

Attachment B

**Draft Sydney Development Control Plan 2012
383-395A Kent Street, Sydney**

Sydney Development Control Plan – 383-395A Kent Street, Sydney



The purpose of this Development Control Plan

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

The amendment provides objectives and provisions to inform future development at 383-395A Kent Street, Sydney.

This plan is to be read in conjunction with Planning Proposal – 383-395A Kent Street, Sydney.

Citation

This amendment may be referred to as *Sydney Development Control Plan 2012 – 383-395A Kent Street, Sydney*.

Land covered by this plan

This plan applies to the land identified as 383-395A Kent Street, Sydney – which is Lot 1 in DP 778342.

Relationship of this plan to Sydney Development Control Plan 2012

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

Amendments to Sydney Development Control Plan 2012

This plan amends Sydney Development Control Plan 2012 by:

1. Amending Figure 6.1 Specific sites map to include 383-395A Kent Street, Sydney.
2. Inserting a new section 6.3.X 383-395A Kent Street, Sydney, as shown at Schedule 1.
3. Updating figure numbers as required.

Schedule 1 – Amendment to Sydney Development Control Plan 2012

6.3.X 383-395A Kent Street, Sydney

The following objectives and provisions apply to 383-395A Kent Street, Sydney, as shown in 'Figure 6.1 Specific sites map', where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

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

If a development at 383-395A Kent Street, Sydney, seeks to utilise additional height and/or floor space permitted by clause 6.XX, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

6.3.X.1 Maximum building envelope Objectives

- a. To facilitate the development of the site consisting of new commercial uses to achieve a high-quality built form that:
 - i. is of appropriate bulk and scale for its location, responsive to existing streetscapes including nearby heritage buildings;
 - ii. provides for setbacks that protect daylight access, allow ventilation, provide visual privacy to nearby residential buildings, and visually separate the subject tower from existing and future towers on adjoining sites; and;
 - iii. reduces adverse wind impacts to the public domain through built form modulations in the north west and southern elevations.
- b. To determine a maximum building envelope in which all future development is to be comfortably contained.
- c. To deliver sufficient architectural articulation to ensure development is capable of responding to amenity issues.

Provisions

1. Development is not to exceed the building envelope shown in 'Figure 6.X Kent Street envelope massing', 'Figure 6.X Sussex Street envelope massing', 'Figure 6.X Sussex Street setbacks above street wall height', and 'Figure 6.X side setbacks and tower roof plan'.
2. The maximum building height is to be RL 189.80m to the highest point on the building including any plant and rooftop architectural features.
3. The maximum street wall height to Kent Street is not to exceed RL 46.2m.

4. The maximum street wall height to Sussex Street is not to exceed RL 34.8m.
5. A minimum of 12% of the total tower component envelope area above the podium (the sum of the areas measured in plan at each level) is to be for the purposes of architectural articulation (open areas), sun shading and external walls.
6. The distance between the glazing line of the tower at 383-395A Kent Street, Sydney and 365 Kent Street, Sydney should be no less than 24 metres.
7. Development is not to worsen existing exceedances on Sussex Street of the Wind Safety Standard and the Wind Comfort Standard for Walking, as illustrated in 'Figure 6.X Existing wind conditions', by increasing the spatial extent, frequency or speed of the wind.

Figure 6.X Kent Street envelope massing

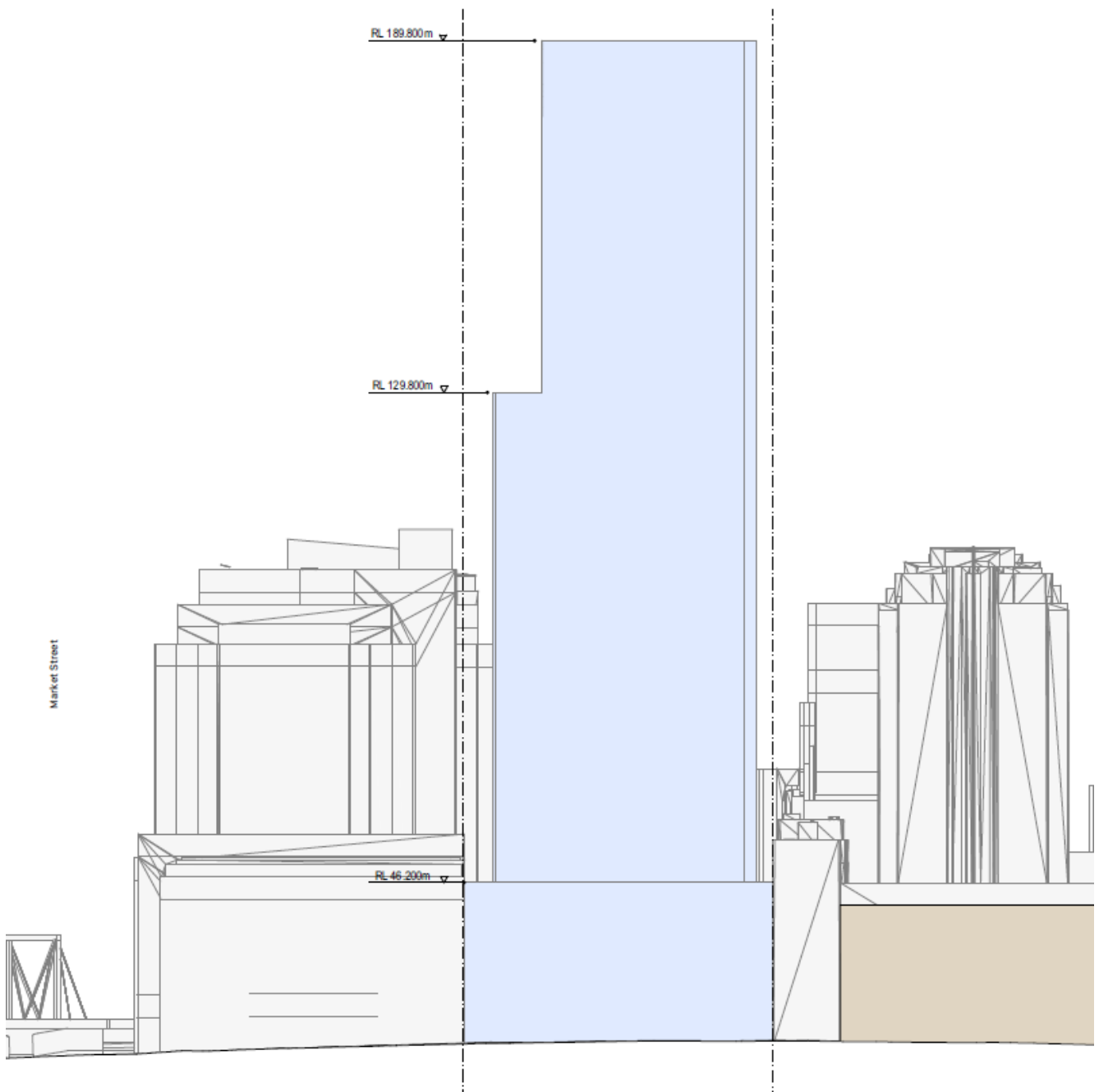


Figure 6.X Sussex Street envelope massing

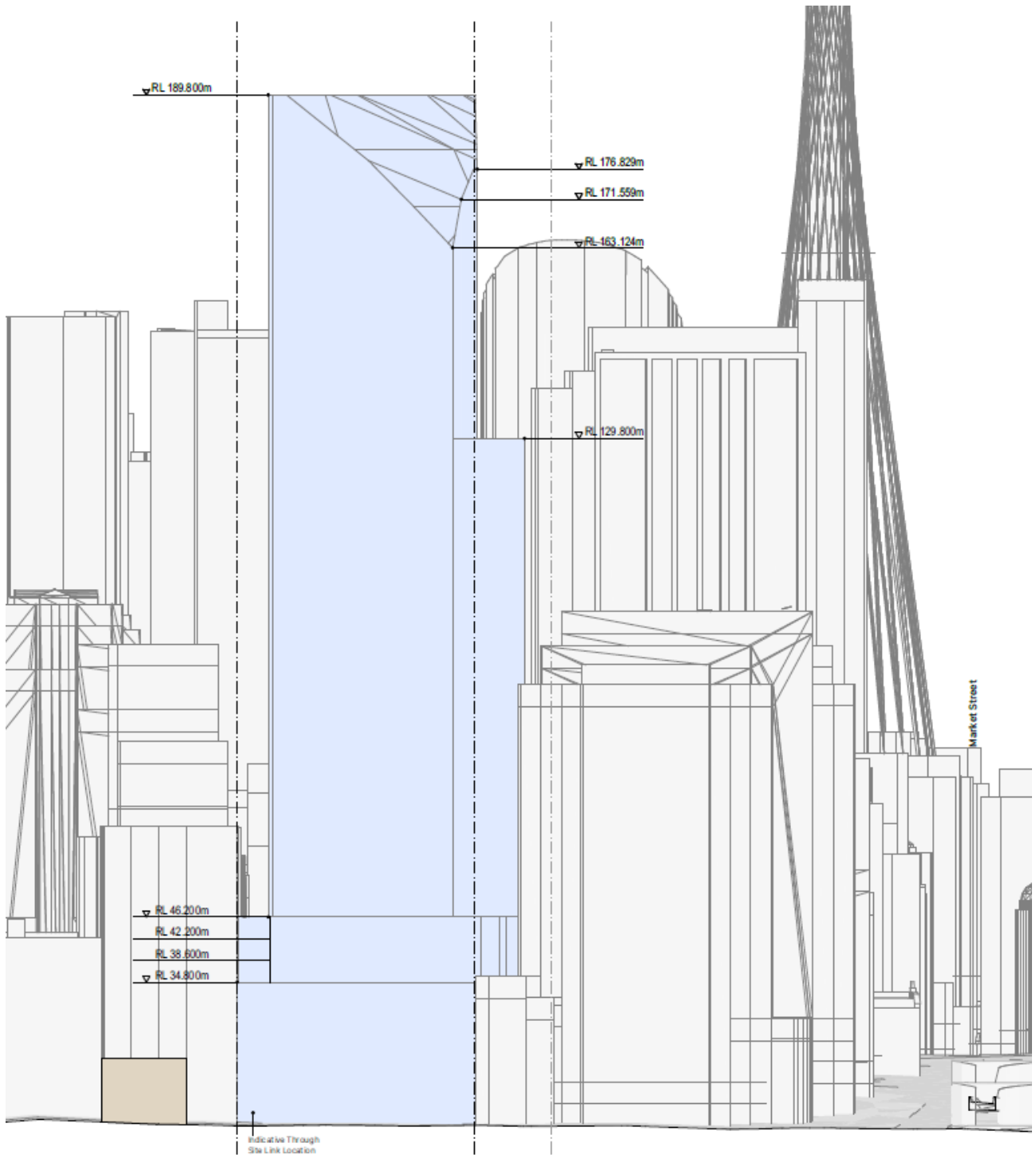


Figure 6.X Sussex Street setbacks above street wall height



Figure 6.X Side setbacks and tower roof plan

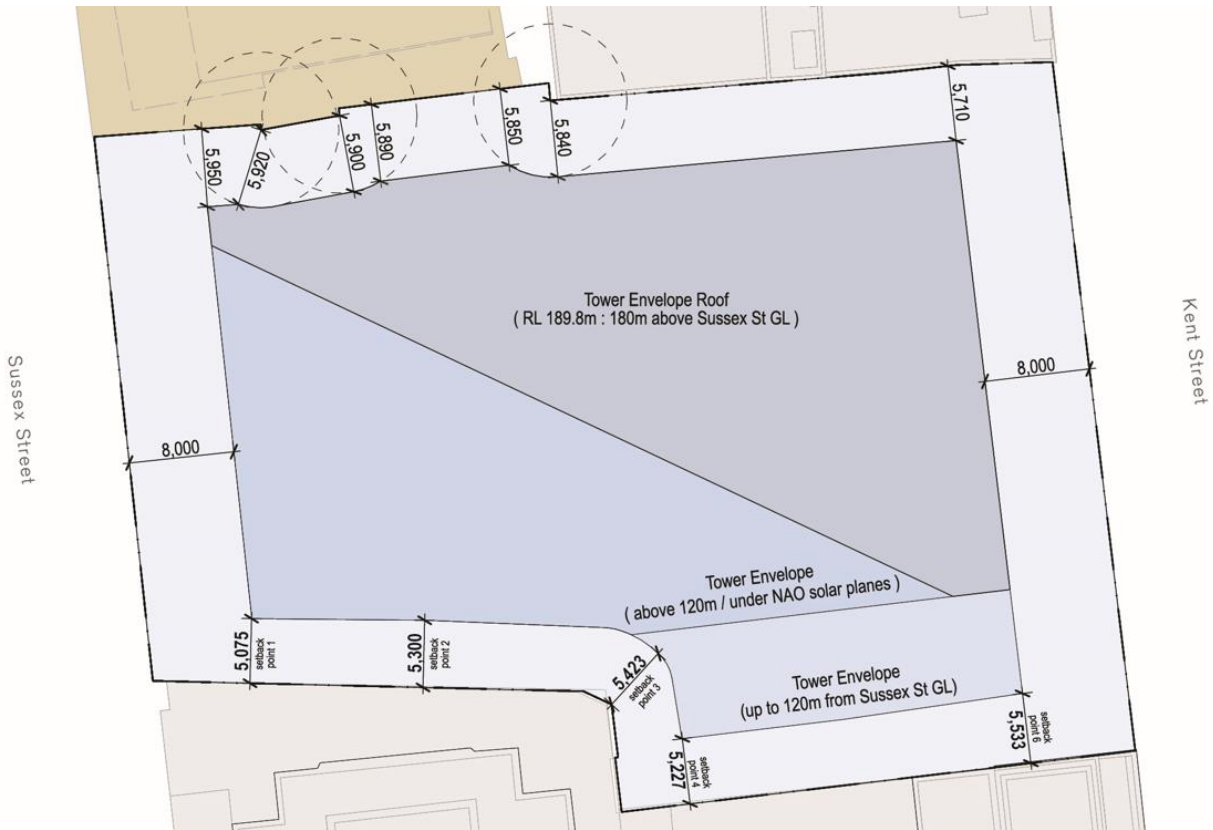
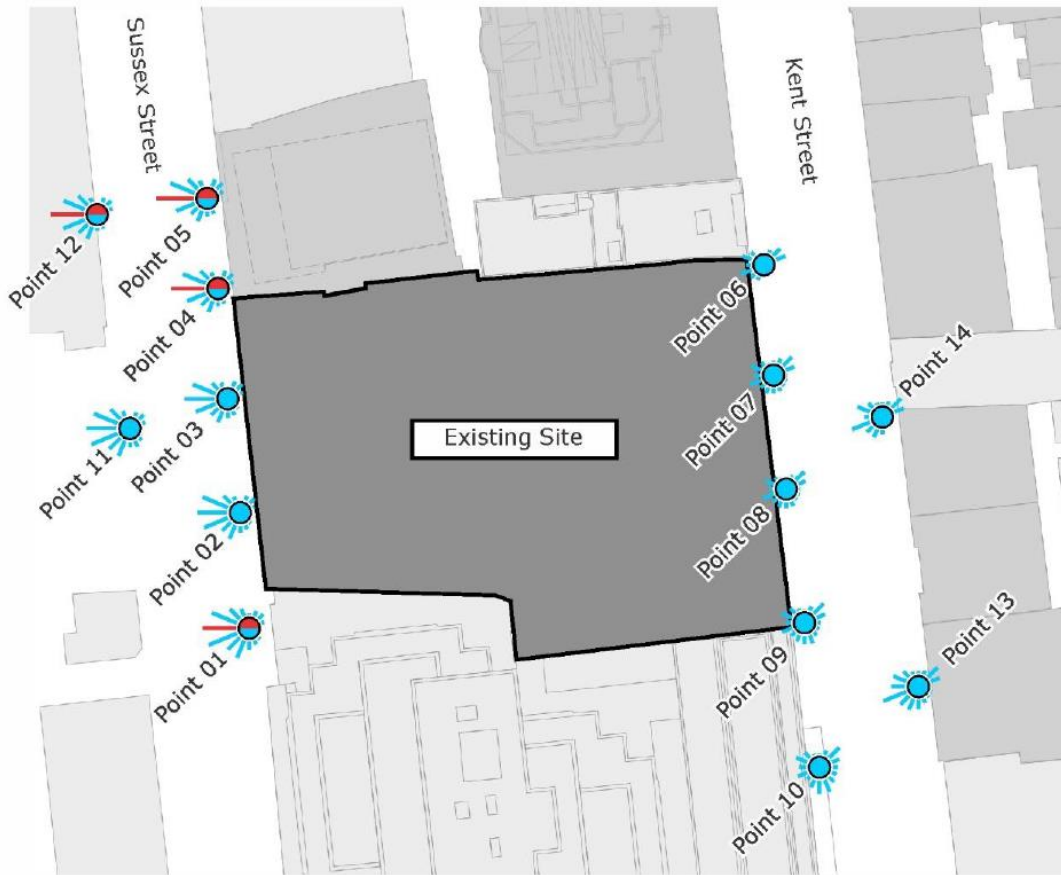


Figure 6.X Existing wind conditions (with red lines indicating direction of wind speeds exceeding standards)



6.3.X.2 Through-site link and ground floor activation

Objectives

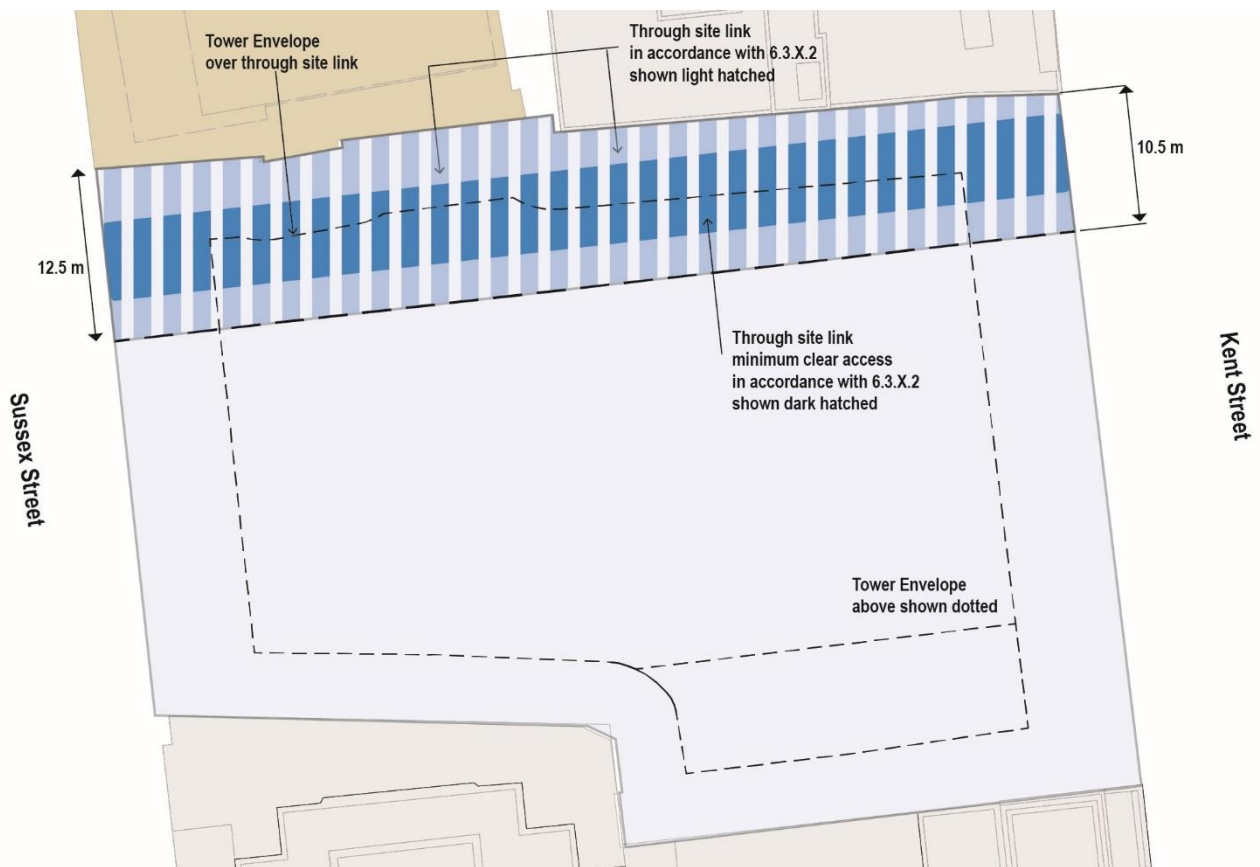
- a. To provide a publicly accessible pedestrian through-site link connecting Kent Street and Sussex Street which supports ground floor activation, public amenity and pedestrian permeability.
- b. To provide a pedestrian through-site link, partially open to the sky, with a comfortable wind environment.
- c. To maximise active frontages with retail and business premises uses at ground level and minimise service and vehicle access impacts.

Provisions

1. The through-site link is to have dimensions in accordance with 'Figure 6.X Through-site link' including:
 - a. a minimum clear access width of 6m, as indicated by dark hatching in 'Figure 6.X Through-site link';
 - b. a minimum height of 10m and minimum width of 10.5m at the Kent Street entry; and
 - c. a minimum height of 20m and minimum width of 12.5m at the Sussex Street entry.
2. Approximately 50 per cent of the through-site link must be open to the sky with no built form above, subject to meeting appropriate wind comfort standards for standing within the through-site link.
3. Active frontages are to be provided on both sides of the through-site link.

4. The through-site link is to be publicly accessible at all times.
5. The through-site link must ensure a clear line of sight is visible between Kent Street and Sussex Street, while providing opportunities for multiple landings to break up its length and steepness.
6. Kent Street and Sussex Street ground level frontages are to maximise activation, with retail or food and drink premises or both, while minimising building services, vehicle entries and lobbies.
7. The main part of the commercial lobby is to be located at ground level, accessed from the Kent Street frontage or via the through-site link.

Figure 6.X Through-site link



6.3.X.3 Shared loading dock

Objectives

- a. To ensure development provides shared loading opportunities for neighbouring retail and commercial premises on Kent Street and Sussex Street.
- b. To minimise on-street loading activities and reduce driveway crossovers.

Provisions

1. The development is to provide a shared loading dock facility which is available for the use of nearby commercial and retail premises.
2. The shared loading dock facility is to provide spaces for at least 7 loading dock bays of adequate size for 1 Medium Rigid Vehicle (MRV), 2 Small Rigid Vehicles (SRV) and 4 vans.
3. As a minimum, the hours of operation for the shared loading dock facility will be consistent with on-street advertised loading provisions.

4. Access must be provided between the shared loading dock facility and Kent Street via a goods lift during all hours of operation. The goods lift should be located adjoining the publicly accessible through site link.
5. Vehicle access to the shared loading dock facility must be from Sussex Street, as close to the southern boundary of the site as possible, with no vehicular access from Kent Street.
6. The shared loading dock facility is to operate in accordance with a prepared Loading Dock Management Plan that outlines the systems and processes in place for managing booking vehicle bays, access provisions (including after hours procedures) and details any security protocols and maintenance practices.
7. A vertical clearance of 4.5m must be provided within the loading dock to adequately service MRV movement.

6.3.X.4 Design Excellence Strategy

1. An invited architectural design competition for the entire site is to be undertaken in accordance with clause 6.21D of the Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy.
2. The competition is to include:
 - a. no less than six competitors;
 - b. a minimum of 50% of competitors to be Australian based architects;
 - c. at least one emerging architect or all competitors to be in partnership with emerging architects;
 - d. competitors meeting a gender representation ratio of 40% male, 40% female, 20% any gender in their design team and leadership;
 - e. competitors with demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) commendation or award in the past 5 years or, in the case of overseas competitors the same with their equivalent professional association; and
 - f. competitors with demonstrated experience on projects that have either received an environmental sustainability award or achieved high Green Star Design & As Built or NABERS Energy/Water ratings.
3. The jury is to comprise a total of six (6) members, comprised of:
 - a. three (3) jurors with architecture and urban design expertise nominated by the proponent including one independent member (a person who has no pecuniary interest, nor is a pending or contracted employee or consultant to the proponent),
 - b. three (3) jurors nominated by the City of Sydney, who have no pecuniary interests in the development proposal or involvement in approval processes, and
 - c. at least one juror with sustainability expertise.
4. Any additional floor space pursued for a building demonstrating design excellence under clause 6.21D(3)(b) of the Sydney Local Environmental Plan 2012 is to be accommodated within the building envelope shown in 'Figure 6.X Kent Street envelope massing', 'Figure 6.X Sussex Street envelope massing', 'Figure 6.X Sussex Street setbacks above street wall height', and 'Figure 6.X side setbacks and tower roof plan'.
5. No additional building height under clause 6.21D(3)(a) of the Sydney Local Environmental Plan 2012 is to be awarded as a result of the competition.

6.3.X.5 Sustainability

Objectives

- a. To ensure development is consistent with Australian best practice performance benchmarks for ecologically sustainable development.

Provisions

1. For the purposes of clause 7.33 'Sustainability requirements for certain large commercial development' in Sydney LEP 2012, development must be designed to meet the following performance standards in order to optimise energy efficiency and the use of renewable energy generated on-site:
 - a. a maximum 45 kWh/yr/m² of GFA, or
 - b. 5.5-Star NABERS Energy CA + 25%, or
 - c. certified Green Star Buildings rating with a "credit achievement" in Credit 22: Energy Use, or
 - d. equivalentand
 - e. renewable energy procurement equivalent to "net zero emissions from energy used on-site" or a maximum of 45 kWh/yr/m² of GFA.
2. An operational and embodied carbon emissions integrated design options report must be prepared which demonstrates how operational and embodied carbon emissions have been minimised over the lifecycle of development through options analysis, including but not limited to, structural optimisation to reduce material volumes, optimisation of use of low embodied carbon materials (including concrete that achieves at least 30% lower embodied carbon than Conventional Ordinary Portland Cement [OPC] concrete), and optimisation of external shading and window to wall ratios (benchmarked against a 50% ratio with high levels of shading, high R value and low embodied carbon wall construction).

6.3.X.6 Public art

Objective

- a. Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.

Provisions

1. A coordinated public art and landscaping plan should guide the creation of a significant public artwork in the through-site link.

