaths could be widened by up to 6m in some places, creating more space for trees, outdoor dining people and public life.  These proposals may reduce the extent of the transport corridor by removing traffic lanes to provide space for cycleways and pedestrian activity. An underpass for traffic would be a major infrastructure project that would be the responsibility of the NSW Government.
24	Consistency with City of Sydney Greening Strategy	A submitter raises concern that the draft Oxford Street DCP is not consistent with the City's Greening Sydney Strategy, August 2021. They state that need for further green public spaces within the precinct and new tree planting.	In time and with the support of the NSW Government road space in Oxford and Flinders streets could be reclaimed for trees, people and businesses.
25	Reuse of Taylor Square substation	Submitters consider that the existing heritage Substation 6 in the middle of Taylor Square is underutilised. They reference the programmatic options listed in the SGS report that could activate this building and the adjacent public space, such as pop-up gallery, artist in residence, and other adaptive reuse considerations.	Many proposals have been considered for the repurposing of the substation 6 in Taylor Square. This is a state listed heritage item with significant heritage constraints, which have prevented its redevelopment. The City continues to investigate opportunities for this site and the draft LGBTIQ+ Place Strategy will explore the repurposing of the substation and toilet block on Taylor Square.

	Issue	Description	Response
26	Proposals for an Oxford Street walk of fame	A submitter suggests an 'Oxford Street walk of fame' between the Intersection of Crown Street/Oxford street to Taylor Square and relaunch Oxford Street and Kings Cross as a travel spot to party and enjoy night life.	The walk of fame idea is noted. The proposals and LGBTIQIA+ Place Strategy will seek to build on Oxford Street as a historical special character area, main street and entertainment precinct.
27	Proposals to redesign Oxford Square	A submitter addresses the constraints of Oxford Square and suggests that it should be expanded, re-designed and rebuilt. The current design outcomes in conjunction with topography means Oxford Square is too small to be able host any meaningful public life. The submitter states that the expansion of Oxford Square can be achieved by proposing new curbs, which increase the size of the pedestrian only area and provide an opportunity for surrounding buildings to better interface with the public space.	The submission is noted. The design of Oxford Square will be considered in the context of future public domain proposals for Oxford Street.
28	Work with the NSW Government to relocate the Darlinghurst Courthouse functions.	<p>Submitters raise the need to utilise the enormous amount of greenspace outside the Courthouse which they consider should be the 'front door' of the NAS and should be welcoming. Greater consideration should be undertaken as to how this forecourt may facilitate a variety of uses, such as the adjacent Organic markets, food trucks, or NAS art shows.</p> <p>They request that Council urgently work with the NSW Government to relocate the Darlinghurst Courthouse functions. Submitters understand that this could involve the repurposing of the buildings as a venue, theatre, or art gallery. They state that a through-site link could be provided to connect the Art School with Oxford Street.</p> <p>Two submitters state that the railings in front of the Darlinghurst Court House should be retained and consider that the railing are part of the demarcation of this heritage area and an important feature of Darlinghurst and the city.</p>	In time and with the support of NSW Government, precinct revitalisation at East Sydney could relocate- the law courts away from Taylor Square and opens the historic Darlinghurst Courthouse complex for public and cultural use and open the National Art School to Oxford Street, the public and communities.

	Issue	Description	Response
29	Heritage buildings are part of the public domain	A submitter states that the public domain is created by the heritage buildings. They should be conserved to ensure the quality of the public domain is not lost.	The planning proposal does not propose to remove heritage buildings. Sympathetic development of heritage buildings consistent with the proposed planning controls provides an opportunity to improve the appearance and heritage features of the buildings and their contribution to the public domain.
30	Request to delete the proposed through site link from Taylor Street to Oxford Street	<p>Sturt Street residents are concerned that the exhibited through site link from Taylor Street through to Oxford Street will have a major impact on traffic and increase access to restricted parking facilities day and night on Sturt Street. They are concerned that waste disposal, antisocial behaviour and noise will result late at night. Following a decision by the Land and Environment Court in which residents contested access via Sturt St to the ARQ club facilities on Flinders St, an all-night security guard was approved by the Court and agreed such arrangements have been in place for over 20 years. It is considered that through site links will undermine these security provisions.</p> <p>Sturt Street residents do not wish the street to be activated as a laneway as they are not included in the DCP laneway provisions. They understand that the planning proposal does not seek to activate Sturt Street as a laneway but consider that night-time service access associated with the through site link will activate it as a laneway by default.</p>	A post-exhibition change has removed the through site link from Taylor Street to Oxford Street. This will remove the potential for increased activity at Sturt Street and focus pedestrian activity on Taylor Square.
31	Safety of through site links	A submitter is concerned that through-site links can be dangerous to walk through at night. They are not supported unless they are locked at night.	The City provides through site links to increase access through long blocks the overall walkability of an area. More through site links can improve safety through alternative paths and passive surveillance. Whether the through site link is locked at night will depend on the ownership of the land and whether there this land includes 24-hour access easements. Design of any through site links will be assessed against Crime Prevention Through

	Issue	Description	Response
			Environmental Design principles (CPTED) in a DA.
32	Need for more public toilets	Submitters including Sturt Street residents, request public bathroom facilities for those who sleep rough, those who party during the night and to encourage anti-social behaviour occurring on laneways.	The need for accessible and safe public toilets in the precinct is noted. While this is beyond the scope of the planning controls, an action in the draft LGBTIQ+ Place Strategy will explore the provision of safe and accessible public amenities in the precinct.

### 3. Transport

	Issue	Description	Response
33	The planning proposal should be supported by a Transport Study because it has the potential to impact the transport network	<p>Transport for NSW states that the Planning Proposal may impact the existing transport network from pedestrians, cyclists, bus operations, and additional vehicular traffic in the precinct and requests a transport assessment should be undertaken that will specifically focus on the potential increase in traffic to serve and facilitate the 11,346 m2 of creative and cultural floor space.</p> <p>Other submitters state that a transport study should be the starting point for the proposals. The nature of traffic, parking, cycles, footpath design, street furniture, landscape all contribute to the environmental quality of Oxford street as does the design of the “squares”, pedestrian crossings, signage, shop frontages and more.</p> <p>Submitters consider that the proposal will exacerbate transport congestion on Oxford Street. They are concerned that apart from the proposed cycle way, the proposal is not part of an integrated plan with Transport NSW to revise traffic management and traffic impacts on Oxford Street.</p>	<p>A Transport Study has been prepared to support the planning proposals and the establishment of 42,500sqm of proposed employment floorspace, including the 11,000sqm of floor space for a cultural and creative purpose. The cultural and creative floor space will comprise galleries, maker spaces, small event and entertainment spaces and so has been assessed within the overall development context rather than separately. This Study assesses a worst-case scenario as post-exhibition changes have reduced the total additional floor space to approximately 33,865sqm.</p> <p>The Study recognises that the planning proposal is developed in parallel with local planning strategies Sustainable Sydney 2030 and NSW Future Transport 2056 to encourage active and public transport use in the Oxford Street City Fringe area. The Study concludes that the additional trip demand generated by the planning proposal (1,392 trips in the morning and afternoon peaks) the majority of which will utilise public transport and can be accommodated within the capacity of the existing transport network.</p> <p>The planning proposal is forecast to generate an additional 70 trips by car in both the am and pm peaks. This is considered insignificant when</p>

	Issue	Description	Response
			set against the heavy regional traffic carried by Oxford Street, and is not expected to have any material affect on intersection level of service.
34	Servicing and access of commercial properties from rear lanes	<p>Submitters state that side streets such as Foley Street, or streets that are not designed for significant through or even local traffic should not be subject to increased pressure from servicing and access to the new additions. They state that access of traffic into new developments in Oxford Street must not be from side streets which are residential in part or whole.</p> <p>Submitters state that significant increases in vehicle movements, including regular and overnight delivery trucks and garbage trucks, will dramatically increase noise and nuisance for residents.</p> <p>Sturt Street residents believe that only if services are delivered from the front on Oxford St can even half of the envisaged scale of development be delivered. With additional residential traffic from newly approved developments on Sturt Street, submitters state that traffic conditions on a street without sidewalks that simultaneously serves pedestrians in a shared traffic zone will be impossible.</p>	<p>Rear lanes and side streets have historically served commercial premises and entertainment premises on Oxford Street. Servicing and access of commercial properties from Oxford Street is currently not possible due to bus lanes and clearways.</p> <p>The draft DCP includes provisions to minimise the impacts on local residential living adjacent to rear laneways which encourages a consolidated single building approach to servicing and access.</p> <p>A post-exhibition change proposes a new DCP guidance which encourages a consolidated approach to servicing and access on laneways in the precinct to minimise impacts on residential amenity. The guidance will require a transport management plan to be submitted with a development application which demonstrates a single building approach to loading, access and servicing and minimises the number of trips and parking on rear lanes</p> <p>Another post-exhibition change excludes building immediately north of the properties on Sturt Street.</p>
35	Servicing hubs to address waste and servicing on lanes	Submitters suggest that if the rear lanes are to become more attractive and liveable, the City should consider purchasing or leasing property to provide waste storage and other shared infrastructure on a street block by street block basis. This would not only improve the visual amenity of the street it would allow for more efficient use of the ground level.	A post-exhibition change encourages a consolidated single building approach to servicing and access on laneways in the precinct to minimise impacts on local amenity.
36	More people will drive to the precinct and require parking	A submitter believes that post-pandemic people are choosing not to take public transport and prefer safer car travel. This means that roads will be congested from Tuesday to	Oxford Street is an active transport corridor and with good access to high frequency bus and train services. The Oxford Street Transport Study states that with the current maximum car parking

	Issue	Description	Response
		<p>Thursday. It is unclear where patrons of the precinct will park.</p> <p>Other residents claim that parking is a long-term problem in the precinct from Taylor Square to Greens Road. Residents find it difficult to park given students at the UNSW Art and Design Campus, patrons of the Verona Theatre, workers on the Stadium as well as the increasing number of construction sites on Oxford Street such as the demolition and rebuild of the former Odeon later Academy Twin Theatre on the corner of Oxford and South Dowling Street.</p>	<p>provision and the close proximity to high-quality public and active transport facilities, there would be a limited increase in additional car trips generated by the developments and that this can be managed under current traffic conditions.</p>
37	Entrances of upper level tenancies dominating Oxford Street frontages	<p>Woollahra Council states that entrance locations for upper level tenancies for properties with narrow separate lots / retail widths could be located on Oxford Street and could undermine the reactivation of Oxford Street. This could particularly be an issue in the block on the southern side of Oxford Street, from Crown Street to Taylor Square and the block from Taylor Square to South Dowling Street. To ensure activation or reactivation occurs, it is recommended that controls be included to require access from the rear lane unless an amalgamation of properties creates a frontage greater than a certain width.</p>	<p>The potential for entries, lobbies and other services to dominate otherwise active frontages is noted. Many sites in the corridor have rear lane access, because businesses cannot undertake servicing from Oxford Street. The location of lobbies and entries will be subject to specific site circumstances and will be most appropriately considered on a case by case basis through applications for development consent, rather than a blanket DCP provision.</p>
38	Mitigation of traffic noise	<p>A submitter states that the draft DCP should be reviewed to identify what noise mitigation measures can be taken to reduce traffic impacts in Oxford Street in the short term, and how the long-term predictions should be factored into planning today.</p> <p>Reducing traffic lanes should encourage less private vehicles to use this corridor which would increase amenity for residents and visitors.</p>	<p>In time and with the support of the NSW Government road space in Oxford and Flinders streets could be reclaimed for trees, people and businesses. This could include reorganising buses, calming of traffic, reduction of traffic lanes and creation of up to six metres more space on the footpaths for entertainment, dining and public activities. This will improve amenity and conditions for walking, increase safety, decrease noise, and make Oxford Street a more inviting and comfortable place. The DCP only applies to development, not traffic on the road corridor. Under current planning controls residential development along busy roads must</p>

	Issue	Description	Response
			design to protect residents from the road noise.
39	Right turn required at Flinders Street	A submitter states that a right turn at Flinders Street into Oxford Street should be considered in relation to the redesign of the whole stretch between Taylor Square and Three Saints Square. They state that it may be possible to reconsider the lane distribution to allow a footpath widening on the south side which could allow for outdoor dining along this strip which was once one of the most well patronised eat streets in the area.	Changes to allocation of road space are not delivered through planning controls. In time and with the support of the NSW Government, traffic lanes could be reduced and space reclaimed for pedestrians, creating up to six metres more space on the footpaths for entertainment, dining and public activities.
40	Restrict parking access on south side of Sturt Street for residents	Sturt Street residents seek restricted access to parking on the South side, for existing residents only on the south side of Sturt St.	On street parking is managed through the City's Neighbourhood Parking Policy and not the planning controls. A post exhibition change has excluded the buildings at 217-263 Oxford Street from the planning proposal. This means that Sturt Street residents will not be impacted by increased traffic generated by development under the alternative planning controls.
41	Objection to the proposed cycleway	A submitter claims that they do not support the proposed cycleway because it will introduce high speed cycling to the precinct and reduce opportunities for outdoor dining.	Council approved the concept design for the Oxford Street Cycleway on 21 February 2022.  Cycleways improve amenity of the street and promote local business and outdoor dining opportunities by removing traffic lanes and locating traffic further from footpaths and buildings. Active transport is a key objective of NSW Transport planning policy and is encouraged in the precinct.

#### 4. Business

	Issue	Description	Response
42	Proposals will drive up rents and close businesses	<p>A small business owner considers the proposed changes to the existing planning controls to be unnecessary. The submitter states that most small business renting from landlords may have construction clauses in their contracts and would stand to lose their space or their businesses if redevelopment or property sales were to proceed.</p> <p>The submitter claims that small businesses in the area already pay high rent and have suffered enough without increased development which will drive up rents and remove the heritage character of the precinct.</p>	<p>In early consultation, the City received strong community support for the revitalisation of the precinct. The planning controls are intended to increase activity in the precinct which will support businesses in the longer term, result in improved buildings and reduce vacancies.</p>
43	The proposals are mandatory and onerous	<p>A submitter claims that the proposals include regulations that make it even more difficult to start a business or develop a property in the area. The submitter claims that cultural and creative space will come forward without an incentive and that the proposals are forcing business owners to make space for culture when they can't afford it.</p>	<p>The proposals are a set of alternative controls that landowners or property owners can take up if they wish. They are not mandatory and offer the option of additional floor space or height if a proportion of space is provided for cultural and creative activity. Landowners can establish businesses or proposed development under the existing controls without providing cultural and creative floor space.</p> <p>It is the City's experience that cultural and creative spaces typically do not come forward in redevelopments because they are not uses attract high rents. Incentives which encourage landowners to subsidise these uses assist in establishing these spaces in mixed use developments.</p>
44	Include department stores, high end fashion stores on Oxford Street	<p>A submitter claims that high end fashion boutique stores have historically not appeared on Oxford Street and should be encouraged. The submitter says that Sydney is unusual because high-end boutiques are found in CBD where there are not many food and other beverage opportunities on a weekend.</p> <p>Two submitters are pleased that clubs and entertainment and sex industry premises are closing and that the street has better amenity and safety</p>	<p>The existing zoning for the precinct encourages a diversity of uses and the proposals incentivise local centre uses such as retail. Planning controls can incentivise the provision of retail floor space but cannot require a specific type of retail tenancy to establish in the precinct. Whether redevelopment will include high end retail will be determined by the market.</p>

	Issue	Description	Response
		<p>for residents. They want more shops like hardware stores, seafood shops, art galleries, heritage buildings, arcades, markets and coffee stores. They do not want convenience stores and low-end retail.</p> <p>Another submitter seeks anchor Department Stores like Oxford street or Myer on Oxford Street.</p>	
45	Encourage land uses and spaces that encourage more patronage in Oxford Street.	A submitter states that Council should work with landlords and business owners to establish uses that will attract patrons to the area.	The planning proposal encourages business and incentivises local centre uses which will increase pedestrian traffic and active ground floor uses. These include retail, office and business uses, community facilities, educational facilities, light industry and performance spaces, bars, clubs and other creative spaces. The City will work with businesses and landowners to ensure these uses promote activity in the precinct during applications for development consent.
46	Council should control rents so businesses don't close.	A submitter suggests that Council should control rents so that businesses don't close, instead of considering redevelopment.	Council cannot control rents for properties that it does not operate. Council no longer subsidises or operates property on Oxford Street. Investment is also needed from the private sector in the buildings, spaces and activities as history has shown council-led public domain improvements and programs are not sufficient to revitalise Oxford Street on their own.

## 5. Night time economy

	Issue	Description	Response
47	Support for increased nightlife and basement live entertainment provision.	<p>Submitters express support for the basement live entertainment provision.</p> <p>One submitter suggests that basements should be redeveloped and occupied before greater height is considered.</p>	<p>The support is noted.</p> <p>The basement incentive which permits additional GFA for entertainment facilities for live entertainment is only available if redevelopment occurs which meets heritage requirements.</p> <p>Basement redevelopment is also currently permitted under the existing planning controls, however because these do not come forward on many sites the City is incentivising them.</p>
48	Support for later opening shops	<p>Submitters support more cultural activity during the day and night and wish to see retailers (eg book shops, clothing stores etc) also operating in the evenings to facilitate a balanced mix of night-time options in addition to more art spaces and restaurants /hospitality/entertainment venues.</p>	<p>The support is noted. The City's late-night trading controls and the City's Open and Creative planning proposal will apply to the precinct and encourage later opening shops in the precinct.</p>
49	Encourage nightclubs to replace those that have been lost	<p>Submitters claim that the proposed planning controls do not adequately acknowledge the importance of late-night licenced venues to the local community and broader LGBTIQ+ community. They state that nightclubs are important cultural spaces that have provided safe spaces for the community come to meet for decades. Adequate considerations should be given to ensuring these venues aren't taken from Oxford Street and the community.</p> <p>Venues such as those located at 16 Flinders Street provide a significant contribution to the precinct and should be maintained for future generations.</p>	<p>The planning proposal permits additional GFA of 0.8:1 for entertainment facilities for live entertainment if it located below ground. Nightclubs fall under the definition of an entertainment facility. These uses are incentivised above or below ground in the precinct.</p> <p>The planning proposal also requires the retention of existing cultural and creative floor space in the precinct, which includes nightclubs and will help prevent their loss. A post-exhibition change acknowledges the importance of night time venues to the character of Oxford Street.</p> <p>Planning controls cannot target specific groups, or businesses operated by specific groups.</p> <p>The City's LGBTIQ+ Place Strategy includes actions map and monitor LGBTIQ+ venues in the precinct and encourage business in the precinct to celebrate and support LGBTIQ+ community and culture.</p>

	Issue	Description	Response
50	Encourage a small bar scene on Oxford Street	Submitters encourage council to consider successful models for a small bar scene, including alfresco dining.	<p>The City's planning proposal requires sites with a frontage greater than 6m to activate rear laneways and this can include small food and drink premises. The City encourages alfresco dining as part of its outdoor dining policy and is currently waiving fees to help more venues trade outdoors.</p> <p>The City already encourages small bars in the City and in and around Oxford Street. The City's late-night trading controls encourage small bars and performance on Oxford Street, allowing them to trade until 2am if they have entry and egress onto Oxford Street and not a laneway providing access to residential properties.</p>
51	Additional noise control requirements	Sturt Street residents request additional provisions regarding noise control in proximity to residential areas, including acoustic design provisions for newly re-built or adapted buildings.	<p>The City's late-night trading DCP allows premises in specific areas on Oxford Street to operate up to 24 hours subject to successful trials and good management. Noise from late night trading is addressed through development consent conditions and plans of management.</p> <p>The City's entertainment sound management planning controls will be reported later in the year and will improve the fair management of entertainment sound and ensure that any new venues locating in Oxford Street mitigate their sound impacts.</p>
52	DCP principles to avoid new residential development.	<p>Sturt Street residents consider that the draft DCP principle to 'avoid new residential development', does not provide for protection of existing residential development and neighbouring residential areas from the potential conflict with desirable land uses that promote activity and the night-time economy.</p> <p>The avoidance of potential conflicts involves:</p> <ul style="list-style-type: none"> <li>• Strategic Zoning of Night time Business Activities</li> <li>• Strengthening DCP provisions</li> </ul>	<p>The reference in the DCP to the 'avoidance of new residential development' relates to new redevelopment that occurs under the existing planning controls, and seeks to ensure that land use conflicts with the night-time economy are minimised.</p> <p>The City has strategically zoned night time activities in its Late Night Trading DCP where different parts of Oxford Street are subject to a City Living (open until 5am), Late night management (open 24 hours ) and a Local Centre area (open until 12pm or 2am) late night trading areas. This policy requires entertainment</p>

	Issue	Description	Response
		<ul style="list-style-type: none"> <li>Additional Regulations, designed in conjunction with DCP Provisions</li> </ul>	<p>activities to mitigate the impact of sound on neighbours.</p> <p>These and all other relevant policies in the Sydney LEP and DCP will apply to the precinct to ensure that impacts on residents adjacent to the commercial corridor are minimised.</p>
53	Increased population will result in more noise complaints and the reduction of performance spaces	Other submitters express concern that the introduction of development and increased population in Oxford Street will result in over-policing and noise complaints as the area. The submitter asks what is being done to protect venues from complaints about noise from neighbours.	<p>The City's intention is to incentivise uses which build on the local centre function of Oxford Street and its potential as a cultural and creative hub. A secondary consideration is to minimise conflicts between night time economy uses and other sensitive development including residential uses. The alternative planning controls do not incentivise residential development of any kind in the corridor to minimise conflicts and prioritise local centre and cultural and creative uses.</p> <p>The City's entertainment sound management planning controls will be reported later in the year and will improve the fair management of entertainment sound and ensure that any new venues locating in Oxford Street mitigate their sound impacts. These proposals place the onus on new development to mitigate the impacts of noise on the surrounding development. This will ensure that where a new residential development locates adjacent to an established venue that the residential development cannot seek the venue to alters its operations to minimise noise and vice-versa.</p>
54	Resident concerns about noise from roof top bars, clubs, servicing antisocial behaviour and traffic	<p>Sturt Street residents are concerned about excessive noise levels from roof-top bars/clubs/music and performance venues and their patrons on the street, anti-social behaviour associated with consumption of alcohol and illicit drug use.</p> <p>They claim that this will result in unchecked late-night parking violations, round the clock Waste Collection with loud reversing Garbage Collection vehicles and traffic congestion.</p>	<p>A post-exhibition change excludes buildings at 217-263 Oxford Street from the planning proposal. Another post exhibition change has removed the through site link from Taylor Street to Oxford Street.</p> <p>Oxford Street is a long established late night trading area. The City's late-night trading DCP allows premises in specific areas on Oxford Street to operate up to 24 hours subject to successful trials and good management. Noise from late night</p>

	Issue	Description	Response
		<p>Resident's state that their experience with roof-top bars has not been positive, in part due to inconsistency in DA approvals, in design requirements for limiting noise and regulating hours of operation.</p> <p>Sturt street residents claim that activating the Oxford Street night-time economy will significantly impact on the night-time service access and uses of the rear from Sturt Street, unless provisions are included in the DCP to prevent this, ie. waste storage and disposal on the premises, design compliance for ground floor plans to meet regulations governing waste collection services, use of rear entrances and exits, night-time, parking from visitors and shift workers etc.</p>	<p>trading is addressed through development consent conditions traffic management plans and plans of management.</p> <p>Rooftop bars will be assessed on a case by base basis against amenity, heritage and design requirements. Conditions can be applied which limit the operational hours, set noise levels and require management of patrons and servicing to manage impacts.</p>
55	<p>Proposal will facilitate the over saturation of licensed premises in the precinct</p>	<p>A submitter states that the proposals do not address alcohol-related violence and anti-social behaviour experienced on Oxford Street over the last two decades</p> <p>Despite the lockout laws and impacts from the pandemic, Oxford Street retained a significant number of licensed premises and related late-night uses, with weekend night trade already increasing significantly following the easing of pandemic restrictions.</p> <p>Both the NSW government and council have recognised Oxford Street as a precinct suffering from an oversaturation of licensed premises, yet this does not appear to be acknowledged in the proposals</p> <p>It would be more appropriate to encourage further creative/cultural or retail/services at basement levels, rather than entertainment (particularly as the definition of entertainment appears to include DJs and nightclubs).</p>	<p>The Oxford Street planning proposal includes uses that are permissible in the land use zones and late-night trading areas. The planning controls encourage nightclubs and live entertainment in basements where noise is easier to manage.</p> <p>Oxford Street is a historical late-night entertainment precinct. The City's late-night trading controls applying to the precinct encourage a diversity of late-night premises, including later opening non-alcohol based premises such as businesses and shops, and performance spaces where drinking is not the primary focus of the activity. These controls set to attract a more diverse crowd out at night and a create a safer night-time environment.</p> <p>Notwithstanding, planning controls cannot address cumulative impact of licensed premises as this is the role of NSW liquor licensing.</p>
56	<p>Night-time economy strategy</p>	<p>A submitter requests that the City review its Late-Night Economy strategies to reduce concentrations of late night uses in specified 'centres' and 'precincts.' The submitter seeks a</p>	<p>The City's late-night trading DCP controls were reviewed in 2018 and published in June 2019 and apply to the Oxford Street cultural and creative precinct. The late-night</p>

	Issue	Description	Response
		<p>distributed approach which integrates late night trading into commercial centres which are close to public transport links to enable rapid dispersal of people leaving venues and are part of a broader cultural focus which includes theatres, playhouses and restaurants. They state that all medium to large licensed premises should be required to mitigate noise impacts and the City develop a comprehensive set of guidelines for doing so.</p>	<p>trading areas have been based on proximity to commercial centres and public and includes provisions which incentivise a diversity of non-alcohol-based late-night trading uses including performance and late opening shops. Late night trading uses must mitigate noise and the responsible service of alcohol is a requirement of all plans of management.</p> <p>The City sets noise levels for late night premises through development applications. The City's new entertainment sound management planning controls will be reported later in the year and will improve the fair management of entertainment sound and ensure that any new venues locating in Oxford Street mitigate their sound impacts.</p>
57	Impacts on night-time economy from adjacent residential development	<p>A submitter expresses concern that that people who attend the businesses and aim to see live music and enjoy late night activities are not represented fairly in the event of conflicts with the neighbours.</p> <p>The submitter states that all new developments should be bound to accept a level of background noise and peak noise levels higher than those in other areas. Complaints within those areas outlined in the plans are validated only in excessive circumstances and after 4am and outdoor socialising should be permitted to 2am.</p> <p>They state that soundproofing should be mandatory in all residential buildings and guaranteed by the builder for 20+ years</p>	<p>The City's late-night trading controls will determine trading hours in the precinct at through applications for development consent. Plans of management for late night trading premises require that premises minimise noise impacts on the public domain.</p> <p>The City's entertainment sound management planning controls will be reported later in the year and will improve the fair management of entertainment sound and ensure that any new venues locating in Oxford Street mitigate their sound impacts. New residential buildings will have to be designed to protect residents from the noise that exists in the area.</p>
58	Support for the night-time economy	<p>Submitters claim that the precinct needs to be addressed and supported by after-hours public transport nodes, parking concessions for precinct users, public safety systems such a crowd care, security and law enforcement. better policing, integrated transport and Uber taxi bays to get people home safely, mixed use areas to provide</p>	<p>The City's Open Sydney strategy sets out the actions to support the night time economy including in the areas of transport, safety and diversity. The City is also working with the NSW Government on implementing their 24-Hour Economy Strategy.</p> <p>The draft LBGTIQA+ Place Strategy includes actions to improve the</p>

	Issue	Description	Response
		diversity, street art and lighting, street performance.	public domain, increase safe spaces and establish more public art and street arts in the precinct.
59	Learn the lessons from Kings Cross and not repeat on Oxford Street	Submitters express concerns that the Oxford Street revitalisation will reduce the entertainment offering and become a residential area like Kings Cross. After the impact of lockout laws, the pandemic, and making way for residential development, submitters consider that Kings Cross has become culturally bleak.	The City is incentivising uses which build on the local centre function of Oxford Street and its potential as a cultural and creative hub. The alternative planning controls do not incentivise residential development of any kind in the corridor to minimise conflicts and prioritise local centre and cultural and creative uses.
60	Reduce opportunities for gambling machines	Submitters state that the proposals should ensure that the number of pokies and gambling machines are reduced in the precinct	Gambling is regulated by the NSW Government not the City. The City is unable to regulate gambling in Oxford Street.
61	Impact of proposals on adult entertainment and sex industry premises	A submitter expresses concern that adult services and sex industry uses will be removed. They state that it is not clear whether these businesses fall under the definition of cultural and are incentivised.	Under the current controls, adult entertainment and sex industry uses are not prevented from locating in the precinct.  These uses are not incentivised in the alternative planning provisions, although a post-exhibition change includes them in the description of the historical character of the area that the City wishes to retain.  In consultations with the community the City has heard a desire for more culture and creativity in the precinct and that is the focus of the incentives in the planning proposal.
62	Include Stanley Street in the precinct	A submitter requests that Stanley Street be included in the precinct so that it can be subject to revitalisation, given the early closing of late-night trading premises in the area.	The precinct includes only the commercial corridor of Oxford Street, and specifically excludes residential development surrounding it. Stanley Street is beyond the commercial corridor and cannot be included.

## 6. Residential amenity

	Issue	Description	Response
63	Impacts from commercial activity and impacts on residents	Residents located in or around Foley Street, Taylor Square, Sturt Street and Forbes Street are concerned about the impacts of noise and activity on their local amenity.	<p>Living in or adjacent to mixed use neighbourhoods and near high streets and centres brings many advantages such as being able to walk to places, having daily needs and services close by, and having a greater choice for shopping, socialising and going out in the neighbourhood. Living in these places comes with the understanding that there will be a level of activity and sound from people carrying out their business, socialising and enjoying their neighbourhood.</p> <p>Post-exhibition changes are proposed to the planning proposal to address impacts on residential amenity, including the exclusion of specific buildings, removal of through site links and the new DCP guidance requiring a consolidated single building approach to servicing and access of commercial properties backing onto lanes to minimise impacts on residential amenity.</p>
64	Concern that food manufacturing businesses impact on residential amenity	Submitters express concern that food manufacturing businesses create adverse impacts on residential amenity. They cite examples that have impacted Sturt Street.	Food manufacturing is an industrial use and not permitted within the B2 Local Centre zone. The Open and Creative Reforms make Light Industry a permitted use in the zone, which is required to not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell and other impacts.
65	Approved mixed business uses should be specified in the draft DCP to minimise impacts on amenity	<p>Submitters state that approved mixed business uses should be specified in the draft DCP to minimise impacts on amenity and updated with more precise guidance on the types of permitted uses and their proximity to residential use.</p> <p>The submitters state that approved uses should be revised consistently, whether applied for under the alternative or existing controls.</p> <p>They request that Council use its discretionary authority to approve uses of the buildings that conform with the</p>	<p>The LEP sets the permissible uses in a zone for all land under that zoning in the council area. NSW legislation does not allow different zoning for an individual precinct. Potential impacts from land use conflict, such as noise, are assessed and managed through the development application process.</p> <p>The proposed planning controls retain the local centre zoning of the area and incentivise uses that will support activity and cultural and creative uses.</p>

	Issue	Description	Response
		<p>redevelopment objectives and envisaged character of Oxford Street.</p> <p>Council should use the discretionary authority to specify and approve uses that conform with the character, amenity and limited traffic capacity of residential streets such as Sturt St at the rear of Oxford St properties.</p>	
66	Noise from rooftop bars	<p>Many residents claim that they will be subject to noise from rooftop terrace and bars.</p> <p>A submitter expresses concern that the Hub co-working space a 223 Liverpool Street will become a rooftop venue and impact on the quiet residential neighbourhood. They state that 223 Liverpool Street Darlinghurst should not be included in the Oxford Street Cultural and Creative Precinct because it is not located on Oxford Street.</p> <p>Residents from Forbes Street are concerned that rooftop bars and late-night activities will be as close as 200m or less from balconies, living rooms and bedrooms of many residences located at 299 Forbes Street which are south-facing.</p>	<p>Oxford Street is a long established late night trading area and commercial corridor.</p> <p>Noise from late night trading will be addressed through DAs and planning conditions and plans of management.</p> <p>Rooftop bars will be assessed on a case by case basis against local amenity, heritage and design requirements. Conditions can be applied which limit the operational hours of the bars and set noise limits.</p> <p>It is not a requirement for a business to have a frontage to Oxford Street to be included in the precinct. The Hub site has been included in the precinct because it is located in the B2 local centre zone and can contribute to the vision for Oxford Street.</p>
67	Solar access planes	<p>Sturt Streets residents believe that the proposed uplift to the commercial block to the north of the street will cause them to lose solar access from the front of our homes at the first and second levels.</p> <p>They state that the 8 metre south facing street frontage proposed for Oxford Street premises on Sturt Street cannot provide the minimum conditions of sunlight required by the DCP.</p> <p>Submitters believe that many commercial property owners have not maintained these properties and keep them vacant for tax purposes, so the proposals will not revitalise the block. Shop front maintenance and appearances play a huge part in</p>	<p>Due to the impact of a two-storey uplift on the amenity of residential terraces on Sturt Street and the location of heritage roofscape features that are visible from Oxford Street, buildings at 217-263 Oxford Street, located directly to the north of Sturt Street will be excluded from the planning proposal.</p> <p>Development may however still occur on these sites under the existing planning controls. A post exhibition change to the draft DCP identifies roofscape features on other buildings visible from Oxford Street including sites at 245-263 Oxford Street. This will mean that any redevelopment that occurs in this block will need to be setback</p>

	Issue	Description	Response
		<p>attracting businesses and consumers to these spaces, not height.</p> <p>Residents request that a solar access plane is included in the DCP which aims to retain solar access for 2 hours mid-winter between the hours of 9am and 3pm, or where already receiving less than that amount, not being further reduced.</p> <p>A street frontage height of 4.4m to 5.4m on the north face of Sturt St is sought to provide minimum solar access to ground floor living space of each dwelling on Sturt Street.</p> <p>Sturt Street residents seek to ensure that all new development provides an appropriate transition between the scale of development proposed for the front on Oxford St and the back on Sturt Street</p> <p>They want to ensure that all new development is consistent with the character established by residents on the South side of Sturt Street, including provisions for plants on both sides of Sturt St.</p>	<p>from the parapets and the identified features on these buildings.</p> <p>.</p>
68	Loss of solar access to Arnold Place	A resident on Arnold Place is concerned about the loss of solar access and impacts on quality of life.	A post exhibition change excludes buildings at 107-111 and 103-105 Oxford Street from the proposals. This will minimise potential overshadowing of Arnold Lane.
69	Impact on Belgenny Apartment Block (391 Bourke Street)	A resident of the Belgenny apartment block requests that impacts on apartment blocks with small apartments with limited windows and early morning sun be considered alongside the impacts of noise.	The proposed alternative height controls for Taylor Square aim to minimise impacts on the Belgenny Apartments directly south of Kinselas. The north elevation of Belgenny achieves excellent levels of sun access with the additional two storeys to Kinselas causing some loss of sun to the lowest residential level from the morning to the early afternoon. Future development is required to meet the solar access provisions of the Sydney DCP provision 4.1.3.1. With good design a development is likely to comply with the solar access requirements of the DCP.

	Issue	Description	Response
			<p>All future redevelopment in Taylor Square and the remainder of the precinct will be required to mitigate sound impacts from every permissible land use. These issues will be assessed on a case by case basis through DAs.</p>
70	<p>Impact of additional permitted uses at the National Art School on residents of the from Forbes Street</p>	<p>Residents of Forbes Street consider their area to be a quiet residential pocket and are concerned by the proposals for crowds of up to 10,000 people, unlimited times per year on the National Art School site. They expect before the planning proposals are approved that the following documents are exhibited for consultation so that the impact on neighbours can be assessed:</p> <ul style="list-style-type: none"> <li>• Plan of management for large crowds</li> <li>• Noise management plan for large crowds with an updated acoustic analysis of Forbes Street residential environment</li> <li>• Heritage impact statement for NAS</li> <li>• Conservation management plan</li> </ul> <p>They state that the proposal does not assess the potential for increased patrons, nor the hours or operation which seem to have gone from ad-hoc events to unlimited loud events.</p> <p>Foot traffic of event-based crowds have significant noise impact on residents in the building when large gatherings occur and traffic congestion is amplified when events take place.</p> <p>Increased height on top of Taylor Square buildings will result in noise disturbance of many residences at 299 Forbes Street facing south.</p> <p>Residents believe that consultation with NAS on the proposals has been inadequate.</p>	<p>Residents of 299 Forbes Street live within 120m of Oxford Street commercial corridor and 70m of the National Art School.</p> <p>The National Art School seeks to have additional uses permitted with consent and increase the FSR on the site to support the operation of the school and support the school's role as a cultural destination, increase public access and provide the opportunity to extend their programs to the public.</p> <p>The proposed uses and floor space for NAS support the intentions of the cultural and creative precinct and reflect what the City heard in the early consultation about better activating this site, including access to the public. These uses will include only those which will support the educational use and cultural activity on the site.</p> <p>Many of these activities occur on other tertiary education sites in the LGA and are acceptable in the given the location of the National Art School in the precinct and close to commercial corridor of Oxford Street and is mostly surrounded by local centre and mixed use zones.</p> <p>The impacts of these additional permitted uses will be assessed through development applications with the relevant documentation available for the community to review and comment. Issues relating to hours, noise, traffic management and security can be addressed through existing DCP controls, conditions and plans of management.</p> <p>Each event will be required through conditions of consent to occur within</p>

	Issue	Description	Response
			prescribed hours and to mitigate noise and other potential impacts on local amenity and operate in accordance with a plan of management.
71	Impacts on residential amenity of Foley Street	Residents in and around Foley Street claim they will lose afternoon sun.  They state that Foley Street is a very narrow street and is not ideal for commercial use. Submitters state that the apartments and terraces on Foley Street are currently subject to noise from heavy vehicles and if the use of this small street is intensified, further impacts on the amenity of residents will result.	Foley Street is located on the northern side of the precinct where there will be no overshadowing from proposed redevelopment.  Foley Street has traditionally provided access to commercial properties on Oxford Street. A post-exhibition change will encourage a consolidated, single building approach to servicing and access on rear lanes and streets to minimise impacts on residential amenity.
72	UNSW Art and Design Campus	Submitters claim that the further development of the UNSW Art and Design Campus in a residential area is problematic particularly as it is surrounded by a residential precinct which already is under pressure.	The planning proposal does not include any increased height or floor space at UNSW Art and Design Campus.
73	Loss of views at St Margaret's Complex, Church lane, Surry Hills	A resident living in the St Margaret's complex does not support increased building heights in the section between Taylor Square and Crown because it will block the city views from our apartment.	City views are not protected under planning legislation. The St Margaret's residential complex is located 280m and the two storey increase to some buildings is unlikely to significant impacts on city skyline views.
74	Loss of view and amenity impacts at 200 Campbell Street	A resident from a top floor apartment at 200 Campbell Street currently enjoys views over heritage buildings and of Taylor Square and the Eastern Suburbs. They state that additional storeys on these buildings will also have adverse impacts in terms of decrease light, airflow, noise and remove the view of Taylor Square, Sacred Heart Church and Bondi in the background.  Another resident looks directly into the back of Kinselas Hotel and The Courthouse hotel and is concerned sunlight and views will be impacted.	There will be some loss of private views to the east. View loss has been minimised by not allowing development above the Courthouse Hotel and most new development above 381 and 379 Bourke Street between Kinselas and the Courthouse Hotel. A post-exhibition change has excluded a number of buildings north of 200 Campbell from the alternative provisions. These changes have significantly reduced the potential of impact to views or solar access to the residential building at 200 Campbell Street.  Notwithstanding, under planning legislation views, including those of the harbour bridge, water and heritage buildings, are not protected.

	<b>Issue</b>	<b>Description</b>	<b>Response</b>
			Solar analysis undertaken for the urban design study show the north and west elevations of 200 Campbell achieving good levels of sun access and some loss of sun to the eastern elevation in the early morning with a future development likely to be capable of complying with controls using good design.
75	Engagement of social housing tenants	A submitter from Foley Street expresses concern that a large proportion of social housing tenants have not been able to engage with the proposals.	Social housing properties were notified by letter of the public exhibition of the proposals.

## 7. Development

	Issue	Description	Response
76	Concerns that additions on heritage buildings do not result in good outcomes	Submitters state that additions on heritage buildings do not result in good buildings. They cite the redevelopment of Customs House, Circular Quay, The MCA, Circular Quay and The Adina Apartment Hotel at Railway Square, as bad examples.	<p>The planning proposal includes unique heritage and design controls to ensure that additions on heritage buildings are well designed and protect heritage fabric, features and character. The draft DCP requires additions to be lightweight and recessive secondary forms and includes guidance to ensure that heritage considerations inform the design of additions and ensure building proportion, facade articulation, materials, and architectural detailing that contributes, reinforces and responds to the highest quality heritage and contributory buildings in the surrounding context.</p> <p>A post exhibition change excludes 24 contributory buildings, seven heritage items and two heritage items for amenity reasons from the proposals for additional development.</p>
77	Concerns that the proposals are overdevelopment and only in the interest of developers	Submitters state that Council is promoting overdevelopment and attempting to gain more rate revenue in the precinct.	<p>The City's long-term vision for Oxford Street is for a greener street with less traffic, improved pedestrian and cycling, more and better public spaces, a celebration of LGBTIQ+ culture and community, a destination for culture and creatives, and more businesses and local services in buildings that showcase the street's heritage. The planning proposal is the tool for encouraging investment in buildings to attract tenants, workers and visitors.</p> <p>It provides incentives to developers to provide floor space for a cultural and creative purpose in the precinct which otherwise would not be provided.</p>
78	Proposals don't go far enough and won't incentivise redevelopment	A submitter claims that the proposals do not allow enough height around Taylor Square where increased development could be accommodated. They state that height needs to respond to the location as a hub and provide the density of residents	In early consultation the community supported revitalising Oxford Street as a cultural and creative precinct and also highly valued the character and heritage of the street. The planning controls encourage investment and uses that generate

	Issue	Description	Response
		<p>needed for cultural change in the precinct.</p> <p>The submitter states that adding token height increases will not achieve this goal, and it will prove to be an opportunity lost if it is kept low. The submitter considers that the incentive for development is not included because additional small allowances will not add up for developers to make any change, given the infrastructure required to maintain the heritage elements of the street scape below.</p>	<p>activity while ensure the heritage character of the street is promoted.</p>
79	<p>Objectives and solutions to distinguish between different parts of the block between Flinders to South Dowling Street</p>	<p>Submitters request that the planning proposal clearly distinguish planning objectives, solutions and impacts for the west-end of the block between Taylor Square and the rooftop advertising sign at 217 Oxford Street from the middle section backed by Sturt Street, and the east section commencing with no 247 Oxford St and ending with the currently heritage listed Beacham.</p> <p>Submitters seek to retain the existing 12m LEP height limit for the middle section and reduce the height of framing west and eastern sections from 18m to 15m in height</p>	<p>A post exhibition change excludes 24 contributory buildings, seven heritage items and two heritage items for amenity reasons from the proposals for additional development. On the south side of Oxford Street this excludes 8 out of 19 heritage listed buildings west of Taylor Square and 22 contributory buildings east of Taylor Square at 217 to 263 Oxford Street, immediately north of Sturt Street, from the planning proposals.</p>
80	<p>No height increase in corridor or on public squares</p>	<p>The submitter states that no height increases should be supported in any part of the Oxford Street precinct. They state that buildings that are heritage listed on prominent squares and corners must be preserved and protected intact with no ‘uplift’ allowed to protect the heritage integrity of Oxford Street as a whole.</p>	<p>In early consultation the community supported revitalising Oxford Street as a cultural and creative precinct, highly valued the character and heritage of the street and supported investigating planning controls for the area. The planning controls encourage investment and uses that generate activity while ensuring the heritage character of the street is promoted.</p> <p>Redevelopment for the two storey uplift is only permitted in the precinct if it meets strengthened LEP and DCP heritage requirements that retain significant elements and ensure structural stability of the building.</p>
81	<p>LEP provisions and DCP principles don’t correspond</p>	<p>Submitters state that the scale of development that will result from the alternative LEP controls overwhelm the intent and possible effect of DCP</p>	<p>The draft DCP principles and controls will be used to guide good design and heritage outcomes.</p>

	Issue	Description	Response
		Principles. Specific provisions are required to substantiate such principles in the DCP.	
82	Retention of 3m setback to reduced provisions	Submitters seek to retain the proposed 3 m setback for all blocks in the precinct with reduced height limits	The 3m setbacks will only apply to heritage and contributory buildings and is not needed to buildings that don't have heritage value.
83	Unacceptable built form which has been refused in DAs at 223-225 Oxford Street	Sturt Street residents state that the planning proposal proposes built-form planning solutions which exceed the scale and floor space of those explicitly refused consent by Planning Office and Councillors as “inappropriate overdevelopment” in relatively recent decisions of the Planning Committee (eg) (D/2014/577) for 223-225 Oxford St.	Post-exhibition changes exclude buildings at 217-263 Oxford Street, immediately north of Sturt Street from the planning proposal to reduce impacts on the amenity of Sturt Street.
84	Development will result in high end residential	Submitters state that given that many of these developments would be classified as ‘apartments and be subject to the Apartment Design Guide provide clarity about concession to the ADG given that affordable accommodation is the priority.	Residential development is permissible in the land use zones of the precinct, however can only be undertaken under the existing planning controls. Only a specific set of business and cultural and creative uses are able to be developed under the higher FSR and height controls.
85	Prohibition of clause 4.6 variations to height and floor space on sites seeking to access the alternative height and floor space provisions	A submitter objects to the prohibition of LEP clause 4.6 variations in the precinct on the basis that they provide flexibility in site specific circumstances where there may be a better planning outcome. They state that completely removing this flexibility may constrain the development incentive.	Removing the ability for proponents to apply for additional height and floor space in exceedance of the alternative incentivised height and floor space controls provides certainty for the community about the maximum extent of development permitted, and that further development will not be approved through a DA process. It is not considered appropriate where the Council has already provided a significant alternative uplift to incentivise development  Post exhibition changes are proposed which include minimum site areas on specific sites where amalgamation and redistribution of floor space is considered appropriate and to avoid the need for a 4.6 variation.
86	Restricting amalgamation to buildings	Submitters claim that the DCP controls are not sufficient to retain the character of the fine grain. Any site	The removal of 4.6 variations will limit significant amalgamations in the precinct. Post exhibition changes

	Issue	Description	Response
	developed as a group.	<p>amalgamation should be restricted to where “groups of buildings were developed as a set and then subdivided”.</p> <p>These “groupings” were where a developer purchased a number of the original subdivided lots, built a single building and subsequently subdivided again, should be mapped and included as a “Site amalgamation” Map in the DCP.</p> <p>The draft DCP should include a separate section referring retention of subdivision pattern or include a site amalgamation map.</p>	<p>include minimum site areas in and around the former ARQ club site at Taylor Square and the Art Hotel site.</p> <p>Amalgamations of buildings originally developed as a group can be proposed on a case by case basis if they retain the proposed height and floor space controls for each site and do not seek to rationalise height and floor space across the amalgamated sites. Retaining the height and floor space for each site will assist in retaining the fine grain character.</p>
87	Nil setbacks throughout the precinct	<p>Submitters state that a 3 metre setback may not be required to preserve the heritage values of the facades of the buildings. A solar access plane is likely to have an impact on the amount of floor space achievable and this could be compensated for by not requiring a setback. The submitter suggests that nil setbacks should be allowed across the precinct where Consent Authority is satisfied that the design outcome will be of the highest standard.</p>	<p>The planning proposal allows nil setbacks on non-heritage and non-contributory buildings in the precinct. It also allows nil setbacks to heritage and contributory fronting public spaces. Setbacks provide the opportunity to preserve parapets and an understanding of the historic built form.</p>
88	Building materials	<p>The submitter seeks the use of natural materials in construction with an emphasis on use of re-cycled building materials.</p> <p>Other submitters express concern that redevelopment will be too contemporary and include glass and metal, when brick and paint which reflects are more classic architecture style is preferred and part of Oxford Street’s charm</p>	<p>The draft DCP requires that architectural detail and materials used in any additions and new development are to be at least equal in quality and level of detail to the highest quality found in neighbouring contributory buildings. While additions and new buildings are to have a contemporary character, their materials and design detailing must respond to (but not copy) elements and details observed in surrounding buildings, such as face brickwork, decorative string courses, brick bonds, rendered/painted banding and other masonry work.</p>
89	Uses not compatible with lightweight construction	<p>Submitters question whether proposed uses of additional commercial floor-space are compatible with lightweight construction. Additional uses envisaged by increased building heights such as “rooftop bars” are not well served by lightweight timber</p>	<p>Additions are limited to two storeys to limit structural intervention. Lightweight constructions are not limited to timber construction and could comprise steel. Additions on heritage buildings will not be permitted on buildings which cannot</p>

	Issue	Description	Response
		<p>construction. Noise levels and vibration associated with lightweight construction would be unbearable for residents in the area. Where lightweight timber construction is not feasible, demolition and replacement of the</p> <p>structural fabric of heritage buildings would be required to support the additional storeys.</p>	<p>demonstrate structural stability through a Heritage Structural Impact Statement.</p>
90	Building orientation, shape and insulation	<p>The submitter states that building orientation, shape and insulation all need be considered. Natural ventilation and spacing of buildings should be a requirement in the DCP, along with tree plantings, reduced reliance on air conditioning and use of renewable materials. They state that should be a requirement for innovative interior design that ensures internal configuration is climate neutral and adopts natural solutions rather than those that are carbon based.</p>	<p>The draft DCP requires that all new additions include climate responsive design including but not limited to natural ventilation and external sun shading to block 80% of direct sun to glazing in summer.</p> <p>The draft DCP does not address the design of the interior of buildings, other than the retention of heritage features. Side setbacks to facilitate the spacing of buildings is not possible in a precinct with continuous street and upper level frontages.</p>
91	Removal of billboards and signs	<p>Submitters suggest that billboards and signs that are erected on roof tops be removed as they detract from the historic and heritage values of Oxford Street and the designated 'squares'.</p>	<p>Signage proposals will be subject to the provisions of the City's Signage DCP. The City is unable to remove existing billboards from private land, however these may be removed as a result of redevelopment.</p>
92	New aesthetic which protects heritage and reflects sustainability	<p>The submitter states that Oxford Street planning must adopt a new aesthetic that complements and protects traditional heritage design without superimposing grand designs or monuments and should be sustainable.</p>	<p>The draft DCP provisions strengthen heritage and design outcomes for the precinct and support contemporary design which is respectful of the surrounding heritage context and character.</p>
93	New Design Advisory Panel for Oxford Street	<p>The submitter suggests that Council's Design Advisory Panel be reconstituted to include a focus on renewables, sustainability and heritage values with a broad representative membership which includes not just architects but also sustainability professionals, and professional heritage consultants approved by the Heritage Council and the National Trust.</p>	<p>The Design Advisory Panel includes architects with significant experience in heritage and sustainable development. The issues of the sustainability of material will be addressed through DAs. Commercial office and hotel buildings over a certain size will be required to meet the City's net zero planning controls once in force.</p>
94	Noise insulation requirements for Oxford Street	<p>The submitter requests that the DCP require noise insulation as a standard provision for new developments along</p>	<p>State Environment Planning Policy (Infrastructure) 2007 and the Sydney DCP 2012 in section 4.2.5.3 requires</p>

	Issue	Description	Response
		Oxford Street. Greater use could also be made of ceiling fans. For those quieter times of the day when traffic is less intense, the submitter sate that design should incorporate window openings and breeze ways from one side of the building to the other.	all developments on a busy road to mitigate the impacts of noise for sensitive uses located along busy road corridors and would apply to the Oxford Street precinct. Residential development is not incentivised in the alternative planning controls, but could be developed under the existing planning controls.
95	Minimise lifts in buildings	The submitter states that internal staircases should be incorporated into building design with stairs featured and prioritised for general access between floors, with lifts minimised and reserved for goods, services and those with a disability or health issues that preclude the use of stairs.	This is a detailed design matter that will be addressed on a case by case basis through DAs because every site will have specific design and heritage constraints.  The Sydney DCP 2012 encourages the provision of equitable access and facilities for all people to all new development and upgraded or intensified uses in existing buildings. The new Statement of Heritage Principles and Heritage Structural Impact provisions will require that these design issues are considered from the outset of the development.
96	No reference to balconies	The submitter states that no guidance is provided in relation to balconies. Projecting balconies (often glazed balconies) that are common in residential development are not addressed in the controls. These and similar elements could fundamentally and detrimentally change the character of the street.	Residential balconies are not addressed in the proposed planning controls because residential development is not incentivised in the alternative planning controls.
97	Paint buildings on Oxford Street	The submitter states that buildings should not be built upon but painted in bright colours to make the precinct more European.	The draft DCP states that while additions and new buildings are to have a contemporary character, their materials and design detailing must respond to (but not copy) elements and details observed in surrounding buildings, such as face brickwork, decorative string courses, brick bonds, rendered/painted banding and other masonry work.
98	Review plan to allow further height if development is not incentivised	The submitter suggests that the proposal be reviewed after 18-24 months to determine whether or not it adequately incentivises development, with a view to allowing additional height if it doesn't.	The LEP is required to undergo period reviews under legislation every 5 years.

## 8. Site specific development

	Issue	Description	Response
99	More height and floor space at 1-19 Oxford Street	<p>The submitter objects to the two storey uplift proposed at 21 Oxford Street on the basis that it is disproportionate and will result in visual and noise impacts to 1 Oxford Street.</p> <p>In response to the Draft DCP provision 5.X.5.5 the submitter proposes a five-storey podium which wraps around the entire building and comprises 8,125sqm.</p> <p>The submitter proposes a roof extension to accommodate a rooftop bar and restaurant and pop-out extrusions on the building to accommodate meeting rooms.</p>	<p>The exhibited planning proposal does not include any changes to the LEP planning controls at 1-19 Oxford Street as the scale already significantly exceeds that of Oxford Street. The draft DCP included potential for a podium form to provide wind protection for pedestrians and better address its prominent corner.</p> <p>A post-exhibition change is proposed which removes the heritage listed building at 21 Oxford Street from the planning proposals as a result of the reconsideration of the impacts of potential redevelopment on the heritage and top floor of this building.</p> <p>Draft DCP provision 5.X.5.5 is based on advice issued from the City's Design Advisory Panel. This provides the opportunity to extend a 5 storeys podium to lot boundary and around the Oxford Street frontage of the building onto Wentworth Avenue to better define the corner and improve and activate the entrance to Oxford Street at Whitlam Square. This proposal has the potential to reduce the effects of wind at the entrance of the precinct.</p> <p>A post-exhibition change sets the floor space allowed in the podium as 1,825 sqm, subject to the provision of 10% of the space as floor space for a cultural and creative purpose and limits this to the Oxford Street and Wentworth Avenue frontages to maximise the potential for placemaking and ground floor activation.</p>
100	More height to unlock floor space at 17 Oxford Street Paddington (Palace Verona)	<p>The submitter supports the intent and vision of the Strategy for Oxford Street.</p> <p>Two development options are outlined, one which complies with the 20m alternative height control and another with an increased height of building control of 25m.</p>	<p>The exhibited planning proposal includes a FSR of 3.5:1 and height of building 20m and 5 storeys at 17 Oxford Street Paddington. The building is not subject to any heritage listing.</p> <p>This is a unique site being relatively unconstrained and containing the</p>

	Issue	Description	Response
		<p>The increase of 5m sought to the maximum alternative building height control is requested to achieve the permissible GFA within a taller building footprint. The proposal is stated to minimise impacts on surrounding development and create a better street presentation and internal amenity outcomes for the commercial offices.</p> <p>The existing building is considered to already currently exceeds in part the 20m height limit, has a large site area in single ownership, and is one of the few ‘key sites’ within the precinct which has the potential to provide an innovative built form response to balance the site’s surrounding context.</p>	<p>Palace Verona Cinema, an important cultural and creative space.</p> <p>The existing building is three storeys at the street frontage with a fourth storey set back from Oxford Street. The additional height (10m) on this site has been measured from the ceiling of the third storey of the street frontage. The extent of the existing building over the proposed 20m height control is minor, comprising roof extensions, lift overruns and plant.</p> <p>The calculation of cultural and creative floor space in the development proposals is incorrect. The correct calculation requires 10% of the total GFA of the building, rather than 10% of existing cultural and creative space.</p> <p>It is not considered necessary to allow an additional 5m in height to address internal and external amenity outcomes when the quantum of development could be reduced within the proposed building envelope. An alternative compliant scheme demonstrates that the permissible GFA is can be achieved on the site within the exhibited 20m height of building control.</p> <p>There is no change proposed to the alternative planning controls.</p>
101	Redistribution of building height at 191-195 Oxford Street	<p>The submitter supports the Council’s vision for a cultural and creative precinct.</p> <p>A development proposal for the site is outlined which consolidates 6 storey development to rear of site with an 8m front setback.</p> <p>An increase to the maximum height in building control to 27m and an increase to 6 height in storeys control an increased primary setback to the street of 8m is sought.</p> <p>The additional height is sought to allow the heritage street frontage to be reinstated. The 8m primary setback</p>	<p>The exhibited planning proposal includes an FSR of 4:1 and 3.75:1, a 20m height in buildings control and a 4 and 5 height in storeys control.</p> <p>191-195 Oxford Street is not a heritage listed item however is a contributory building in the heritage conservation area.</p> <p>This site occupies a prominent position and its future redevelopment has a significant contribution to make on Oxford Street and Taylor Square. A strong corner presentation to Taylor</p>

	Issue	Description	Response
		<p>will enable the site to read as an ensemble of three buildings. It is stated that there will be no overshadowing impact from the proposed increased height on residential properties to the south-east in Sturt Street and that the building will make a significant contribution to Taylor Square and Oxford Street.</p>	<p>Square is preferred and is one of the principles underpinning the exhibited proposal. The request would erode that corner and weaken the overall presentation to Taylor Square.</p> <p>There is no change proposed to the alternative height and floor space planning controls.</p>
102	<p>More height and floor space to unlock redevelopment at 1-5 Flinders Street (former T2 building)</p>	<p>The submitter supports the aspirations and approach of the planning proposal.</p> <p>An increase in the height of building to 24m, FSR to 3.8:1 and a 5 height in storey control is sought. This is requested on the basis that the proposed controls when applied to the site are not viable given the existing levels and configuration of the building, the heritage significance and need for maintenance and refurbishment on the site. It is stated that the proposed controls provide no incentive to the consideration of any substantial investment in the existing building that would encourage additional activation, or the required contributions of at least 10% of the floor space for cultural and creative purposes.</p> <p>A development proposal includes a five storey plus roof terrace/plant building with reverse inlet podium to separate the existing two storeys from the upper additions. A nil setback in accordance with the draft DCP provision is achieved in the upper floors. Similar to the DA approved by Council in 2015 for a proposal for a bike hub, a rooftop terrace is provided.</p> <p>The two options provide for alternate hotel or commercial uses, with both options showing basement space for a nightclub.</p>	<p>The exhibited planning proposal includes a FSR of 3.25:1 and height of 20m and 4 storeys. The building at 1-5 Flinders Street is a heritage listed and contributory building in the heritage conservation area.</p> <p>The intent of the exhibited proposal was for a two storey increase generally within the precinct on identified buildings. Two storeys allow for an addition that does not overwhelm the scale of the original building, and which will require minimal structural intervention to support, with the least disruption to the heritage fabric and structural integrity of the heritage building.</p> <p>There is no change proposed to the alternative planning controls.</p>
103	<p>More floor space and additional height in storey and a combined approach to redevelopment at 21-25 Oxford</p>	<p>The submitter supports the aspirations of Council and the proposed approach.</p> <p>A combined approach is proposed for the Rose, Shamrock and Thistle Hotel and Art Hotel sites so that</p>	<p>The exhibited planning proposal includes a 20m height in building control, a FSR of 3.5:1 and 3.25:1 and a 5 storeys height in storeys control. The Art Hotel is a detracting building in the heritage conservation area. The Rose, Shamrock and</p>

	<b>Issue</b>	<b>Description</b>	<b>Response</b>
	<p>Street (The Rose, Shamrock and Thistle Hotel) and 27-33 Oxford Street (The Art Hotel)</p>	<p>redevelopment is commercially viable and aligns with heritage investigations and provides for a functional and efficient floorplate that could support multiple uses such as hotel, commercial and rooftop/basement bars.</p> <p>An increase in FSR of 3.5:1 (an addition 70sqm of GFA) across the site for design and development efficiencies in conjunction with a minimum site provision a 6 storey height in storeys control is sought.</p> <p>A development proposal which complies with the proposed 20m height control is presented. It includes an additional sixth floor within the roof space, setback from the 5th floor level, which is also set back from the existing street wall height. The proposal demonstrates that solar access is retained to the properties to the south.</p> <p>The development proposal includes hotel, bar, retail and creative uses. It incorporates a basement for live entertainment and performance and theatre space, with options for food market/fashion hall/expo spaces or pop-up art exhibitions/installations from time.</p> <p>A minimum site area provision is requested to consolidate the FSR across both the Art Hotel and Rose, Shamrock and Thistle sites. This is because a 4.6 variation is not permitted under the alternative height and FSR controls in the precinct.</p>	<p>Thistle is a contributory building in the heritage conservation area.</p> <p>The Art Hotel site is one of the few relatively unconstrained sites in the precinct. The alternative proposal does not require a 3m set back because it is not a contributory building and could develop with a nil setback.</p> <p>The request for additional stories is not supported, as it does not provided for a consistent approach of allowing two storeys expect on sites with heritage and amenity considerations.</p> <p>The additional FSR is not supported, as it may not be accommodated within the permitted five storeys and will limit the use to tourist accommodation.</p> <p>The multi-purpose basement space will not be able to access the basement entertainment incentive as the City is incentivising permanent entertainment facilities.</p> <p>The request to allow the FSR to be spread across the site is supported and a new clause is added to facilitate development of the amalgamated site.</p>
104	<p>More floor space and additional height in storey and a combined approach to redevelopment at 203-209 Oxford Street (including The Bookshop)</p>	<p>The submitter supports the aspirations of Council and the proposed approach.</p> <p>A combined approach is proposed to ensure that redevelopment is commercially viable and aligns with heritage investigations and provides for a functional and efficient floorplate that could support multiple uses such as hotel, commercial and rooftop/basement bars.</p>	<p>The exhibited planning proposal includes a 18m height of building control, a FSR of 3:1 and a 4 storeys height in storeys control. The buildings at 203-209 Oxford Street are recognised as a group of contributory buildings in the heritage conservation area.</p> <p>The site received a two storey uplift (10m) which is measured from the upper ceiling of the top storey fronting the street. It is not</p>

	Issue	Description	Response
		<p>An increase in FSR of 3.75:1 (an additional 346.5sqm of GFA) across the site for design and development efficiencies in conjunction with a minimum site provision a 5 storey height in storeys control is sought. The additional storey is justified on the basis that only one additional storey has been permitted rather than two, because the site has three storey structures on the site.</p> <p>Two development options are presented for the five storey building with basement performance, ground floor retail and rooftop bars. One option proposes hotel and office and another proposes office and retail.</p> <p>The LGBTIQA+ Bookshop is retained in the proposals.</p>	<p>measured from the highest point of buildings on the site.</p> <p>The retention of The Bookshop is welcomed as a business which celebrates LGBTIQA+ identity and culture. The alternative proposal amalgamates four sites, rationalising a range of different floor levels in each building. As proposed, it retains only the façade.</p> <p>The provision of hotel uses are incentivised in the precinct, however there is no certainty that hotel uses with lower floor to ceiling heights will eventuate. The intention of the planning proposal is to provide a generous (10m) uplift for two storey additions to preserve upper level ceilings, provide for lift overruns and provide for a range of commercial land uses. It is not to provide the opportunity for increased height in storeys.</p> <p>There is no change proposed to the alternative planning controls.</p>
105	<p>Redistribution of floor space and height across the sites at 4-6 Flinders, 10-28 Flinders and 2 Sturt Street (former ARQ nightclub)</p>	<p>The submitter supports the aspirations of Council and the proposed approach are supported</p> <p>An amalgamated redevelopment of six sites and a site area of 1547sqm is proposed to deliver significant cultural and creative floor space and retail, hotel, function and recreation space, a nightclub.</p> <p>An increase to 22m at 4-6 Flinders, 10-28 Flinders and 2 Sturt Street, and a single FSR of 3.5:1 across all site (an additional 303sqm of GFA) with a minimum site area provision of 1500sqm. Five storeys at 4-6 Flinders, 10-28 Flinders and 2 Sturt Street is sought.</p> <p>Solar access will be retained to surrounding development and will not increase impacts over the exhibited proposals.</p> <p>A through site link is provided on a south-west axis through the site, however it is stated that an alternative</p>	<p>The exhibited planning proposal and draft DCP includes height controls of 18m and 4 storeys at 18-24 Flinders and 4-6 and 8-10 Taylor Street and 22m and 5 storeys at 4-6 and 10-16 Flinders Street. The planning proposal exhibited FSRs of 3.5:1 at 10-24 Flinders Street and 2.75:1 at 4-6 Taylor Street. The buildings at 4-6 and 10-24 Flinders Street are contributory buildings in the heritage conservation area. The draft DCP proposes to include 4-6 and 8-10 Taylor Street as contributory buildings in the heritage conservation area</p> <p>The alternative development proposal incorporates five lots, however the submitter references six lots because the site at 10-24 Flinders Street has been split into two. The amalgamated sites, include 2 Sturt Street which was not exhibited with additional height and FSR. The existing FSR of this site is 3.5:1, existing height of building</p>

	Issue	Description	Response
		<p>route in accordance with the draft DCP can be accommodated.</p> <p>The submitter has noted that if Council wishes to retain the existing 21 low cost boarding house rooms on the sites a site-specific provision is required to retain the boarding houses while permitting the redevelopment of the site.</p>	<p>control is 15m and it is subject to a 3 storey height in building control.</p> <p>This site presents an opportunity for sensitive redevelopment and the delivery of significant cultural and creative floor space in the heart of the precinct at Taylor Square with the retention of the character that the contributory buildings exhibit.</p> <p>The request for a post-exhibition change to allow the FSR to be spread across the six sites is supported. The redistribution of floor space is not permitted for an amalgamated site under the planning proposal because of the prohibition of a 4.6 variation. For this reason, a post exhibition change is proposed which allows a minimum site provision with a consolidated FSR of 3.3:1 across the six sites. The amended LEP will include a minimum site area of 1500sqm to access a total of 3.3:1 FSR.</p> <p>The request for an increase in FSR over the sites is not supported, as it is likely to require an increase in building heights to accommodate the extra floor space.</p> <p>The request to raise the maximum building height is not supported. The 18m and 22m maximum height of building control is appropriate given the height of existing buildings on the site and the heights proposed at Taylor Square which range from 20-24m. The request for an increase in the number of storeys permitted within the overall maximum height at 4-6 Flinders Street can be supported. This will allow the development to be placed further from nearby residences and minimise the potential for overshadowing. The site at 4-6 Flinders Street will change from the exhibited 4 storeys to 5 storeys.</p> <p>The presence of boarding houses on the site would not permit the alternative provisions to be applied</p>

	Issue	Description	Response
			<p>to the site. If the boarding houses are removed a low cost rental housing contribution will be required at DA. The submitter has not included a rent capped boarding house or retention of the existing low cost rooms in the alternative option however has in the suggested site specific provision referred to low rental dwellings. A site specific provision is not supported as new market based co-living housing already receives a 10% FSR bonus under NSW Government planning controls. Rent capped boarding houses run by a CHP can receive a 25% FSR bonus.</p> <p>A post-exhibition change proposes to remove the exhibited through site link from Taylor Street through to Oxford Street.</p>
106	<p>More FSR and height at 379-379A, 383-387 and 381 Bourke Street (Kinselas and adjacent sites)</p>	<p>The submitter outlines a development proposal which is 7 storeys including creative spaces, hotel, restaurant and bar facilities, rooftop bar and a basement performance space.</p> <p>An increase of 24m to the height in building control across a portion of the site is sought to accommodate the proposed orientation of the upper storeys of the development proposal. Increases in height to accommodate a centralised lift overrun and the height in storeys and street frontage heights to 7 storeys are sought.</p> <p>The alternative proposal also increases the FSR to 4.84:1 (891sqm).</p>	<p>The exhibited planning proposal includes a 24m and 18m height of buildings control and a 4 and 5 storey height of buildings. The buildings at 189 Oxford Street and 389 Bourke Street are heritage items and contributory buildings in the heritage conservation area. This site benefits from a minimum site provision which consolidates development on 389 Bourke Street and Kinsellas so that the Courthouse Hotel is free from development.</p> <p>The development proposal generally complies with the height of building control of 24m but not the height in storeys control of 5 storeys.</p> <p>The extension of the 24 metres to a small portion to the north of the site is supported because it has minimal to no additional overshadowing to 200 Campbell St compared to the exhibited built form due to the north easterly alignment of the boundary.</p> <p>The increased height to accommodate a lift overrun is not supported. The exhibited proposals</p>

	Issue	Description	Response
			included an LEP height increase of 10 metres, sufficient to accommodate a two storey addition and lift overrun. The increase in height in storeys to 7 storeys is not supported because it limits the use to tourist accommodation with lower floor to ceiling heights.
107	Conversion of Paterson Lane to a pedestrian access lane	<p>The submitter supports the revitalisation of Oxford Street and proposes the conversion of Patterson Lane into a pedestrian access lane would make better use of the laneway.</p> <p>They state that in terms of traffic flow, the laneway is comparatively narrow for car access when there are also cars parked on the northern side. With a width of only 4.5 metres, larger cars often are forced to park with 2 wheels on the footpath to leave enough room for passing cars.</p> <p>The submitter states that there are only spaces for 2 cars at present, but these could be replaced with bicycle or scooter parking spaces. They state that the nearby access roads to the south; Linden Lane and Short Street; would be able to accommodate this minor reduction of traffic access, and that the laneway is under-used as an access, is poorly lit and sometimes used as a place to dump rubbish.</p> <p>The submitter seeks a complete upgrade of the laneway to enhance the area and encourage its better use.</p>	While the proposals may have merit, it is beyond the scope of the planning controls to convert Paterson Lane to pedestrian only access.
108	Proposed uplift at 7-9 Flinders Street	<p>The submitter supports precinct proposals as providing a boost to business and cultural organisations.</p> <p>The proposal requests minor targeted uplift at 7-9 Flinders Street due to the bulk of the building to the south. This would need to be subject to detailed design and an assessment of heritage impacts.</p>	<p>The exhibited planning proposal did not include any increase in height or floor space for this site which is heritage listed.</p> <p>The proposals shown in the submission shows an additional two storeys with a potential roof terrace. The proposal for two additional storeys is shown as within the existing 15m height limit.</p>
	Support for the proposed uplift at the Beacham	The landowners support the Council's proposals for the site and believe the proposal is crucial for the	Support is noted. The exhibited proposal identified a 23 metre height limit and an FSR of 4:1 for this site. This will be reduced to 18 metres building height and 3.25:1

	Issue	Description	Response
	Hotel, 265-267 Oxford Street	reinvigoration of the area and their business over the longer term.	FSR, allowing some additional development to create a strong element to the corner of Oxford and South Dowling Streets, to match the Olympia Theatre on the opposite side of South Dowling Street. This will allow an additional storey, providing an effective transition to the two storey forms elsewhere on this block.
<b>Heritage</b>			
109	Rename the precinct to recognise heritage  Provide an inclusive definition of heritage	Residents seek to rename the precinct the 'Oxford Street Cultural, heritage and Creative precinct.'  They consider that an inclusive definition of heritage and refer to LGBTIQ+ identities informing the character and cultural and creative presence of Oxford Street	The heritage significance of the area is recognised in the existing heritage item and conservation area listings in the LEP.  The definition of floor space for a cultural and creative purpose includes a range of business types that could be taken up by indigenous or LGBTIQ+ groups or businesses. The NSW planning system does not allow planning controls to identify or target specific groups.  The City's draft LGBTIQ+ Place strategy includes actions to recognise significant social, cultural and historical LGBTIQ+ places and spaces in the precinct.
110	Provisions should be consistent with the City's 2006 Heritage DCP	Submitters state that the draft DCP should be consistent with the City's 2006 Heritage DCP.	The 2006 Heritage DCP was replaced by Sydney DCP 2012 for the vast majority of the LGA and does not apply to Oxford Street. Oxford Street is covered by the heritage provisions in section 3 of Sydney DCP 2012 which will support the draft DCP provisions for the precinct.
111	Proposals do not reflect the recommendations of the City's Oxford Street Heritage Study	Submitters cite various recommendations of the City's Heritage Study which included 45 heritage listing with 23 items in block 12 (the block between South Dowling to Flinders Street). They question why these are not reflected in the proposals.	The Oxford Street Heritage Study was commissioned to inform the City's approach to Oxford Street. It was not intended to be a full assessment of heritage significance, rather a review of heritage values and an analysis of the capacity to absorb change. The findings of the heritage study have been balanced against other considerations including the need for investment in private buildings, feedback to early consultation which indicated support

	Issue	Description	Response
			<p>to investigate additions to heritage buildings, additional urban design considerations, and the capacity of buildings to absorb change while maintaining integrity of significant heritage elements.</p> <p>The City has carefully considered heritage impacts as part of formulating the proposals. The heritage study noted (Volume 2, conclusion, p277) that 'setback, low-scale additions are generally acceptable across the study area' providing that the visual and physical impacts on heritage values are considered and managed. The City has introduced detailed guidance in its DCP to manage potential heritage impacts, beyond the controls normally applied to heritage items or in heritage conservation areas.</p> <p>There is a new requirement for a Statement of Heritage Principles to inform any consideration of vertical additions to heritage items. There is an additional requirement for a Heritage Structural Impact Statement to ensure that the structural stability of heritage buildings is not endangered. Other DCP guidance requires development to respect the prevailing scale, character and form of the street, as defined by the Victorian, Federation and Inter-war heritage buildings, retain significant shop fronts and ensure the existing heritage items be given an appropriate visual and physical setting that retains its significance.</p> <p>The planning proposal proposes to include 15 new building contributions to the heritage conservation area, 13 are contributory buildings. The Heritage Study sought to protect contributory buildings by increasing the number of listed buildings in the precinct. The extent of listing was not considered necessary or practical to implement, particularly as the</p>

	Issue	Description	Response
			<p>Sydney DCP 2012 seeks to protect contributory building while allowing sympathetic development.</p> <p>After the Heritage Study had progressed, the City's Design Advisory Panel which includes a professionals experienced in heritage redevelopment, made recommendations for a two storey uplift across the precinct.</p>
112	Retain existing heritage and LEP controls and revise the alternative controls to be consistent with the provisions of the 2006 Heritage DCP which do not support the 10m additions	Submitters do not support the alternative provisions and state that the existing LEP controls should be maintained to allow for innovative proposals and variation of controls in the context of DA's proposed and assessed on a case by case basis, via local planning panels.	The proposed controls are preferable to allowing case by case variations through DAs they will provide greater certainty and transparency for the community and land owners by setting out a consistent approach to managing heritage while development for desirable uses that support activity in the precinct.
113	No justification for the +10m option.	Submitters state that the planning proposal options do not clearly justify why the recommended +10m option was selected over the +5m option.	<p>The submitters do not agree with the recommendation of the City's Design Advisory Panel. The Panel with significant experience in heritage redevelopments, formed a sub-committee to consider multiple scenarios, including development higher than two storeys. They support a two-storey height increase across the entire precinct, to ensure that the character of the precinct is preserved, so that disproportionate additions and amalgamations are not encouraged which could erode heritage character.</p> <p>The +5m option was not considered to provide enough floor space to incentivise development in the precinct and ensure the delivery of floor space for a cultural and creative purpose.</p>
114	Exempt heritage buildings from the alternative controls	Submitters seek to exempt heritage listed buildings from consideration for additions under proposed alternative LEP controls including 185 Oxford Street, 163-9 Oxford St, The Riley Bros Building, 113-5 Oxford St, Edward Arnold House, 103-5 Oxford St, Oxford House, 21 Oxford St the	A post exhibition change excludes 24 contributory buildings, seven heritage items and two heritage items for amenity reasons from the proposals for additional development. On the south side of Oxford Street this excludes 8 out of 19 heritage listed buildings west of

	Issue	Description	Response
		<p>former Union Bank Building (1911) and 117-125 Oxford St. the Colombian Hotel.</p>	<p>Taylor Square and 22 contributory buildings east of Taylor Square at 217 to 263 Oxford Street, immediately north of Sturt Street from the planning proposals.</p> <p>The specific properties being excluded in this post-exhibition change are 217 to 263 Oxford Street, 56 Oxford Street, 103–105 Oxford Street, 163–169 Oxford Street, 173–175 Oxford Street, 21 Oxford Street, 37–41 Oxford Street, 185 Oxford Street, 171 Oxford Street, 107–111 Oxford Street, 43 Oxford Street, 48 Little Oxford Street and 183-183A Oxford Street .</p> <p>The potential redevelopment of these buildings has been reconsidered in the context of the listing, the level of known alterations and the ability of the buildings to withstand additions and the impacts on residential amenity, from overshadowing which is pronounced on the southern side of the precinct.</p> <p>On other heritage listed properties in the precinct the City’s strengthened heritage provisions implemented alongside the City’s other heritage provisions will ensure that heritage considerations inform redevelopment and that heritage fabric and features are protected. If heritage requirements of the LEP and DCP are not met, then development will not proceed.</p> <p>The buildings at 113 Oxford Street (the former Edward Arnold Department Store) and 117 Oxford Street (the Colombian Hotel) have not been excluded. 113 Oxford Street offers the potential to remove unsympathetic post war additions and this and 117 Oxford Street are robust buildings with the capacity to respectfully accommodate additions and establish landmark corner buildings.</p> <p>A post exhibition change is proposed to reduce the FSR from</p>

	Issue	Description	Response
			5:1 to 4.5:1 at 113-115 Oxford Street, and the height in storeys from 6 to 5 storeys. This is to be consistent with the advice of the City's Design Advisory Panel for this site which states that the two storeys additions should be measured from the third storey not the fourth storey which comprises an unsympathetic addition. The reduction in FSR corresponds with the reduction in height in storeys.
115	LGBTIQA+ social significance	<p>NSW Heritage states that Heritage Conservation area and their listings are less likely to comprehensively identify the area's social values, historic mixture of uses and associations with social groups and historic events, including the LGBTIQA+ community and the Sydney Gay and Lesbian Mardi Gras. It is recommended that Council take care to ensure that the values identified above are not negatively impacted by the proposed changes. NSW Heritage encourages City of Sydney Council to identify opportunities to conserve and celebrate the LBGTOIA+ history of the Oxford Street precinct.</p> <p>The Heritage Council of NSW at its meeting on 31 August 2021, resolved to progress a State Heritage listing in consultation with the City of Sydney which tells the story and evolution of Sydney's Mardi Gras.</p> <p>The planning proposal must avoid impacts on State listed Taylor Square Substation, No.6 and Underground Public Conveniences, Darlinghurst Court House and Residence (SHR 00792), National Art School / Former Darlinghurst Gaol / Former East Sydney Technical College (SHR 02048), and GA Zink &amp; Sons Building, 56 Oxford Street. Consideration needs to be given as to how to mitigate any impacts where they are unavoidable.</p>	<p>Celebrating the strong associations that LGBTIQA+ community is a cornerstone of the City's long-term vision for Oxford Street. The support of NSW Heritage in progressing a state listing to recognise the LGBTIQA+ significance of Taylor Square is welcomed.</p> <p>State heritage listed items generally did not receive any development uplift under the exhibited proposal. A proposed post-exhibition change will exclude the Zink and Sons building at 56 Oxford Street from the planning proposal.</p> <p>The City's draft LGBTIQA+ Strategy for the precinct includes actions to update the Statement of Significance for the conservation areas to list individual contributory buildings or places with social LGBTIQA+ significance and update the Statement of Significance in the heritage inventories of heritage listed buildings to reflect LGBTIQA+ significance. These Statements and inventories are considered in applications for development consent.</p>
116	One size fits all approach - proposals will	Submitters state that the proposed uniform addition of 2 storeys, set back a minimal 3m from Oxford	The draft planning controls do not award uplift to every site in the

	Issue	Description	Response
	remove heritage fabric and features in every building on Oxford Street	Street, generally doubling the existing scale of development for the full length of Oxford Street, will be highly visible and will result in the erosion of the fine detailing at roof level that contributes to and defines the character of Oxford Street.	<p>precinct. Individual sites in the precinct will be eligible for either:</p> <ul style="list-style-type: none"> <li>• An increase in height and FSR, or;</li> <li>• Only a height increase, because the current FSR already exceeds the proposed uplift for the site, or;</li> <li>• No increase in height or FSR, because the two-storey addition is within the existing capacity of the current height and floor space controls.</li> </ul> <p>Where increased FSR and/or height has been awarded it has been calculated considering the form of the existing building on a site. The increased height has not been added to the existing height control, but measured from the ceiling of the top floor of the existing building.</p> <p>The planning proposal has introduced strengthened heritage provisions that will ensure that heritage considerations are agreed from the outset and maintained throughout the evolution of the design of a new addition. If redevelopment cannot meet these new heritage requirements, it cannot proceed.</p> <p>A post exhibition change excludes 24 contributory buildings, seven heritage items and two heritage items for amenity reasons east and west of Taylor Square from the proposals for additional development. This change excludes 22 contributory buildings located at 217 to 263 Oxford Street, immediately north of Sturt Street.</p>
117	List block 12 (between Flinders and South Dowling Streets)	<p>Submitters request that the City consider Heritage listing the entire of Block 12 as recommended by the Heritage Study recommendations to reclassify heritage listed buildings on the block.</p> <p>Support for the Heritage Study which makes recommendations for 45 sites to have individual Heritage listing on</p>	<p>The Oxford Street Heritage Study was commissioned to inform the City's approach to Oxford Street. Detailed assessments of individual were not carried out, rather it was a review of heritage values and an analysis of the capacity to absorb change.</p>

	Issue	Description	Response
		<p>the LEP, at local or State level. The submitters state that Council now has an increased responsibility and duty of care for the Heritage buildings in the Oxford St Precinct, particularly as concentrated in Block 12.</p>	<p>This study sought to protect contributory buildings by increasing the number of listed buildings in the precinct. The extent of listing was not considered necessary, because the current LEP and DCP provisions protect contributory buildings while allowing a level of sympathetic change. The City's DAP, which includes internationally experienced heritage architects, made recommendations for a two storey uplift across the precinct.</p> <p>Block 12 will not be listed because each of the buildings with heritage significance is either locally listed or a contributory building in the conservation area.</p> <p>Further a post-exhibition change removes the alternative planning provisions from 217-263 Oxford Street, north of Sturt Street in block 12. Another change identifies roof scape features which must be protected in all redevelopment.</p>
118	Proposals will result in facadism	<p>The submitters states that whatever controls the Council may wish to implement to ensure that historic interiors and structural elements are maintained in these old buildings, there is a risk of promoting facadism.</p>	<p>Facadism is not supported in the precinct or the draft planning controls. Development which only preserves the façade of a building is not supported.</p> <p>A post exhibition change includes a new DCP provision which defines facadism and states that it is not supported as appropriate contemporary conservation of the significance of a heritage item, or contributory building.</p> <p>The draft DCP provisions apply to the redevelopment of heritage listed or contributory buildings regardless whether the two storey uplift is sought. The new provisions require a Statement of Heritage Significance and a Heritage Structural Statement to be prepared and agreed with the Council prior to any redevelopment. This is so heritage considerations inform the proposals from the outset and throughout the design evolution of development. The LEP provision will ensure that design is specific to</p>

	Issue	Description	Response
			<p>the buildings and less destructive of fabric.</p> <p>The draft DCP requires not only the conservation of heritage facades, but also the retention of main structural walls, external openings, floor structure and inter-floor height, pressed metal ceilings and anything identified in a CMP.</p>
119	Amalgamation will erode fine grain character	<p>The submitter states that the need to provide 10% of a building’s floor area to be dedicated to cultural and creative floor space will lead to property amalgamations that will further erode the “fine grain” nature of Oxford Street (particularly to the rear elevations) which is identified as one of its positive attributes.</p>	<p>The draft DCP includes a range of provisions which protect the fine grain character and form of heritage and contributory buildings. The strengthened heritage provisions will ensure that redevelopment retains the fine grain pattern of development and heritage features of buildings.</p> <p>There are however sites in the precinct with no heritage listing and others with minimal heritage fabric where amalgamations could be contemplated and where the desired planning outcomes and significant cultural and creative space could be delivered. On these sites a minimum site area provision will facilitate amalgamation. On other sites where amalgamation is sought development will retain the FSR and height applying to each sites because the removal of the ability to lodge 4.6 variations will prevent the distribution of floor space across sites. This will minimise the impacts on heritage and fine grain of development.</p> <p>A post-exhibition change proposes to exclude buildings at 217-263 Oxford Street on the southern block between Flinders to South Dowling Street block which includes fine grain shopfront development.</p>
120	No heritage assessment of the impact of the planning on every building in the precinct and or cumulative impact	<p>Submitters state that the Oxford Street heritage study does not assess the heritage impact of this planning proposal which involves substantial change to almost every single historic building in a precinct. It is recommended that a new heritage assessment of the actual proposal</p>	<p>The proposed controls respond to early consultation that supports revitalising Oxford Street, creating a cultural and creative precinct, investigating planning approaches such as increased height and floor space.</p>

	Issue	Description	Response
		(including the recommended built forms put forward in the Oxford Street Urban Design Study by Studio Hollenstein) be undertaken by an independent heritage expert to assess the true, cumulative heritage impact of this proposal on this historic precinct.	<p>The potential heritage impact is managed through the existing heritage controls which require conservation of significant features of heritage items and contributory buildings; requirements for heritage impact statements; plus new requirements for early agreement of heritage principles and a structural analysis, the limit on size of additions to avoid structural intervention and the requirement for setbacks to upper level additions.</p> <p>A number of heritage items and contributory items have been excluded from the alternative controls in response to submissions.</p>
121	Heritage assessment of the impact on every building and rear elevations of properties	<p>Submitters state that in Paddington, the rear forms of these terrace shops are just as intrinsic to the scale and form of the place as the front elevations. They request a new independent heritage assessment of this proposal which includes an assessment of the rear elevations of these properties and their context, particularly in the Paddington area.</p> <p>Many changes including the making of additions (particularly to the rear) to historic buildings can already occur under existing planning controls that have already been carefully formulated to preserve the amenity, significance and historic integrity of Oxford Street, particularly at the Paddington end.</p>	<p>The proposed controls respond to early consultation that supports revitalising Oxford Street, creating a cultural and creative precinct, investigating planning approaches such as increased height and floor space.</p> <p>The potential heritage impact is managed through the existing heritage controls which require conservation of significant features of heritage items and contributory buildings; requirements for heritage impact statements; new requirements for early agreement of heritage principles and a structural analysis, the limit on size of additions to avoid structural intervention and the requirement for setbacks to upper level additions.</p> <p>A number of heritage items and contributory items have been excluded from the alternative controls in response to submissions.</p>
122	Block 12 cannot sustain the proposed increase in height and will impact on Sturt Street	Submitters state that block 12 located to the east of Taylor Square, on the south side of Oxford Street to South Dowling Street, Block 12 and consists of predominantly 2-3 storey late Victorian commercial terraces. This block includes 23 heritage items proposed for inclusion in the Heritage study and 38 contributory buildings.	<p>Listing contributory buildings was not recommended as the LEP and DCP currently protect contributory buildings while allowing sympathetic development.</p> <p>A post exhibition change proposes to exclude the contributory buildings located at 217-263 Oxford Street from the planning proposals.</p>

	Issue	Description	Response
		<p>Submitters state that the proposed built form that will result from the proposed changes is irreconcilable with the stated heritage recommendations and objectives identified in the Heritage Study, will be highly visible because Oxford Street is on a ridgeline and have adverse impacts on residential properties on Sturt Street.</p> <p>They request that the alternative height controls be removed from block 12 to list the entirety of Block 12 as a streetscape item in the LEP and retain the existing controls.</p> <p>To work with the State Government and Woollahra Council on improvements to the public domain and the revitalisation of Oxford Street improvements to the traffic and transport arrangements and improvements to the public domain</p> <p>There is proper and meaningful co-operation with Woollahra Municipal Council on any planning proposal that affects Paddington as a whole</p>	<p>Development may however still occur on these sites under the existing planning controls.</p> <p>A post exhibition change to the draft DCP identifies roof features, including pitched roof and chimneys on heritage and contributory buildings that must be retained in any redevelopment. This will mean that any redevelopment that occurs in this block will need to be setback from the parapets and the identified features on these buildings.</p>
123	Remove Block 14 from the alternative provisions	<p>Submitters state that development of block 14 located from South Dowling Street to Greens Road, on the south side of Oxford Street will impact residential properties. In addition, the block abuts a well-used pocket park with a canopy of mature fig trees. Submitters consider that the planning proposal has the potential to adversely affect the quality of the space and it's landscaping by reducing access to northern sun if the adjoining site is developed.</p> <p>The proposed controls for Block 14 would further alter the scale of development on the southern side of Oxford Street compared with that on the northern side of Oxford Street located within the municipality of Woollahra. The scale is already disproportionately greater on the southern side. This will further exacerbate the discrepancy eroding the coherence of this locality.</p>	<p>This block includes large sites with no heritage listed buildings. If these sites are redeveloped they offer the potential to deliver significant cultural and creative floor space. Development is required to satisfy the design and amenity provisions of the draft DCP and the overshadowing and amenity provisions of the Sydney DCP 2012 to ensure that residential development is not adversely impacted.</p> <p>The scale of the southern block as stated by the submitter is currently in contrast with the northern block located in Woollahra. This block also differs from the northern block including coarse grain development and larger sites such as such as the Palace Verona and Art Hotel which are not heritage items. The two-storey uplift in this part of Oxford Street, unlike the blocks further east</p>

	Issue	Description	Response
			<p>in Woollahra, is proportionate to the scale and the width of the street.</p> <p>The mature fig tree raised by submitters is located in the Napier Street reserve in front of the UNSW Art and Design campus. The UNSW Art and Design Campus will not be able to redevelop to an additional two storeys or reduce solar access to the pocket park or the mature fig tree as part of this proposal.</p> <p>The fig tree is more likely to be affected by development on the service station site on the South Dowling to Greens Road block (Block 14). The service station is on a concrete slab and there are no fig tree roots penetrating or under the slab. Any development on the service station site would need to be configured at protect the fig tree.</p>
124	Remove Block 15 from the alternative provisions	Submitters seek the removal of Block 15.	Block 15 of the UNSW Art and Design Campus has not been afforded any uplift under the alternative planning controls. It is included in the precinct because it is an anchor cultural and creative education facility.
125	Limit additions to the rear	Submitters state that additions should be limited to the rear sections of the properties to protect heritage frontages and features.	Heritage frontages and features will be protected through existing and new planning controls.
126	Retain heritage roofscape features	<p>Submitters claim that architectural features characteristic of Victorian terraces are still extant, including chimneys and gable roofs. These should be retained to maintain heritage significance.</p> <p>The submitter is concerned that the planning proposal will remove the ability of every historic parapet to be seen against the sky and for this street to be seen as a unique collection of building types and styles that has evolved over time.</p>	<p>A review of roofscape features which have significance in the conservation areas or to the heritage items and can be viewed from Oxford Street or rear lanes has been undertaken. A post-exhibition change is proposed to the draft DCP which identifies 6 rooftop features across the precinct which must be retained in redevelopment. The retention of these features will allow open to the sky views of parapets on these buildings. Further a post exhibition change excludes buildings at 217-263 Oxford Street from the planning proposal to preserve the roofscape and parapet features of this particularly fine grain block. Another post exhibition change</p>

	Issue	Description	Response
			<p>excludes 12 buildings from the south side of Oxford Street west of Taylor Square from the alternative provisions.</p> <p>Upper level setbacks will ensure that traditional parapet walls, often ornately detailed and an important heritage element, are protected and retained.</p>
127	Set back of additions	<p>Submitters state that additions should have a substantially greater depth of setback from the building's original façade in response to the predominantly small scale and fine grain of the heritage and contributory buildings.</p> <p>New structures should be restricted with greater setbacks behind the principal building form, for example behind the pitched roof (approximately 9m). At the very least, it should be behind the first structural wall which is usually at 5-6m.</p>	<p>The draft DCP provides the opportunity for a greater setback than 3m on heritage contributory buildings particularly if it is required if identified as part of a Conservation Management Plan or Statement of Heritage Principles that must be agreed prior to the submission of an application for development consent.</p> <p>A post exhibition change to the draft DCP identifies 6 roof features, including pitched roof and chimneys on heritage and contributory buildings which must be retained in any redevelopment This will mean that any redevelopment that occurs on these sites will need to be setback from the parapets and the identified features on these buildings.</p>
128	Redevelopment and restoration supported by grants from Council and NSW Government.	<p>Submitters state that the restoration and conservation of heritage buildings should be supported by grants from Council and the NSW Government, and form the core of any plans to revitalise Oxford Street.</p>	<p>The City's proposal promotes investment in the buildings along Oxford Street. Building facades can be renewed and maintained as part of this investment and gradual improvement of the building stock.</p>
129	Scale of additions should be appropriate to context	<p>Submitters state that additions to the height of buildings should be determined by existing scale and context. Submitters are concerned about the impact of the proposals as they transition to Paddington.</p> <p>Over scaled development will overwhelm the small scale fabric of the streetscape that provides such good quality to Oxford Street and Taylor Square.</p> <p>Another submitter states that the level of development should be strictly</p>	<p>The scale and context of Oxford Street in the City LGA is different to that in Paddington, Woollahra.</p> <p>The two storey uplift on specific sites in the precinct is proportionate to the scale and the greater width of the street in the City of Sydney LGA. The draft DCP requires every building on Oxford Street is to have an individually distinctive massing, expression of floor levels, architectural language and fine grain tenancies.</p>

	Issue	Description	Response
		guided by view angles to the buildings.	
130	Nil setback will destroy heritage	Submitters state that a nil upper level setback on heritage listed and contributory buildings facing Taylor Square, Oxford Square, Whitlam Square, and Three Saints Square, where the Consent Authority is satisfied that the design outcome will be of the highest standard will dominate the existing buildings. They state that this will be the case from oblique views down streets and at intersections, where the prominence of the original building and the profile of parapet shapes against the sky would be significantly and irreversibly altered.	<p>The draft DCP emphasises the contribution the built form can make towards creating high quality public spaces, requiring strong visual and physical edges to the public space through high-quality architecture which complements the historical fabric while also allowing opportunities for contemporary design and activation.</p> <p>Development can potentially reduce upper level setbacks on heritage listed and contributory buildings, to nil setback, but only if it satisfies criteria and demonstrates a high quality design outcome while maintaining heritage values of the buildings. This criteria addresses 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 the design and construction quality of the façades, including exposed side walls and expression of the roof. If this cannot be demonstrated, a nil setback will not be permitted.</p>
131	Impacts on structural integrity of heritage buildings	Woollahra Council states that additional commercial levels will be required to provide equitable access, lifts and fire isolated stairs new entries, lobbies, services and meet fire requirements. Therefore to be compliant and functional, a development is likely to require major service cores which will be inserted through the whole building to the foundations. Also, these '100' year old structures often do not have sufficient structural capacity to accept structural loading of additional floors and will need multiple fire rated structures integrated through the floors to the foundations. The submitter states that it is therefore unlikely that the building would be able to accommodate the 'lightweight additions' as intended in the draft	<p>A heritage structural stability test is required by the DCP and ensures risk to heritage features is avoided where there may be proposals to remove party walls and the provision of seismic bracing and extra structure for added loading.</p> <p>In applications for development consent, the draft DCP requires the preparation by suitably qualified structural engineer of a Heritage Structural Impact Statement.</p>

	Issue	Description	Response
		DCP and will impact on the integrity of the heritage fabric, the heritage significance of contributing buildings and particularly on heritage items.	
132	Statement of Heritage Principles can only be encouraged	Woollahra Council states that the DCP controls can only 'encourage' the applicant to submit a Statement of Heritage Principles to be agreed with the City of Sydney through a pre-DA process. They state that there is no certainty that heritage fabric could be retained as required and a refusal due to loss of fabric, where compliant with development standards, would be upheld in an appeal by the Land and Environment Court.	<p>The planning proposal and Draft DCP will work in conjunction with existing heritage provisions of the Sydney LEP 2012 and Sydney DCP 2012 and their heritage listings. The precinct heritage controls strengthen the heritage provisions applying to the precinct.</p> <p>While the City cannot compel a proponent to have a Pre-DA it will be of significant benefit as it de-risks the process and ensures approvable outcomes in a DA.</p> <p>The City has introduced new controls and has strong existing controls to support appeals to the Court on heritage grounds.</p>
133	A more nuanced approach to redevelopment	Submitters seek a more nuanced, fine-grain approach, which considers the buildings and heritage significance on a site by site and block by block approach. This should include where proposed additions will have potential impacts on important facades; structural integrity; significant interiors and other aspects. Most importantly this should be considered for heritage items. Uplift should be focused on fewer sites that have less character/heritage significance and will have less visual impact from the additional bulk. This could include a combination of two additional storeys, one additional storey and no additional uplift.	<p>A post exhibition change excludes 24 contributory buildings, seven heritage items and two heritage items for amenity reasons from the proposals for additional development which will result in a more nuanced approach. On the south side of Oxford Street this excludes 8 out of 19 heritage listed buildings west of Taylor Square and 22 contributory buildings east of Taylor Square at 217 to 263 Oxford Street, immediately north of Sturt Street from the planning proposals.</p> <p>The strengthened LEP and DCP heritage provisions, existing heritage controls and the alternative controls which have been tailored in respect of existing buildings in the precinct will ensure that nuanced outcomes result. The site-specific impacts on heritage will be assessed when a development is proposed in a DA.</p>
134	A new panel to assess Statement of Heritage Principles	A submitter requests a panel of externally assessed and qualified heritage consultants be appointed by Sydney City Council to assess Statement of Heritage Principles.	The draft DCP requires that a Statement of Heritage Principles should be prepared by a suitably qualified heritage consultant to inform the design development and

	Issue	Description	Response
		<p>The submitter suggests the National Trust and other organisations who have a track record of understanding heritage issues and protecting the public interest should participate in the establish of the panel and appointments to it, and will define what the appropriate qualifications of consultant assessors must be.</p>	<p>a Heritage Structural Impact Statement is to be prepared with input from a suitably qualified structural engineer experienced with heritage properties. These are additional controls specifically applied to the Oxford Street precinct.</p> <p>If additional heritage expertise is required at the DA stage, it is normal practice that a heritage committee can be convened in accordance with the DCP for sites of state significance or with multiple heritage items.</p> <p>The City also has the option to refer applications to the Design Advisory Panel includes architects with significant experience in heritage redevelopment.</p>
135	Assessment of Heritage Structural Impact Statements	<p>A submitter suggests in respect to Heritage Structural Impacts, all development in Oxford Street should be considered as contributing to its heritage values and assessed for the extent to which the overall heritage status of the Street can be enhanced. Proposals should be adjusted to ensure there will no adverse impacts on adjoining structures and this cannot be achieved, the development should be refused.</p>	<p>This is the basis of the proposals for the precinct and Heritage Structural Impact Statements. If the tests of the Structural Impact Statement cannot be met, development cannot proceed.</p>
136	Vary and step of development	<p>A submitter states that additions must be varied and stepped and amalgamation of adjacent sites should be avoided unless in exceptional circumstances.</p>	<p>The draft DCP requires every building on Oxford Street is to have an individually distinctive massing, expression of floor levels, architectural language and fine grain tenancies. It establishes an appropriate scale, massing and modulation for new development which respects and responds to the architectural character, rhythm and grain of the existing built fabric of the high street.</p> <p>It does this by ensuring that the two-storey uplift is measured from the upper ceiling of the existing building. This means that buildings will be stepped along the corridor.</p>

	<b>Issue</b>	<b>Description</b>	<b>Response</b>
137	No development on the Courthouse Hotel	The submitter requests that the DCP specify that the significance and original character of the heritage Courthouse Hotel is be protected, retained and restored in a manner consistent with and protective of its heritage values, without compromise.	The planning proposal acknowledges the significance and character of the Courthouse Hotel and does not afford it any additional uplift. As there is no uplift there is no need to address this in the DCP.
138	Redevelopment at heritage listed building and photographers studio 21 Oxford Street	Redevelopment of the heritage listed building at 21 Oxford Street, Surry Hills will erode its heritage character and lead to the destruction of the glass-roofed photographer's studio, built in 1911.  Existing floor space in buildings used for cultural and creative purposes, without exception, in this precinct.	City staff have visited 21 Oxford and concluded that the photographers studio should be retained. A post-exhibition change excludes 21 Oxford Street from the planning proposal.
139	No increase in development on Taylor Square	The submitter requests that the existing street wall height of Taylor Square be preserved and protected as it already provides the appropriate scale and framing of the view corridor along Oxford Street to the city and is not to be altered.	The scale of Taylor Square supports taller buildings that sympathetically respond to the existing heritage qualities. Buildings in Taylor Square have the option of a two storey uplift with the exception of the Courthouse Hotel at 189 Oxford Street which is an intact heritage listed building with a narrow typology, shallow foundations and a courtyard to the rear which cannot take any uplift.
140	Restore, preserve and conserve shopfronts	The submitter states that in respect to shop fronts specifically, and other frontages generally an emphasis needs to be on 'restoration' in the first place, preservation in the second and conservation as an ongoing activity in ensuring the integrity of the streetscape as a heritage object in its own right and as a heritage destination in a commercial sense.	The draft DCP requires that shopfronts with heritage significance are retained and conserved. The design of new shopfronts should take their cues from traditional shopfronts. Any change to a ground floor Oxford Street façade is to respect and respond to the fine-grain nature of the street's architectural scale, character, form, detailing and arrangement of traditional shopfronts.

## 9. Indigenous cultural and creative activity

	Issue	Description	Response
141	Prioritise indigenous participation	<p>The Kings Cross Branch of the Labor Party requests that indigenous communities be fully consulted on what and how they might participate in the development of Oxford Street in totality as a creative/cultural precinct prior to the DCP being adopted by Council and submitted to the Department of Planning.</p> <p>The submitter states that the Redfern community and the La Perouse community should be invited to contribute as representative of the City’s indigenous peoples who were displaced by colonial expansion. The indigenous communities of Port Jackson were dispersed across NSW and they have a broad interest in any of the City’s creative/cultural initiatives as they impact on Indigenous interests</p>	<p>The City is in the process establishing its Designing for Country Framework which will be a Council-wide process of responding to Aboriginal cultural connections to Country in the public domain. In lieu of this framework, during the early consultation and the public exhibition of the planning proposal the City invited a range of Indigenous organisations to participate.</p> <p>Post-exhibition changes to the draft DCP are proposed which draw from work in the Botany Road corridor which has been the subject of significant consultation with Indigenous communities. The changes require proponents to consider opportunities for acknowledging and continuing the social and cultural significance of Oxford Street as a sacred walking track of the Gadigal people of the Eora Nation and promote the presence, visibility and celebration of First Nations organisations, businesses and cultures through art, performance, architecture, landscaping and other creative expression involving the engagement of suitably qualified Indigenous practitioners.</p>
142	Recognise indigenous culture in the planning proposal	<p>A submitter raises the need for the planning proposal to address indigenous culture on Oxford Street.</p>	<p>One of the responses to the early consultation indicated the desire to have more visibility of First Nations cultures and stories of the place and to better recognise Oxford Street as a sacred walking track of the Gadigal people of the Eora nation.</p> <p>Post-exhibition changes are proposed which draws from work in the Botany Road corridor which has been the subject of significant consultation with indigenous communities.</p> <p>Post-exhibition changes to the draft DCP seek to maximise opportunities for acknowledging and continuing the social and cultural</p>

	Issue	Description	Response
			<p>significance of Oxford Street as a sacred walking track of the Gadigal people of the Eora Nation and maximise the presence, visibility and celebration of First Nations organisations, businesses and cultures. The provisions require the consideration of opportunities for acknowledging and celebrating Aboriginal and Torres Strait Islander living cultures through art, performance, architecture, landscaping and other creative expression involving the engagement of suitably qualified Indigenous practitioners.</p>
143	<p>Provide an additional 10% cultural and creative space for indigenous cultural space</p>	<p>The Kings Cross Branch of the Labor Party requests an additional minimum 10 percent be included that is specific to indigenous cultural/creative activity, subject to consultation with indigenous community.</p> <p>Subject to consultation, this would bring the total creative/cultural activity level up to a minimum target of 20 percent of floor space.</p>	<p>Indigenous culture can be accommodated in the cultural space and is covered by the proposed land use definition of floor space for a cultural and creative purpose. This definition includes a range of business types that could apply and be taken up by indigenous groups or businesses.</p> <p>Planning controls are based on land uses and are not able to target specific groups of people.</p> <p>The incentive provision of 10% of floor space for a cultural and creative purpose was calculated based on the existing floor space in every building in the precinct. Because the floor space for a cultural and creative purpose is likely to be delivered at below market rent, the remainder of the development for local centre uses essentially subsidise that space. If the incentive is set too high development and the provision of floor space for a cultural and creative purpose will not result.</p>

	Issue	Description	Response
144	Interpretation of the indigenous walking track	A submitter states that Oxford Street should incorporate information on its history and Aboriginal connection. This could be simply done by plaques, sign boards, a history walk, Aboriginal art.	Post-exhibition changes to the draft DCP seek to maximise opportunities for acknowledging and continuing the social and cultural significance of Oxford Street as a sacred walking track of the Gadigal people of the Eora Nation and maximise the presence, visibility and celebration of First Nations organisations, businesses and cultures.

## 10. LGBTIQA+ cultural and creative activity

	Issue	Description	Response
145	Ensure that culture and identity of the LGBTIQA+ precinct is maintained	<p>Submitters state that Oxford Street has been home to Mardi Gras Parade for 43 years providing unrivalled visibility for the LGBTIQA+ community and is the spiritual home of the LGBTIQA+ community, despite the last decade's decline of the area.</p> <p>The LGBTIQA+ community wishes to maintain Oxford Street, as a safe area where it can celebrate the past, fight for LGBTIQA+ rights for the future, show solidarity and celebrate the creativity that flows into mainstream society to create a more equal and just Australia.</p> <p>The submitter states that Oxford Street in its heyday was a collection of accessible rental accommodation, LGBTIQA+ owned and run businesses (from bookstores to clothing shops, from health clinics to adult stores, from cafés to restaurants), entertainment venues like pubs, bars and clubs, office spaces for major and smaller LGBTIQA+ organisations, other community services like sex on premises venues.</p> <p>The submitter requests that the planning proposal should be supported by a clear strategy to ensure LGBTIQA+ character and visibility is retained and that LGBTIQA+ businesses and services</p>	<p>On 15 October 2021, the City of Sydney City of Sydney Council resolved to prepare a LGBTIQA+ Cultural and Social Place Strategy for Oxford Street.</p> <p>The Draft Strategy is being reported to council and will go on public exhibition for additional feedback. It proposes actions across five priority areas of historic places, local businesses and venues, cultural and social spaces, visibility and identity and safety and support.</p> <p>This Strategy will complement the planning controls and ensure that Oxford Street maintains its identity and status as a centre of LGBTIQA+ culture, retail and nightlife.</p> <p>While the planning controls deal with changes to buildings and the activity within or uses of buildings, the Strategy provides complementary initiatives to support the LGBTIQA+ community take up opportunities provided by the planning controls and non-planning related initiatives.</p> <p>Post exhibition changes to the draft DCP amend the Locality Statement for Oxford Street to further recognise LGBTIQA+ character and its historical connection to LGBTIQA+ culture and identity including bars, clubs, restaurants, saunas, sex industry and adult</p>

	Issue	Description	Response
		will find a new home in the new development.	entertainment venues and shops. Other post-exhibition changes to the draft DCP seek to strengthen, support and promote Oxford Street's LGBTIQ+ cultural identity and importance and identify and respect buildings and places of social and heritage significance to the LGBTIQ+ community.
146	Commit to a significant clean up of Oxford Street before World Pride 2023	Submitters state that the Council and State Government should invest in a very extensive tidy up of Oxford Street and ensure that it never deteriorates again.	<p>The City regularly maintains the public domain, including streets and open spaces through its regular cleansing and waste collection services. Council cannot control the appearance and occupation of private properties including shopfronts and other businesses which are in private ownership.</p> <p>The planning proposal is the tool for encouraging investment in buildings to attract tenants, workers and visitors and providing the type of space for the activities we want to see. The proposed planning controls incentivises building owners to invest in their properties and bring cultural and creative activity and other uses that support Oxford Street as a cultural centre and local high street while promoting the heritage character of buildings.</p>
147	Ensure that more LGBTIQ+ businesses are not lost and are able to locate in new development or are provided alternative accommodation while work is being undertaken.	<p>Sydney Gay and Lesbian Mardi Gras was a tenant of the City of Sydney's for 12 years occupying two offices located in Oxford Street and 94 Oxford Street, which is now to be redeveloped. They have moved to a commercial lease at 81-83 Oxford Street to maintain a presence on this street, albeit paying significantly higher rents. Not all LGBTIQ+ businesses can afford these rents hand have to close.</p> <p>Other LGBTIQ+ businesses like Daily Male, SAX, Green Park Hotel and ARQ nightclub are businesses that have been recently displaced or closed down in the precinct.</p> <p>The loss of these businesses and the potential redevelopment of Oxford Street poses a significant risk to the</p>	<p>The proposed planning controls will sit alongside the City's other work to support and incentivise LGBTIQ+ businesses in the Oxford Street precinct.</p> <p>The draft LGBTIQ+ Place Strategy will looks at ways other programs could be used to help LGBTIQ+ business owners take up the opportunities of the space being created.</p> <p>The LGBTIQ+ Place Strategy includes actions to:</p> <ul style="list-style-type: none"> <li>• Support the development of an opt-in LGBTIQ+ Precinct Business Charter for Oxford Street. The Charter may include initiatives to increase employment opportunities for LGBTIQ+ people, a</li> </ul>

	Issue	Description	Response
		<p>survival of the LGBTIQA+ precinct and to its preparation for World Pride in 2023.</p>	<p>commitment to providing inclusion and diversity training to venue staff and security, the provision of non-gendered bathrooms and other inclusive facilities, coordinated efforts to address and reduce anti-LGBTIQA+ behaviour or sentiment.</p> <ul style="list-style-type: none"> <li>• Explore opportunities to support and assist businesses to meet the responsibilities of the LGBTIQA+ Precinct Business Charter.</li> <li>• Continue to provide grant funding to venues and businesses to produce and program LGBTIQA+ themed social and cultural activity across the Precinct.</li> </ul> <p>A key action proposed in the Strategy includes exploring the provision of a matching service for the new cultural and creative floor space for developers wishing to tenant this space. This matching service could be available for indigenous, LGBTIQA+ and other cultural and creative groups wishing to locate within this new floor space in the precinct.</p> <p>The proposed planning controls will stop the loss of space used for cultural and creative uses and require more cultural and creative space and space for other uses people want to see. However, changes to leases between a private landlord and a business happen outside the planning system and with or without development and can't be controlled by government.</p> <p>Post-exhibition changes to the draft DCP encourage the retention of existing and provision of new LGBTIQA+ businesses, organisations and venues to help maintains Oxford Street's identity and status as a centre of LGBTIQA+ culture, retail and nightlife.</p>

	Issue	Description	Response
148	Ensure that new businesses reflect diversity and inclusion in the precinct	Submitters express concern that the new leases of floor space may be driven by commercial outcomes and target high end tenants and customers, which are less likely to reflect the current diversity of the area.	<p>The leasing of privately owned properties always involves commercial interests and council cannot intervene in those arrangements.</p> <p>The planning controls make space available for cultural and creative uses and actions in the Draft Place Strategy will support the LGBTIQ+ community take up those opportunities.</p>
149	Increase the visibility of LGBTIQ+ culture on Oxford Street which is at risk from redevelopment	<p>Submitters state that a critical concern is ensuring the LGBTIQ+ community remains visible on Oxford Street.</p> <p>One submitter suggests that LGBTIQ+ communities have been not been considered in the planning proposal and the future of Oxford Street.</p>	<p>The early consultation on Oxford Street clearly identified the need to better celebrate the LGBTIQ+ community in the Oxford Street precinct. The City has consulted with LGBTIQ+ groups before and during the exhibition of the planning proposal.</p> <p>The LGBTIQ+ Place Strategy has also been informed by consultation with LGBTIQ+ groups and includes actions to:</p> <ul style="list-style-type: none"> <li>• Continue to fly the Progress Pride Flag at Taylor Square and Sydney Town Hall.</li> <li>• Continue to fly the Progress Pride Flag City banners across the Precinct during key events and at key times throughout the year.</li> <li>• Update the Rainbow Crossing at Taylor Square to reflect the Progress Pride Flag.</li> <li>• Explore opportunities for additional Rainbow Crossings throughout the Precinct.</li> <li>• Through the Art and About Program, commission local artists to deliver street murals that celebrate local LGBTIQ+ icons.</li> <li>• Through the development application process, explore opportunities for public art to be produced by LGBTIQ+ identified artists.</li> <li>• Ensure that hoarding treatments throughout the Precinct reflect LGBTIQ+ history and artists, including as</li> </ul>

	Issue	Description	Response
			a priority the 2022 Site Works suite of hoardings artworks.
150	Ensure the LGBTIQ+ community can access the new cultural and creative floor space	Submitters that that it is important that LGBTIQ+ businesses and services are provided opportunities to find a home in the new development and, meanwhile, be provided with alternative spaces in the area.	<p>Planning controls set out what land uses are allowed on a site or in an area; how high and how much floor space a building can have; guidance for the design of buildings; and which buildings have heritage significance and should be protected.</p> <p>Under planning legislation, the City cannot regulate which people are able to operate a businesses, what specifically they sell or who their clientele might be.</p> <p>The planning controls make space available for cultural and creative uses and actions in the Draft Place Strategy will support the LGBTIQ+ community take up those opportunities.</p> <p>A key action proposed in the Strategy includes the provision of a matching service for the new cultural and creative floor space for developers wishing to tenant this space. This matching service will be available between indigenous, LGBTIQ+ and other cultural and creative groups wishing to locate within this new floor space in the precinct.</p>
151	Retention of sex industry and adult entertainment uses as important LGBTIQ+ spaces	Submitters express concerns that sex industry and adult entertainment uses have traditionally existed in the precinct and had strong associations with LGBTIQ+ culture and identity. These uses should be retained or considered as cultural space under the new planning controls so that they can be retained.	<p>It is acknowledged that sex industry and adult entertainment premises have traditional links to Oxford Street and have formed an important part of its character. These premises have historical and current links to LGBTIQ+ culture and community. Post exhibition changes to the DCP acknowledge the community association with these uses.</p> <p>The existing and proposed alternative planning controls do not incentivise sex industry and adult entertainment premises. These uses are excluded from the definition of cultural and creative floor space and are not uses that are incentivised. The planning proposal does not</p>

	Issue	Description	Response
			preclude these uses from being retained or relocating in the precinct.
152	Provide a Pride Centre or more LGBTIQA+ cultural space and services in the precinct	<p>Submitters state that WorldPride 2023 provides the opportunity to showcase a vibrant LGBTIQA+ precinct and work to support LGBTIQA+ businesses and venues should commence now and be set as a legacy for the future of the city.</p> <p>The LGBTIQA+ community support the City and NSW Government leading work to revitalise the precinct, which could include the provision of permanent artwork recognising the nature of the area, safe spaces, a LGBTIQA+ museum and a Pride Centre.</p> <p>A submitter states that Justice Michael Kirby is publicly calling for a "Queer Museum" on Taylor Square and that a Safe Haven suicide prevention and wellness centre has been called for north of Taylor Square.</p>	<p>The LGBTIQA+ place Strategy will</p> <ul style="list-style-type: none"> <li>• Explore opportunities to deliver a LGBTIQA+ Cultural Centre or Museum in the Precinct.</li> <li>• Explore opportunities to re-purpose the toilet block and substation on Taylor Square (North) for social and/or cultural use.</li> <li>• Support the delivery of a "matching service" that will connect identified LGBTIQA+ cultural operators with vacant commercial space or new floor space generated through the Oxford Street Creative Precinct Planning Controls</li> <li>• Explore a Cultural Spaces Start-Up Grant to assist new LGBTIQA+ cultural and creative businesses to establish in the Precinct.</li> <li>• Continue to connect support and outreach services and programs to vulnerable communities within the Precinct, including people sleeping rough, people experiencing mental ill-health and people experiencing substance abuse across the Precinct</li> <li>• Identify opportunities to advocate for diverse housing and accommodation options for young LGBTIQA+ people in the Precinct.</li> <li>• Explore opportunities to increase services and programs within the Precinct that support Transgender and gender diverse people, and older members of the LGBTIQA+ community.</li> </ul>
153	Include history markers in the streetscape of Oxford Street.	<p>Submitters state that in the revitalisation of Oxford Street, it will be important to preserve LGBTIQA+ and other history and heritage. Currently along Oxford Street there does not appear to be any statues,</p>	<p>The LGBTIQA+ Social and Cultural Place Strategy will:</p> <ul style="list-style-type: none"> <li>• Require new developments to deliver heritage interpretation which acknowledges significant</li> </ul>

	Issue	Description	Response
		<p>sculptures, plaques, or other markers that tell the history of the street to the present-day visitors and residents. The submitter suggests Oxford Street could incorporate plaques similar to those in Kings Cross to tell the stories and provide information about the people and places that belong to Oxford Street's history.</p>	<p>LGBTIQA+ places and spaces, through interpretative artworks, plaques on buildings or in the pavement.</p> <ul style="list-style-type: none"> <li>• Continue to collect and share oral histories and stories related to LGBTIQA+ places and spaces.</li> <li>• Explore opportunities to connect these oral histories to physical locations within the precinct through on-site promotion of online content.</li> <li>• Explore options for signage and wayfinding that connects the AIDS memorial in Green Park to Oxford Street, including promotion of online content relating to the memorial.</li> <li>• Review and update the City of Sydney's Culture Walks walking tours to include LGBTIQA+ content, especially around the Precinct.</li> <li>• Provide a publicly accessible catalogue of photographs documenting the gay and lesbian rights movement, queer arts and activism, and other LGBTIQA+ histories across the Precinct.</li> <li>• Conduct an audit of existing heritage items in the Oxford Street Precinct to identify places of LGBTIQA+ social, cultural and historical significance.</li> <li>• Identify places and spaces of LGBTIQA+ social, cultural and historical significance currently not listed as heritage items.</li> <li>• Review and update the inventory sheet for the Oxford Street Heritage Conservation Area including the Statement of Significance to include buildings identified as socially, culturally and/or historically significant to the LGBTIQA+ community.</li> <li>• Review and update the inventory sheets for identified heritage items to include or strengthen references to</li> </ul>

	Issue	Description	Response
			<p>LGBTIQA+ social significance in their Statements of Significance.</p> <ul style="list-style-type: none"> <li>Collaborate with the NSW Heritage Council State Heritage Register LGBTIQA+ Working Group to progress a State Heritage listing at Taylor Square which tells the story and evolution of Sydney’s Mardi Gras, including a section of Oxford Street and the former Darlinghurst Police Station</li> </ul>

## 11. Cultural and creative proposals

	Issue	Description	Response
154	High levels of vacant floor space can provide affordable creative space	<p>Submitters state that the City’s own studies state that more diverse and affordable models of creative space should be incentivised in the precinct and ways of reworking existing vacant space explored. To create a cultural and creative precinct they state that the City must address both the type and the affordability of space available. Using existing vacant floor space, can help drive this change. They state that options for addressing the need for affordable, appropriate space for creative industry must first be considered within the existing vacant buildings before proposals to increase redevelopment of heritage buildings are approved.</p>	<p>There is vacant space in the precinct available for use and the current planning controls allow for the use and adaption of that space. However, owners are not leasing that space or upgrading it to attract tenants and tenants are not occupying that space.</p> <p>The City’s research and the SGS study found vacancies have been driven by lock-out laws and their knock-on impacts on retail and other businesses, a general decline in ‘bricks and mortar’ retail, heritage and building controls which restrict tenant options for the use of space, an insufficient local catchment to underpin businesses on the strip, and high rents, particularly for creative businesses which do not receive subsidies.</p> <p>The City’s Cultural Activity and Floor space Supply and Demand Study acknowledge that despite the high levels of vacant space in the precinct this space is often not fit for purpose for the creative sector. The City’s priorities for performance, light industrial, rehearsal, visual arts, film, media, multipurpose and education space cannot be provided within small shopfronts not designed for permanent use by cultural and creative tenant.</p>

	Issue	Description	Response
			<p>An overall lack of activity in the buildings leads to low pedestrian foot traffic and an unwillingness on the part of businesses to invest in an Oxford Street location, which in turn exacerbates the vacancy levels.</p> <p>The intent of the planning proposal is break this cycle and encourage investment into the precinct through measured additions to buildings that promote the existing heritage character and will generate uses that attract activity and uniquely position the precinct as a cultural centre.</p> <p>Buildings that undergo some renewal and investment will become occupied and increase activity and pedestrian foot traffic, which will underpin other new businesses and investment. As this process occurs, it will become more attractive to invest in and use other buildings in the precinct, including those that do not have additional development.</p> <p>The planning proposal also requires space for cultural and creative uses to diversify activity, shift the balance away from vulnerable retail sectors and uniquely position Oxford Street as a creative and cultural destination. These uses will be secured through consent conditions and a restrictive covenant before any part of a redeveloped building can be occupied. While landlords will set the rents for these spaces, the City expects this requirement will promote rents lower than standard market rates, as landlords will have to meet the rents the cultural sector can pay.</p>
155	10% will not deliver the types of creative spaces sought	Submitters state that given the fine grain of development that the provision of large, raw spaces suitable for creative industries, artistic production or fringe performance cannot be accommodated in the precinct. The 10% dedication of the floor space will not deliver the range	The provision of 10 per cent of floor space for a cultural and creative purpose was determined based on a reasonable proportion of space compared to the existing floor space in each building in the precinct. If the required amount of cultural and creative space is set

	Issue	Description	Response
		<p>of activities and enterprises listed in the City's catalogue of venues. These venues demand spaces which are large and expensive, or small, at ground level and below the market rate rents that high street tenancies could attract.</p>	<p>too high, then development and the provision of the space will not result as there would be insufficient other uses to subsidise the creative space.</p> <p>The Cultural Activity Study provided context for the proposals but did not recommend a specific proportion of floor space. While the City has priorities for medium to large cultural and creative floor space, it is seeking a diversity of spaces within the precinct. Floor space for a cultural and creative purpose can be located anywhere in a building and is not limited to the ground floor. The Cultural Activity Study notes that a diversity of spaces is required, including around 50sqm, 100sqm, 200qm and greater in size. Larger spaces may come forward on sites with less heritage constraints, where it is considered acceptable and where the consolidation of the 10 per cent provision could occur through amalgamation of sites. Overall the proposal has the potential to deliver 10,000 sqm cultural and creative floor space, sufficient to satisfy projected demand to 2036.</p>
156	<p>Use Renew Newcastle temporary space activation scheme to reactivate Oxford Street rather than additions to heritage buildings</p>	<p>Submitters state that the “Renew Newcastle” is recommended to activate the temporary space on Oxford Street as a major catalyst for renewal, without a change to the planning controls.</p>	<p>The City’s primary objective is for the long term revitalisation of Oxford Street through the attraction of investment and the provision of permanent cultural and creative floor space.</p> <p>The City has considered the Renew Newcastle scheme in recent years and the Oxford Street Cultural Activity Study also reviewed this scheme which operated in Newcastle CBD between 2008 and 2017. A critical mass of properties in one ownership is a key success factor for a Renew program and there is no one property owner on Oxford St who can make available this critical mass for temporary occupation.</p> <p>The Draft Place Strategy proposes investigating a matching service for</p>

	Issue	Description	Response
			cultural and creative floor space which will assist owners fill space with suitable occupants.
157	Rate reduction and a contribution in lieu or floor space pool scheme	<p>Submitters state that the controls should work in conjunction with a Renew Newcastle scheme, but instead of trading short term licenses it could trade uses for reduced rates. If a below market rent is included for a ground floor, basement or first floor space, the rights could be awarded to build to more additional height.</p> <p>The submitters states that this could include high end residential apartments. Further the below market spaces could be pooled, all attracting the same square metre rate, and managed by a cultural clearing house, similar to affordable housing incentives with the ability to stay in the in lieu fund for 10 years.</p>	<p>The proposed planning controls incentives building owners to invest in their properties and bring cultural and creative activity and other uses that support Oxford Street as a cultural centre and local high street while promoting the heritage character of buildings. Using ratepayer funds to subsidise occupation of privately owned buildings is not supported.</p> <p>The alternative planning controls do not incentivise residential to minimise land use conflicts with the night-time economy. Affordable housing can occur in the precinct under the existing planning controls and a levy is applied to any new residential development.</p> <p>The planning system does not allow the City to collect contributions or levies towards the provision of cultural and creative space.</p> <p>A key action proposed in the LGBTIQ+ Place Strategy includes the provision of a matching service for indigenous, LGBTIQ+ and other cultural and creative groups to connect with owners of the new cultural and creative floor space.</p>
158	Concerns the new floor space will not be tenanted	A submitter raises concerns that the new floor space for a cultural and creative purpose will not be tenanted and may sit empty.	It will be in the economic interest for the landowner to tenant these spaces. An action proposed in the LGBTIQ+ Place Strategy includes the provision of a matching service for indigenous, LGBTIQ+ and other cultural and creative groups to connect with owners of the new cultural and creative floor space.
159	Extending the range of uses that will benefit from the incentive for basement live entertainment	<p>A submitter states that the range of strategic land uses that can benefit from the 0.8:1 floor space incentive for uses in basement areas fronting Oxford Street should be extended to include cinemas on the Verona site.</p> <p>The submitter states that broader multi-function spaces are considered</p>	Cinemas are an entertainment facility and are facilities that are desired and consistent with the objectives for the cultural and creative precinct. For this reason, a post exhibition change states that presentation of film in a cinema

	Issue	Description	Response
		to align closely for Council's objectives for the study area and should also be included as eligible for the basement incentive provision.	complex may benefit from the basement incentive provision.  Multi-function spaces do not meet the definition of an entertainment facility and because can be re-purposed for spaces that do not provide for live entertainment they are not considered appropriate for the basement incentive provision.
160	More clarity about how to calculate existing cultural and creative floor space	A submitter seeks the provision of further guidance to applicants on how to calculate the 'existing' cultural and creative uses on site.	A post exhibition change is proposed which confirms that existing cultural and creative space in a building is calculated excluding spaces that are include ancillary uses, such as for example, service areas, corridors, offices, retail and sanitary facilities.
161	More clarity about how to calculate the 10% floor space for a cultural and creative purpose with regard to basement floor space	A submitter seeks the provision of further guidance on how the 10% of floor space for a cultural and creative purpose is calculated with regard to basement uses.	A post exhibition change is proposed to the Draft DCP which explains that basement spaces which include entertainment facilities for live entertainment and may contribute to the 10 per cent requirement for a cultural and creative purpose.  It will also clarify that this below ground floor space is excluded from the total GFA of a proposed development, and the GFA used to calculate of 10 per cent of floor space for a cultural and creative purposes.
162	Securing floor space for a cultural and creative purpose and ensuring it is not removed in the future	Submitters express concern that cultural and creative floor space may be tenanted and then fall away to other types of uses as spaces become vacant. A change of use through exempt and complying development to other non-creative uses could easily occur.	Floor space for a cultural and creative purpose will be secured through a condition on planning consent. A landowner who does not tenant the space for its approved use will be in contravention of a planning consent.  A post-exhibition change to the planning proposal states that the City will place restrictive covenants on the floor space used for a cultural and creative purpose to ensure that it is not subject to a change in use without the Council's consent.
163	Governance, and partnerships with	Woollahra Council states that cultural and creative space should be dedicated to Council to manage or the	The City is already deeply invested in the provision of cultural infrastructure. A City report from

	Issue	Description	Response
	the cultural and creative sector	<p>developer should be required to demonstrate partnership with a cultural and creative user, or where there is no end use identified the space could be required to be managed by a suitable body for the ongoing leasing and management. They state that the City should assist forging partnerships, including with key NSW Government and Non-Government Organisations in the cultural and creative sector, to facilitate supply of space to meet demand. Whether by Council or an external place management entity, there needs to be ongoing programming of spaces.</p>	<p>2020 found provide more than 10,000m2 of subsidised space to cultural, arts and creative industries organisations.</p> <p>The report also found the scale of urban growth has rapidly increased the demand for space well beyond the possible supply which could be achieved by even the most well-resourced councils. An approach relying purely on local councils providing access to space is unsustainable. There is a need to how we might support new and innovative organisations to secure long-term space in new developments well into the future.</p> <p>The planning proposal opens these opportunities for the cultural sector to secure space in a planned cultural and creative precinct. The cultural sector, rather than government, is then best placed to undertake cultural programming.</p>
164	Clarity about how cultural and creative operators will access the floor space created	<p>A submitter is concerned that developing Oxford Street as an arts and cultural precinct appears to have no solid action plan. The City should enunciate how it would attract such business, such as commercial art galleries. The submitter seeks clarity about how a commercial gallery operator be incentivised to operate in Oxford Street.</p>	<p>The planning proposal requires developers to provide the space for a cultural and creative purpose only. A part of the Draft Place Strategy the City will explore the provision of a matching service such as a register of businesses seeking floor space in the precinct.</p>
165	National Art School (NAS) Stewardship approach	<p>The NAS supports the objectives and the proposed alternative planning controls.</p> <p>The NAS with an instrumental role in NSW arts sector and creative ecology considers that it is best placed to assist in the implementations of the controls through a 'stewardship approach' which requires:</p> <ul style="list-style-type: none"> <li>• a developer to consult with NAS, as part of a DA, on how to achieve appropriate creative and cultural space</li> <li>• the transferral of 10% floor space on a rent-free basis, under a 99-year lease with NAS, or until such time as further</li> </ul>	<p>The support is noted.</p> <p>The stewardship process the NAS proposes is not possible under the NSW planning system. Under the planning controls the City cannot authorise the transfer of private property to the NAS.</p> <p>The City will investigate a match making system for cultural and creative space under the Draft Place Strategy. Aspects of the submitters proposal will be considered under those investigations including the potential for a voluntary arrangement between an owner and NAS.</p>

	Issue	Description	Response
		<p>redevelopment of the sites takes place on a holistic basis</p> <ul style="list-style-type: none"> <li>• similar to the method of operation of social housing, NAS to have a register of available spaces that may be utilised</li> <li>• payment from the developer of 50% of the outgoings of the nominated space as part of any development approval, with NAS being responsible for the remaining 50%</li> <li>• NAS to facilitate the use of these spaces depending on the needs of the individual or group.</li> </ul>	
166	Justification for 10% proportion of floor space for a cultural and creative purpose	Submitters question why the proportion is only 10% and call for a larger proportion, up to 50%. They state that none of the recommendations of the City's reports suggest that dedicating 10% of new floor space will provide the spaces required for creative uses to occur.	<p>The incentive provision of 10% of floor space for a cultural and creative purpose was calculated based on the existing floor space in every building in the precinct and the reasonable proportion that could be used for a cultural and creative purpose.</p> <p>The floor space for a cultural and creative purpose will be delivered at a rent the cultural sector can pay. The remainder of the development for local centre uses will effectively subsidise the creative space. If the incentive is set too high, the proportion of local centre uses will not provide enough support for the overall development and the provision of floor space for a cultural and creative purpose will not result.</p>
167	Consolidate smaller cultural and creative space into one larger space	Woollahra Council states that flexibility is needed to be incorporated into the planning controls to create the size of cultural/creative spaces needed to enable the consolidation of the required cultural/creative space within one property to provide for a specific purpose, rather than several small spaces that are not as useful.	While the City has priorities for medium to large cultural and creative floor space it is seeking a diversity of spaces within the precinct. The 10% is based on a reasonable proportion of the new development to provide a diversity of spaces and support local centre uses. Due to the range of site sizes and FSR controls, a range of spaces around 50sqm, 100sqm, 200qm and few even greater in size could be delivered.

	<b>Issue</b>	<b>Description</b>	<b>Response</b>
167	Affordability of cultural and creative space and low rent incentives	<p>NSW Create and other submitters state that the City should ensure that cultural and creative floor space is affordable. They suggest that there could be incentivisation for developers to offer the 10% creative space provision at a lower than market rent to arts and culture practitioners or creatives.</p> <p>Another submitter suggest that Council define precisely how it will ensure creative floor space will be affordable and how Council run spaces will be subsidised, funded and operated. It will need to outline what plans it might have for strategic acquisition of sites for creative uses.</p>	<p>The planning proposal uses the planning controls to leverage more creative space in the precinct. Planning cannot address rents, tenancing and commercial decisions taken by developers. Rents for this space are expected to be lower as the landlord will have to meet the rents that market can pay.</p> <p>Council owned or subsidised spaces no longer operate in the Oxford Street precinct.</p>
168	Provide live/work in conjunction with floor space for a cultural and creative purpose	<p>Submitters state that consideration should therefore be given to the definition of creative and cultural space being extended to include 'ancillary residential accommodation' which would allow for the inclusion of studio-style living space to be incorporated into these creative and cultural spaces in a more cost-effective basis for individuals, while ensuring that the take-up of such space is maximised.</p> <p>They state that within larger scale developments, the proportion required (10%), could be implemented with the provision of accommodation for the user groups of the cultural and creative industry, through NAS.</p> <p>Other submitters suggest a rates subsidy for including studios and living spaces for artists.</p> <p>Some state the potential for an incentive scheme that could apply live/work to a wider area recognising that there is no requirement for smaller studios or 'rehearsal' spaces or live/work accommodation to have Oxford Street frontage.</p>	<p>The City's intention is to incentivise uses which build on the local centre function of Oxford Street and its potential as a cultural and creative hub. A secondary consideration is to minimise conflicts between night time economy uses and other sensitive development including residential uses. The alternative planning controls do not incentivise residential development of any kind in the corridor to minimise conflicts and prioritise local centre and cultural and creative uses.</p> <p>Live/work spaces are likely to attract less activity and visitors to the precinct than the incentivised cultural and creative purposes.</p> <p>Residential development and live/work is permissible in the land use zones of the precinct, however it can only be undertaken under the existing planning controls, without the two storey height increase.</p>
169	Partner to provide artist residences for students	<p>NSW Create states that the City should partner with NAS to provide artist residences for students to include space for artist residencies with the view to opening up further opportunities for Western Sydney,</p>	<p>Live/work spaces are likely to attract less activity and visitors to the precinct than the incentivised cultural and creative purposes.</p>

	Issue	Description	Response
		Regional and International students on an accessibility basis.	Residential development and live/work is permissible in the land use zones of the precinct, however it can only be undertaken under the existing planning controls, without the two storey height increase.
170	Creative manufacturing require large warehouse spaces	The submitter references the City's Cultural Activity Study which states that creative manufacturing uses where producers make artworks or rehearse performances may require spaces that are more like warehouses with larger floorplates and higher ceilings. The submitter questions how this will be provided in the Oxford Street precinct.	Creative manufacturing is one of the range of cultural and creative uses supported in the precinct and provided under the light industry as a local centre use. Unlike other creative precincts in Alexandria or in Inner West with large lots, there may be limited lots which in the Oxford Street precinct to accommodative a wide range of creative manufacturing businesses. Larger creative manufacturing uses can be accommodated in other parts of the council area.
171	Impose standard conditions on consents for cultural and creative floor space and at NAS	<p>The NAS states that development consent for floor space for a cultural and creative purpose should approved with a standard set of conditions to ensure that the amenity of the neighbourhood is protected. This should ensure that no further planning approval is required.</p> <p>To provide certainty to creative operators and the community, this could include conditions relating to the following aspects:</p> <ul style="list-style-type: none"> <li>permitted number of people based on internal available amenities</li> <li>hours of operation (7:00am to 10:00pm)</li> <li>standard noise controls and attenuation requirements</li> <li>waste management storage areas and collection requirements.</li> </ul>	<p>Development consent for each development providing floor space for a cultural and creative purpose will be addressed on a case by case basis with conditions tailored to reflect site specific circumstances and the information in an application. The City develops standard conditions which can be applied depending on the nature of a DA.</p> <p>The City has developed planning controls for cultural uses as part of its Open and Creative Planning Reforms which set out standard requirements for such uses.</p>
172	Include land use targets for the precinct	The submitter states that the precinct needs to provide for a net increase in jobs, as well as providing a quantum increase in creative effort. DJ administered recorded music in licensed premises should not be included in any of the land use targets for creative/cultural precinct activity based on floor space allocation. Priority should be given to industries that provide a quantum increase in	<p>The proposals have the potential to create 33,865 sqm of new floor space and facilitate 10,554sqm of creative and cultural floor space.</p> <p>Alongside floor space for a cultural and creative purpose, local centre uses including entertainment, community and education facilities, hotel or motel accommodation, health services facility, light industry, commercial premises and</p>

	Issue	Description	Response
		creative job opportunities over and above that of pre-Covid levels, and to those creative/cultural activities that add innovative creative capital to the community and beyond.	information and education facilities are incentivised which also create employment.  Floor space for a cultural and creative is employment generating. Live entertainment, including DJ performance is a priority for the City and in this precinct and is included in the definition of floor space for a cultural and creative purpose. This type of performance is consistent with NSW Government legislation.
173	Include employment targets for the precinct	The submitter states that employment targets should be included over and above the floor plan space to ensure that the benefit of a creative/cultural precinct be reflected in its planning and the benefits should accrue widely. Based on the disparity between creative/cultural floor space usage (5%) and employment (10%) identified by SGS it is essential that such a ratio be set as a minimum, given it had already been achieved. An employment target should be adopted as essential to expanding establishing and sustaining a creative precinct and measuring its value.	All floor space that is developed under the alternative controls will contribute to the City's long term employment targets. The amount of space for cultural and creative purposes is set as a minimum.
174	Justify and provide innovative initiatives for basement cultural and creative activity	The submitter states that the draft DCP should be amended to fully justify its claims that basements provide ideal and unique spaces for late night trading uses and will help activate a more diverse night-time economy. No indication is given as to how this is so. Given that in respect to music as a creative/cultural activity, and that DJ's satisfy that criterion, the DCP proposes no initiatives that will satisfy criteria for diversity or creativity.  The submitter is concerned that 90 percent of a development is business as usual, which is effectively 100 percent business as usual with no contribution to the precinct's overall objectives for diversity and creativity.	Basements are ideal locations to contain the sound generated by late night trading uses. It also enables uses that operate during the day and night, such as retail, to be at the street front. Entertainment space also does not require daylight light that other employment uses seek.  The provision of space for cultural and creative purposes and incentives for other uses such as community and education facilities, hotel or motel accommodation, health services facility among others will increase diversity in the street.
175	Designation of the precinct to avoid a future overconcentration	Submitters state that the Oxford Street precinct should be designated a creative/cultural precinct in entirety. The creation of a specific	The Oxford Street precinct is designated as a cultural and creative precinct in the City's Local Strategic Planning Statement and is

	Issue	Description	Response
	of licensed premises like 'Kings Cross.'	entertainment precinct should be withdrawn from consideration as bringing with it the considerable risk of another Kings Cross. All future or existing licensed premises on Oxford Street, should be boutique in scale and nature and reflect the heritage focus on the street as a whole, together with values of diversity, innovation and creativity.	<p>being delivered by this planning proposal. This proposal seeks to attract investment to revitalise the precinct and support the night time economy, live entertainment and licensed premises. Cultural and creative activity can co-exist and integrate with the night time economy.</p> <p>Oxford Street is a long established entertainment precinct in the city and is a late night trading area under the City's late night trading controls which were comprehensively reviewed in 2018-19. Late night trading planning controls encourage a diverse night time economy with venues of different sizes and uses.</p>
176	Support for the inclusion of light industry	Submitters support the proposed inclusion of light industry as a permissible use is supported. It will enable activities associated with the creative artisanal industries and will most likely achieve the desired creative artisanal activities.	Support noted.
177	Impacts of light industrial uses	A submitter states that light industry should not be permissible where it impacts on small business and retail activity. It should not be permitted in those areas which already have significant residential development, towards Hyde Park. All pollution and OH&S issues are to be clearly identified, and any development application to include not just pollution management issues but also an OH&S plan.	<p>Light industrial uses are to be made permissible in all areas zoned B2 Local Centre under the City's Open and Creative Planning Reforms.</p> <p>Light industrial uses are encouraged because they facilitate creative production spaces, such as makerspaces. They are currently permitted with consent in the B4 mixed use zones such as Pymont, Surry Hills and Chippendale.</p> <p>The definition of Light Industry in the LEP requires that the 'industrial activity that does not interfere with the amenity of the neighbourhood' due to a range of impacts including noise, vibration, smell, fumes, smoke, vapour, steam or dust. If a proposal is likely to interfere with the amenity of the neighbourhood then it does not meet the definition of light industry.</p> <p>The potential impact of proposed light industrial uses will be</p>

	Issue	Description	Response
			assessed on a case by case basis through applications for consent.
178	Definition of diversity and how it is achieved	The submitter states that it is unclear how diversity is defined in the DCP and whether it refers to creative/cultural activity, other retail/professional activity and entertainment venues, the varieties of diversity within each activity specified. It is also not clear how diversity will be achieved in the cultural and creative precinct.	Diversity is encouraged through the planning proposal through the incentivisation of range of local centre uses and the definition of cultural and creative floor space. The City cannot specify which permissible uses locate in the precinct as this will be for the market will deliver in response to site specific contexts and circumstances.
179	Life of consents	The submitter states that the life of consents generally needs to be pre-determined and specified and included in the consent approval. Specific development consent should carefully weigh up the specific advantages and disadvantages of how long they need to be in place for, particularly in respect to creative industries which are often subject to shifting fashions and trends.	Floor space for a cultural and creative purpose will be a condition on consent and secured by restrictive covenants to ensure that these uses do not fall away to alternative uses.  Consents will go with the land in perpetuity unless they are surrendered or replaced.  The definition of space for a creative and cultural purpose provides sufficient flexibility for different activities in the space.
180	Only genuine live performance space should be permitted	A submitter states that only performances spaces which include genuine live performance should be included as creative/cultural activity, with pre-recorded music specifically to be excluded. The limit should be 200 in one space, not 500, to be consistent with the principle of diversity.	The City is seeking medium to large performance spaces and in the DCP includes design guidance for spaces for 300-500 and 500 people+. This will be supported by a range of small spaces, providing a diversity of space. Not all sites will be able to or need to provide venues of this size.  Live performance is defined in the DCP and is consistent with the NSW Government definition included in the Liquor Licensing Act 1997. Some DJ performances include pre-recorded music and this is an acceptable performance use encouraged in the precinct through the planning proposal and the City's late night trading controls which currently apply to the precinct.
181	Compatibility of local centre uses with creative uses	A submitter expresses concerns that creatives will be isolated alongside other incompatible commercial uses.	The planning proposal envisages that creative spaces will increase across the precinct. The local centre uses are complementary to

	Issue	Description	Response
			the creative uses and will ensure that the creative space is established and subsidised within the development. These spaces may be fine grain spaces in heritage buildings or larger spaces on amalgamated sites with less heritage constraints.

## 12. National Art School (NAS) proposals

	Issue	Description	Response
182	Support for the NAS proposals	<p>NSW Create supports the planning proposal because it removes any ambiguity by stating the uses permitting at the NAS site that will complement its existing use and ensure its future financial sustainability and increase educational floor space as a result of the amendment of the maximum permissible floor space ratio from 0.9:1 to 1:1.</p> <p>The Department of Education also supports the proposal to allow additional uses and the increase to the floor space ratio at the National Art School to facilitate its growth.</p> <p>Other submitters support the proposals to increase its use as an arts venue, including the Cell Block Theatre, on the basis that it is not converted to purely commercial uses.</p>	<p>Support is noted</p> <p>The planning proposal will only permit uses that support the continued educational and cultural role of the School.</p>
183	Noise impacts on residents at Forbes Street from access to NAS  (also addressed under 'Residential Amenity')	<p>Residents of Forbes Street are located opposite and 70 metres from the main entrance of NAS which has traditionally been used by NAS for ingress and egress of patrons attending events.</p> <p>The high sandstone walls surrounding the perimeter of NAS acts as a sounding board on Forbes Street. Small groups of pedestrians can be heard from inside Caritas House on Forbes Street. When large groups of patrons disperse from late-night events hosted by NAS, significant noise is generated resulting in sleep disturbance in our apartment. Plan of Management protocols under which</p>	<p>The impacts on local residents from the activation of the NAS site will be managed on a case by case basis through applications for development consent. It will be the responsibility of the NAS to ensure that events comply with Plans of Management and acoustic requirements.</p> <p>The NAS is currently exploring an alternative entry from Darlinghurst Road which will minimise impacts on local residents.</p>

	Issue	Description	Response
		many events are hosted often fail to prevent this from occurring.	
184	Clarity about the future use of the NAS for entertainment	<p>A submitter states that the planning proposal is contradictory because it states that it “proposes to remove any ambiguity by permitting additional permitted uses for the NAS” and also “Facilitate the increased activity, viability and activation of the NAS with additional uses that supports its primary education use and cultural and creative purpose”. The submitter is also concerned about the removal of a merit assessment process.</p> <p>Under current approvals, the submitter states that the NAS is permitted to host a maximum of 350 people for 52 events per year. Under the new planning proposal, it intends to host up to 10,000 people, for an unlimited number of events per year. Should this come to fruition, the character of NAS will approximate that of an entertainment quarter. The NAS is not located in a late-night trading area.</p>	<p>The planning proposal states that the SP2 zoning in practice is restrictive because the specific uses that are considered ancillary are not articulated. The planning proposal removes the need to justify what is considered ancillary, by stipulating the uses that can occur which support the educational role of the school.</p> <p>A merit assessment of each use will still be required at the DA stage as each event or use is proposed.</p> <p>Making the uses permissible with consent on the NAS site is appropriate given the surrounding zones to the north east, east, south and west are zoned B4 mixed use and B2 Local Centre which also permit these uses. These uses are typically permitted on tertiary sites elsewhere in the LGA. Oxford Street is also identified as a late night trading precinct with trading up to 24 hours.</p> <p>The uses support the viability of the school and its role as a cultural destination and enables better public access to their cultural programs and events. This also supports cultural and creative precinct and enables NAS to anchor and attractor for Oxford Street.</p> <p>The NAS is not located in a late-night trading area but under the late night training DCP provisions, sites outside of designated areas can operate until midnight or 10pm depending on whether they are indoor or outdoor.</p>
185	Potential alternative entry from Darlinghurst Road	<p>A submitter states that the proposals include reference the potential provision of access to site and these events through an alternative access from Darlinghurst Road where there is less residential uses.</p> <p>They claim that this is an important proposal that requires in-principle</p>	<p>An entry point on Darlinghurst Road would improve the condition for local residents.</p> <p>This proposal cannot be established through this planning proposal because it is not currently proposed or under the control of the City. It is being considered by the NAS and</p>

	Issue	Description	Response
		commitment from NAS and the City of Sydney, at this stage of the planning proposal. Directing pedestrian traffic away from the residential development on Forbes Street is critical to protecting amenity.	may be included in future applications.
186	Changes to development and the continued educational role of the NAS.	A submitter states that any extensions or changes to development controls on the National Art School site should apply only to those which support direct educational delivery and should be subject to rigorous review.	The proposed LEP provisions state 'Development for the purposes of entertainment facilities, community facilities, function centres, offices, information and education facilities, market retail, recreation, filming, shops and food and drink premises <u>which support the ongoing education and cultural and creative use of the National Art School</u> ' is permitted with development consent'. (emphasis added)  Additional permitted uses will be subject to DAs.
187	Necessity of through site links	A submitter states that evidence such as increased student enrolment or increased court cases needs to be provided to support a specific objective to increase public pedestrian access to the National Art School, UNSW or Court House.	The submitter references the proposed through site links to the rear of the Darlinghurst Courthouse and through the NAS. These proposals are appropriate to provide opportunities to increase public access through the precinct which will improve walkability of the wider area.

### 13. Other issues

	Issue	Description	Response
188	Support from NSW Department of Education	The NSW Department of Education welcomes the proposal to allow additional uses at the National Art School site to support its continued educational and cultural role. It is noted this will diversify the range of supporting commercial and entertainment activities that can be held. The increase to the floor space ratio at the National Art School to facilitate its growth is also supported.  UNSW also welcomes and supports this planning proposal that incentivises cultural and creative uses. UNSW is proud to continue	Support is noted.  Floor space for a cultural and creative purpose will be secured by conditions on consent. A post exhibition change to the proposals clarify that Council will impose restrictive covenants on the floor space to ensure that it does not fall away as a result of comply or exempt development other economic pressures. If developers do not tenant the space appropriately they will be contravention of their consent.

	Issue	Description	Response
		<p>over 110 years of its site being used as an education facility and to be recognised as an anchor in the precinct that fosters creativity and innovation in the community.</p> <p>The submitter states that there is a risk that building owners will pursue conversion of this incentive floor space over time due to economic pressures. There may need to be some additional structuring around the proposed arrangement to ensure its ongoing viability is aligned with the community interest.</p> <p>The Planning Proposal mentions Council’s 2017 Floor Space and Employment Survey and references the Department of Education as a substantial occupant of 1 Oxford Street, Darlinghurst, opposite Hyde Park. This is no longer the case, with most departmental staff moving approximately 12 months ago.</p>	<p>Council will investigate a matching service under the Place Strategy that may assist developers tenant the space with cultural and creative operators.</p> <p>A post exhibition change acknowledges that the Department of Education has relocated from the precinct.</p>
189	Impacts on Ausgrid assets	<p>Ausgrid has no objections to the proposals. The assessment and evaluation of environmental impacts for a new development consent (or where a development consent is modified) is undertaken in accordance with requirements of Section 79C of the Environmental Planning and Assessment Act 1979. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment.</p> <p>Ausgrid requires that due consideration be given to the compatibility of ahi proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric &amp; Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.</p>	<p>Advice is noted. The proposal does not change the zoning and assessment of specific site suitability is undertaken at DA stage.</p>

	<b>Issue</b>	<b>Description</b>	<b>Response</b>
190	Impacts on Sydney Water assets	<p>Sydney Water supports the City's planning proposal. Sydney Water has critical assets within the precinct including trunk water and wastewater mains and stormwater channels. Sydney Water encourages Council to notify Sydney Water of any proposed works that may interfere or impact our access to these assets.</p> <p>Sydney Water also encourages Council to notify Sydney Water of any upgrades to infrastructure within the ground so that Council, Sydney Water and other relevant agencies can coordinate works resulting in the least amount of road disruptions and closures.</p>	Support and advice are noted